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A Regulatory Time Bomb: Can Singapore's Model Rescue Indonesia's Gig Economy?

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Abstract:
Platform workers who work through digital applications such as online transportation and delivery services are growing in Indonesia, but their legal status is still unclear. The incompatibility between the platform's work model and conventional labor regulations results in platform workers not receiving legal protection, social security, or recognition of formal employment relationships. This article examines these problems using normative legal research methods and comparative approaches by comparing the Indonesian legal system with Singapore's policies through the Platform Workers Act 2024. The legal materials include laws and regulations, jurisprudence, and related literature. The study results show that Indonesia still relies on inadequate partial regulation to address the protection needs of platform workers. At the same time, Singapore has taken a progressive step by recognizing the status of platform workers as a separate legal entity with fundamental rights, such as social security, the right to form associations, protection against work injuries, and income transparency. The novel finding of this study lies in identifying the hybrid employment model as a feasible and legally sound framework to bridge the gap between full-time employment and independent contracting in Indonesia. This model not only aligns with Singapore's adaptive regulatory approach but also offers a policy blueprint for equitable protection without undermining digital innovation. The broader implication is clear: without a comprehensive legal reform that institutionalizes hybrid employment, Indonesia risks entrenching a two-tier labor system that perpetuates inequality within its rapidly expanding digital economy.

Keywords:
digital workers; gig economy; hybrid employment; platform workers.

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Introduction

The rapid growth of digital technology has transformed global employment structures, especially in developing economies such as Indonesia. One prominent manifestation is the rise of platform workers, individuals who earn income through digital applications by providing transportation, delivery, and other on-demand services.[1] These workers represent a new group of laborers who are managed through algorithmic control, where data-based systems automatically assign, supervise, and assess their tasks.[2] This system blurs traditional

1 Uma Rani and Rishabh Kumar Dhir, "Platform Work and the COVID-19 Pandemic," *The Indian Journal of Labour Economics* 63, no. S1 (October 6, 2020): 163–71, https://doi.org/10.1007/s41027-020-00273-y.
2 Djeumenou Jean-bosco, Alfred Amihere Tit, and Joseph Nkoumou, "Consumer Protection Laws in E-Commerce : Legal Gaps and Enforcement Challenges," *Green Social: International Journal of Law and Civil Affairs* 1, no. 2 (2024): 3063–0576, https://doi.org/https://doi.org/10.70062/greensocial.v1i2.55.

distinctions between employees and independent contractors.[3] The resulting legal gaps, or the absence of adequate frameworks that recognize or protect platform-based labor relations, have become a central challenge in the digital economy.[4]

In Indonesia, millions rely on platforms such as Gojek, Grab, ShopeeFood, and Maxim for their livelihoods. They work within an uncertain regulatory area, where they are neither recognized as formal employees nor as independent entrepreneurs, which leaves them outside the protection provided by Indonesia's the Labor Law of 2003. This ambiguity deprives them of basic labor rights, collective bargaining, and access to social security.[5] While platforms create job opportunities, they also reinforce precarity and inequality among low-income workers who bear economic risks without institutional safeguards.[6] Singapore faces similar challenges but has responded with a more adaptive approach. The Platform Workers Act 2024 represents a significant breakthrough, as it officially acknowledges platform workers as a unique category distinct from regular employees but still entitled to basic legal protections. The Act mandates social security contributions, income transparency, and representation rights. Singapore's model exemplifies inclusive governance that balances flexibility and protection. It offers a valuable comparative reference for Indonesia and a regional benchmark for ASEAN nations seeking to modernize their labor regimes. This comparison carries broader global significance. It contributes to international debates on how developing economies can adapt legal systems to new forms of work without stifling innovation. By engaging with the International Labor Organization's (ILO) discourse on *sui generis* employment and decent work standards, this study proposes an evidence-based model for reform that informs both domestic and international policymaking.

Despite expanding research on digital labor, key scholarly gaps remain. Nur et al. highlight that the Southeast Asian regulations for digital workers are fragmented and reactive,[7] while Rhogust concludes that Indonesia's sectoral laws fail to accommodate non-standard work.[8] Both underscore the urgency of reform but stop short of offering a comparative legal framework contextualizing Indonesia's regulatory challenges regionally. Thus, the question of what model can reconcile flexibility and protection in Indonesia's labor system remains unanswered. Makhtar et al. propose a rights-based approach for Malaysia, suggesting ASEAN states must prioritize worker protection to ensure fair conditions.[9] Albab et al. emphasize Indonesia's lack of legal certainty, warning that without reform, systemic

3 Ayomikun Idowu and Amany Elbanna, "Bright ICT and Unbounded Employment: Typology of Crowdworkers and Their Lived and Envisaged Career Trajectory in Nigeria" (Springer, 2019), 470–86, https://doi.org/10.1007/978-3-030-20671-0_32.
4 Emil Zelma, "The Gig Economy from the Freelancer's Perspective: The Risk of Precarianization," *International Journal of Contemporary Management* 60, no. 1 (March 1, 2024): 211–26, https://doi.org/10.2478/ijcm-2024-0013.
5 Amit Joshi, Saharsh Jain, and Puneet Kumar Gupta, "Challenges and Impact of the Gig Economy," *Sustainable Economies* 2, no. 2 (April 3, 2024): 96, https://doi.org/10.62617/se.v2i2.96.
6 Asuman Bateyo, "The Gig Economy: Implications for Workforce Management," *Research Invention Journal of Current Issues in Arts and Management* 4, no. 1 (January 25, 2025): 39–42, https://doi.org/10.59298/RIJCIAM/2025/413942.
7 Ramya Singh, Archana Sharma, and Nimit Gupta, "Nursing on the Edge: An Empirical Exploration of Gig Workers in Healthcare and the Unseen Impacts on the Nursing Profession," *The Scientific Temper* 15, no. 01 (March 15, 2024): 1924–33, https://doi.org/10.58414/SCIENTIFICTEMPER.2024.15.1.46.
8 Muhammad Rhogust and Institut Rahmaniyah Sekayu, "Labor Law Reform in the Gig Economy Era: Analysis of the Impact of Regulatory Changes on Freelancers in Indonesia," *Social Science* 1, no. 1 (2023): 48–60.
9 Maheran Makhtar, Zuhairah Ghadas, and Mahbubul Haque, "Exploring Legal Protections for Platform Workers in Malaysia: A Human Rights-Based Perspective," *Padjadjaran Jurnal Ilmu Hukum (Journal of Law)* 11, no. 2 (August 2024): 185–207, https://doi.org/10.22304/pjih.v11n2.a2.

precarity will persist.[10] Yet none of these studies identify actionable models drawn from successful jurisdictions. Singapore's Platform Workers Act 2024 fills this analytical void, providing a real case of how legal recognition and hybrid employment frameworks can operationalize protection without undermining flexibility. By comparing these contexts, this study advances beyond descriptive analysis to offer a prescriptive legal model for Indonesia.

The research gap addressed here lies in the absence of comparative legal studies that juxtapose Indonesia's and Singapore's approaches while extracting concrete policy lessons. This study addresses that gap by proposing the hybrid employment model. This framework lies between full-time employment and independent contracting, as a practical legal approach to acknowledge and protect platform workers. The novelty and primary contribution of this research are, first, it introduces the hybrid employment model as a new perspective in Southeast Asian labor law, offering an alternative to the binary classification of employees versus contractors. Second, it contributes to regional and global labor policy discourse by demonstrating how Indonesia can adapt such a model to expand social protection without weakening digital entrepreneurship. Together, these elements establish the paper's originality and policy relevance.

As a regulatory innovator in ASEAN, Singapore has pioneered adaptive governance in areas such as fintech and migrant labor regulation. The Platform Workers Act 2024 further cements its role as a legal first mover, providing a real-world example of reconciling technological innovation with workers' rights. Singapore's experience offers an instructive contrast to Indonesia's vast and fragmented labor market, revealing how progressive norms can be adapted to different socio-economic contexts. Analyzing this trajectory yields insights into how Indonesia might design a protection framework that is both coherent and sustainable. In summary, this research fills a critical scholarly and policy void by combining comparative, normative, and prescriptive analysis in one framework. Its novelty lies not only in identifying Singapore's Platform Workers Act as a model but also in conceptualizing the hybrid employment framework as a legally coherent and socially equitable foundation for Indonesia's platform economy. This article goes beyond national boundaries by offering a fresh perspective on how developing countries can design labor regulations that are both flexible and fair in the digital era.

Method

This research was prepared using a normative research method, and legal research was conducted by researching literature materials or secondary data. The secondary data consists of primary legal materials, specifically authoritative and binding legal materials, including laws and regulations, jurisprudence, and international regulations/agreements. The primary legal material in this study is the Labor Law of 2013 in conjunction with the Job Creation Law of 2023, the Labor Union Law 2000, the Settlement of Industrial Relations Disputes Law of 2004, the Social Security Agency Law of 2011, as well as various derivative regulations of the

10 S. H. S. Ulil Albab, Azhar Muhammad Hasan, and Kevin Bhaskara Sibarani, "Legal Protection of Gig Workers in Indonesia: Reviewing Legal Jus-Tice, Certainity, and Expediency," *Journal of Interdisciplinary Law and Legal Issues* 1, no. 1 (2023): 1–24.

law. The primary legal material for comparison is Singapore's Platform Workers Act 2024. Second, secondary legal materials provide further explanations of primary legal materials. In this study, the secondary legal materials used are various studies and thoughts on the gig economy in books, journals, and other research results.

This study applies a statutory and comparative legal approach. The statutory approach uses statutory interpretation to analyze Indonesian labor and social security laws, identifying gaps in the protection of platform workers. The comparative approach uses a functional legal comparison framework to explore how Singapore's Platform Workers Act 2024 deals with similar challenges, especially those related to social protection, employment status, and worker representation. Legal materials (laws, jurisprudence, literature) were analyzed qualitatively through thematic legal analysis, where key principles and patterns were derived inductively. Findings were then interpreted using Systematic Legal Interpretation to formulate a hybrid employment model for Indonesia's reform.

Discussion

1. Platform Workers Regulation in Singapore.

Economic, political, and social pressures drove the passage of the Platform Workers Act 2024 in Singapore. Economically, the rapid growth of the gig economy, fueled by technological innovation and digital platforms, offered flexible income opportunities but exposed workers to unstable earnings and limited social benefits. This instability raised concerns about the sustainability of gig work and the vulnerability of workers in the digital economy. Recognizing these risks, the government deemed reforms necessary to provide stronger protections.[11] The Act aims to address these challenges while maintaining flexibility for workers. Politically, the Singapore government sought to balance innovation with workers' welfare. Platform workers play a crucial role in the economy, but lack sufficient safeguards, prompting consensus among political actors to accelerate law ratification.[12] Public pressure and advocacy by groups such as AWARE and trade unions highlighted precarious working conditions.[13] Citizens increasingly demanded fairness and equitable access to protections, regardless of employment type.[14] Responding to these societal expectations, the government ensured that the law aligned with evolving social norms and principles of justice and equality.

The Act targets the rising number of gig workers, particularly drivers and couriers, who now total about 70,500, representing 3% of Singapore's workforce.[15] These workers face income fluctuations, occupational risks, and inadequate retirement savings, highlighting the urgency for systemic reform. Policymakers acknowledged that the contributions of platform

11 Peter Waring, Azad Bali, and Chris Vas, "The Fourth Industrial Revolution and Labour Market Regulation in Singapore," *The Economic and Labour Relations Review* 31, no. 3 (September 24, 2020): 347–63, https://doi.org/10.1177/1035304620941272.
12 Brigid Trenerry et al., "Mobilising Workers via Digital Means: Reinventing Trade Unions for the Digital Age," *Singapore Labour Journal* 01, no. 01 (January 28, 2022): 6–19, https://doi.org/10.1142/S2811031523000025.
13 Sugidha Nithiananthan and Adilah Rafey, "The Platform Workers Act Is a Landmark Piece of Legislation — Here's How It Can Go Further in Protecting Workers," Aware for Equality, 2024, https://www.aware.org.sg/2024/09/platform-workers-act/.
14 Legislative Council Secretariat, "Protection of Digital Platform Workers in Singapore and Spain" 730, no. 2022 (2023).
15 Ministry of Manpower, "Labour Force in Singapore Advance Release 2024," *Ministry of Manpower, Singapore*, no. November (2024).

workers required proper legal recognition, which became a cornerstone of the new legislation. Before the Act, these workers were neither officially employed nor fully self-employed, leaving them without comparable protections to permanent employees. Surveys by the Institute of Policy Studies (IPS) in 2023 found that over 60% of gig workers lacked retirement savings or insurance coverage,[16] while MOM's 2022 Labor Force Report indicated that they earned 30–40% less than comparable full-time employees.[17]

To address these gaps, the Ministry of Manpower (MOM) established the Platform Worker Advisory Committee, composed of unions, employers, and government representatives.[18] The committee recommended formally recognizing platform workers as a distinct category under the law. Set to take effect on January 1, 2025, the Platform Workers Act 2024 makes Singapore one of the first countries to grant legal status to platform workers. The law balances work flexibility with stronger protections and sets a precedent in Southeast Asia by bridging innovation and labor rights.[19] Nevertheless, the Act represents a significant milestone in labor reform. The law begins by defining several key terms, such as "platform service," "platform operator," and "platform worker." These definitions are crucial to provide legal clarity.[20] A platform worker, in Part I Section 5 (1), is an individual who performs work through a digital intermediary in exchange for remuneration but without permanent employee status. A platform operator, by contrast, is the company providing the digital system enabling such work. Examples include food delivery and ride-hailing applications. By establishing these definitions, the law reduces ambiguity in legal interpretation. Clear terminology ensures consistency in policy enforcement and dispute resolution.

Another key aspect of the Platform Workers Act 2024 is its acknowledgment of formalized working relationships. Traditionally, platform workers are viewed as freelancers or independent contractors, often leaving them outside labor law protections. Singapore's law changes this perspective by affirming that these workers maintain employment ties with platform operators. This reduces legal uncertainty and prevents exploitation, ensuring that workers' rights are upheld even without permanent contracts. Such provisions highlight the government's commitment to protecting vulnerable segments of the workforce.[21] The law demonstrates a clear intent to balance flexibility with legal safeguards.

The Act also acknowledges partial employment relationships. While platform workers are not permanent employees, they remain connected to platform operators through specific rights and obligations. This framework allows workers to benefit from legal protections without losing the flexibility inherent in gig work, creating a hybrid model between traditional

16 Lee Kuan Yew School of Public Policy, "Improving the Welfare of Platform Workers in Singapore Introduction," 2024," 2024, https://www.ptc.gov.sg/newsroom/news-releases/newsroom-view/new-regulatory-framework-for-.
17 Ministry of Manpower, "Labour Force in Singapore 2015," 2016, 243.
18 Singaporean Ministry of Manpower, "New Platform Workers Bill to Strengthen Protections for Platform Workers," 2024, https://www.mom.gov.sg/newsroom/press-releases/2024/0909-new-platform-workers-bill-to-strengthen-protections-for-platform-workers.
19 Singaporean Ministry of Manpower.
20 Nithiananthan and Rafey, "The Platform Workers Act Is a Landmark Piece of Legislation — Here's How It Can Go Further in Protecting Workers."
21 Singaporean Ministry of Manpower, "New Platform Workers Bill to Strengthen Protections for Platform Workers."

employment and freelance arrangements.[22] Obligations include providing income slips, maintaining worker records, and offering protection against work injuries. Even in the absence of conventional contracts, operators are legally accountable to workers, reinforcing fair treatment.

A distinctive characteristic of gig work is reliance on digital platforms for tasks. Although workers choose when to work, platforms control task assignments, operational rules, and rates, limiting true independence.[23] This dependency is formally recognized by the law, reflecting an interdependent relationship where platforms assign tasks and workers execute them.[24] The regulation ensures clarity in rights and obligations, balancing worker flexibility with protections against exploitation. All of these provisions are emphasized in Part I Section 6 and Part II of the Act.

The Platform Workers Act 2024 affirms employment relationships to create a fair and balanced framework between platform workers and operators. It seeks to ensure that platform workers enjoy protections similar to permanent employees while allowing operators to maintain flexible and efficient operations. The law provides a range of rights for workers engaged through digital platforms, covering social protection, the right to organize, work injury safeguards, and access to social security. These provisions aim to recognize workers who were previously excluded from traditional labor protections and to promote equitable treatment within the gig economy.[25] By establishing these standards, the Act sets a precedent for regulating platform work in a rapidly evolving digital labor market.

The Act guarantees platform workers a clear and transparent employment relationship with operators (Part I Section 6). Written agreements must specify work duration, duties, and the rights and obligations of both parties, providing proof for dispute resolution. Termination procedures are regulated to prevent arbitrary dismissal, strengthening trust and accountability. Workers also have the right to form or join associations, similar to unions, enabling collective bargaining and protection against intimidation or discrimination (Part I Section 7).[26] Associations may conduct industrial actions through fair and democratic processes, ensuring workers can voice concerns effectively.

Income transparency is another key provision, requiring operators to issue income slips detailing rates, deductions, and total earnings (Part II Section 13-14). This measure reduces disputes, enhances financial security, and supports access to tax and insurance systems.[27] The law extends Central Provident Fund contributions to platform workers, ensuring pension savings and health coverage, with automatic enrolment for younger workers and voluntary participation for older workers (Part II Section 16). Work injury compensation is mandated, with operators responsible for medical costs and lost income, providing a safety net (Part II

22 Bin Xu, Yasai Jin, and Ni Zhang, "The Singapore Platform Workers Act and Its Implications," *Journal of Economics and Law* 2, no. 1 (February 2025): 114–19, https://doi.org/10.62517/jel.202514118.
23 Trenerry et al., "Mobilising Workers via Digital Means: Reinventing Trade Unions for the Digital Age."
24 Xu, Jin, and Zhang, "The Singapore Platform Workers Act and Its Implications."
25 Singaporean Ministry of Manpower, "New Platform Workers Bill to Strengthen Protections for Platform Workers."
26 Trenerry et al., "Mobilising Workers via Digital Means: Reinventing Trade Unions for the Digital Age."
27 Xu, Jin, and Zhang, "The Singapore Platform Workers Act and Its Implications."

Section 16). Additionally, in cases of operator bankruptcy, debts owed to platform workers are prioritized, securing their financial rights (Part II Section 18). Based on the explanation related to platform workers above, here are the differences between the working relationship of platform workers and conventional workers in Singapore in the form of a table.

Table 1. Comparison between Conventional Workers and Platform Workers in Singapore

Aspect	Conventional Workers	Platform Workers
Definition of Employment Relationship	Workers with permanent or temporary employee status who are employed by the employer under a formal employment contract.	Workers who work through digital platforms as independent contractors or freelancers are not permanently employed.
Worker Status	Permanent or temporary workers with clear rights as employees.	Freelancers with independent contractor status do not have permanent employee status.
Employer / Operator Obligations	Employers are required to comply with the provisions of the Employment Act, which include fixed salary, social security, leave, and other protections.	Platform operators are obliged to provide income slips, keep worker records, and provide work injury protection, but do not have other obligations like conventional workers.
Employment Contract	Workers have a precise formal employment contract with provisions on workers' rights, working hours, and wages.	Platform workers do not always have formal employment contracts; relationships are more flexible based on tasks or projects.
Right to Wages and Payments	A fixed salary that is paid regularly (e.g., monthly), with entitlements to benefits such as annual leave, sick leave, etc.	Payment is based on completed tasks or projects; there is no fixed salary or benefits like those of conventional workers.
Social and Health Protection	Entitled to health protection and social security through the Central Provident Fund (CPF) and other benefits.	Although it receives some social protections, such as CPF contributions and work injury protection, the protection is not as comprehensive as that of conventional workers.
Working Hours and Flexibility	The employer determines fixed working hours under the employment contract. There are standardized overtime and rest time rules.	High flexibility: Workers can choose their time and place of work, but with fluctuating incomes.
Protection Against Termination of Employment	Protected from unlawful dismissal under employment law, with severance pay rights and notice of dismissal.	It can be terminated with notice by the platform operator, even though the Platform Workers Act 2024 protects against unfair termination.
Right to Leave	Entitled to annual leave, sick leave, maternity leave, and other rights under the employment contract.	Not having the right to annual or sick leave like conventional workers, only get rights related to the work performed.
Pension and Insurance Guarantee	Eligible to receive Central Provident Fund (CPF) contributions as retirement savings, health insurance, and other social protection.	Despite receiving CPF contributions, pension guarantees, and other insurance, they may not receive as much as those of conventional workers because they are independent contractors.
Dispute Resolution	Workers can file claims against employers through the Tripartite Alliance for	Platform workers can file disputes with employment authorities or through platform

	Dispute Management or employment courts.	workers' associations, but these mechanisms are more limited than those of conventional workers.
Control of Work	Employers usually regulate conventional workers regarding working hours, duties, and locations.	Platform workers have more control over working time and location but are subject to the platform's policies regarding tasks and rates.
Protection against Discrimination	Protected by employment law from discrimination in terms of gender, race, religion, etc.	Protection against discrimination is more limited, as platform workers are independent contractors, not permanent employees.

Source: Singaporean Ministry of Manpower.[28]

The main differences between the employment relationship of platform workers and conventional workers in Singapore lie in worker status, employer obligations, social rights, and legal protection. Conventional workers enjoy structured employment relationships with clearly defined rights and duties under labor law. In contrast, platform workers enjoy greater flexibility but have fewer protections, although the Platform Workers Act 2024 has started to narrow this gap by introducing specific safeguards. This legislation reflects Singapore's attempt to balance flexibility with fairness, establishing a hybrid model that integrates social security, transparency, and collective rights. This development raises critical analytical questions for the Indonesian context: Can Indonesia adopt a similar hybrid employment framework to address its own regulatory gaps? What institutional, legal, or socio-economic adjustments would be required to replicate Singapore's balance between innovation and protection? And to what extent can Singapore's experience serve as a transferable model for a larger, more diverse labor market like Indonesia's? These questions form the foundation for the subsequent examination of Indonesia's platform labor regulations and their readiness for reform.

2. Platform Workers Regulation in Indonesia.

The rapid development of digital technology over the past decade has reshaped the employment landscape in Indonesia. Platforms such as Gojek, Grab, Shopee, and Tokopedia have created flexible, on-demand job opportunities, fueling the growth of the gig economy.[29] Individuals provide services ranging from transportation and delivery to cleaning and creative online work through these applications. Often called platform workers, these individuals are treated as independent partners rather than formal employees. While this arrangement offers flexibility, it raises significant challenges in protecting workers' rights and ensuring access to social security. Without legal recognition, many remain vulnerable to income instability and a lack of benefits.

28 Singaporean Ministry of Manpower, "New Platform Workers Bill to Strengthen Protections for Platform Workers."
29 Andri Herman Setiawan et al., "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation," *International Journal of Law, Crime and Justice* 2, no. 3 (August 1, 2025): 54–64, https://doi.org/10.62951/ijlcj.v2i3.723.

As Indonesia's digital economy expands, the number of platform workers has risen sharply, with over four million people relying on digital platforms for income in 2024.[30] These jobs are crucial, particularly given limited formal employment opportunities, yet social protection remains minimal. Most platform workers lack health insurance, accident coverage, or pension benefits, as their status excludes them from conventional labor laws. The COVID-19 pandemic highlighted these vulnerabilities, with over 65% of platform workers experiencing income fluctuations or job loss without access to social security between 2021 and 2023.[31] This situation underscores the urgent need for stronger legal frameworks that recognize their role and guarantee fairness while maintaining the flexibility that drives digital innovation.

Currently, Indonesia lacks comprehensive regulations defining the legal status of platform workers. Online drivers, delivery couriers, and freelancers operate through digital partnerships rather than conventional employment structures.[32] Labor law defines employment relations by three elements: work, orders, and wages, as stated in the Labor Law 2003, amended by the Job Creation Law of 2023. Platform workers are typically paid through commissions or revenue-sharing rather than fixed wages, leaving them outside this legal definition. Supreme Court decisions No. 841 K/Pdt.Sus/2009 and No. 276 K/Pdt.Sus/2013 provide operational interpretations, stating that the company must assign work, orders must come from company instructions, and wages must be fixed rather than variable or profit-sharing.

Because platform workers earn through dynamic systems responding to market demand, their compensation does not meet the legal definition of wages under Article 1 the Labor Law of 2023. Unlike conventional employees with periodic, fixed wages, platform workers receive income based on completed transactions and fluctuating tariffs. This makes it challenging to classify them as formal employees. Consequently, platform workers are excluded from protections such as *Badan Pengelola Jaminan Sosial* (*BPJS) Ketenagakerjaan,* dismissal safeguards, or holiday allowances. Their relationship with platforms is framed as civil partnerships rather than employment, creating legal uncertainty despite their economic reliance on digital work.[33]

The Indonesian government has attempted sectoral regulations to address these gaps, though they remain limited and non-binding.[34] Regulation of the Minister of Transportation Number PM 118 of 2018 acknowledges online taxi drivers and sets fare limits to protect income, but focuses more on consumer protection than on workers' rights. Regulation of the Minister of Labor Number 5 of 2021 allows voluntary social security enrollment under *BPJS*

30 Fenny Tria Yunita, "Embracing the Gig Economy," *Indonesian Journal of Law and Society* 4, no. 2 (October 8, 2023), https://doi.org/10.19184/ijls.v4i2.43628.

31 Andrey Shevchuk, Denis Strebkov, and Dieter Bögenhold, "Work Values and Hybrid Careers in the Gig Economy: The Evidence from an Online Labor Market," *Economic and Industrial Democracy* 45, no. 1 (February 19, 2024): 138–63, https://doi.org/10.1177/0143831X221140153.

32 Nur Afifah Aminuddin and Erna Dyah Kusumawati, "The Legal Protection of the Digital Platform Workers in Indonesia: Lesson Learnd From Germany and the United Kingdom," *Indonesian Journal of Law and Society* 4, no. 2 (October 5, 2023): 98, https://doi.org/10.19184/ijls.v4i2.41915.

33 Andri Herman Setiawan et al., "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation."

34 Ni Kadek Ayu Sri Undari and Haruka Sugiyama, "Gig Economy Worker's Legal Status: Employee or Independent Contractor?," *Focus Journal Law Review* 4, no. 1 (May 26, 2024), https://doi.org/10.62795/fjl.v4i1.259.

Ketenagakerjaan for non-wage recipients. However, many drivers cannot afford contributions, which limits coverage. The Circular Letter of the Minister of Labor Number M/3/HK.04.00/III/2025 urges companies to provide Religious Holiday Bonuses to drivers, but this soft law lacks binding force and creates confusion over terminology, as labor law distinguishes between mandatory allowances and optional bonuses.

Given the scale of Indonesia's gig economy, these partial measures are insufficient. Legal reforms are needed to recognize platform workers' rights, provide mandatory social protections, and create clarity in employment relationships. Collaboration among government, platform companies, and workers is essential to establish an adaptive framework that balances flexibility with fairness. Without such interventions, millions remain vulnerable to income insecurity and social exclusion, undermining the sustainability of Indonesia's inclusive digital economy.[35] Urgent action is required to ensure that the growth of digital work translates into equitable opportunities and protections for all platform workers. The three regulations indicate that the government is aware of the need to pay attention to the fate of platform workers. However, these measures are still partial, not yet systemic, and do not answer the need for a significant regulation that guarantees the protection of platform workers as formally recognized legal subjects. The following is a conclusion of the differences in regulation and protection of rights for conventional workers and platform workers in Indonesia:

Table 2. Comparison between Conventional Workers and Platform Workers in Indonesia

Aspects	Conventional Workers	Platform Workers
Legal basis	Employment Law *juncto* Job Creation Law	Not specific
Work status	Formal employment relationships	Partnership relationships
Legal protection	Fully	Limited-voluntary
Income system	Fixed wages and protected under the Act and employment agreements.	Commission/profit sharing
Social security	Mandatory, borne by the employer	Optional, standalone
Dispute Resolution	Industrial Relations Dispute Resolution	Unable to access Industrial Relations Dispute Resolution
The role of the State	Active	Limited

Source: Author Self-Analysis

The Indonesian government must take decisive steps to address the increasingly digitalized world of work by drafting specific regulations for platform workers. Such regulations are necessary to fill the current legal vacuum that leaves millions of digital workers, including online motorcycle taxi drivers, couriers, and freelancers, in an uncertain status. Ideally, this framework should take the form of a government regulation or dedicated law that comprehensively governs relations between workers and digital platforms. Without it, the rapid expansion of the digital labor sector risks worsening inequality and deepening

35 Kalam Khawarizmi, "Buruh Digital Dan Negosiasi Kuasa: Siasat Komunitas Freelancer Indonesia Menghadapi Kerentanan Kerja Di Tengah Kekuasan Asimetri Perusahaan Platform," *Jurnal PolGov* 5, no. 1 (August 28, 2023): 151–96, https://doi.org/10.22146/polgov.v5i1.6279.

vulnerability.[36] Regulation is not only about granting protections but also about establishing fair rules that secure workers' rights while maintaining innovation and competitiveness for companies in Indonesia's growing digital economy.[37] Proper regulation can help create a balance that benefits both workers and platform operators. Without it, millions of platform workers remain exposed to exploitation and income insecurity.

The drafting process should not be rushed. The government must consider the sustainability of the digital economy, which contributes significantly to employment and national output.[38] Overly restrictive regulation could hinder innovation, whereas weak rules leave workers unprotected. Good regulation must balance worker protection with the continuity of platform operators' businesses.[39] Startups and digital companies require room to innovate while ensuring minimum welfare standards for workers. This balance will help maintain a sustainable ecosystem where both sides benefit, and the digital labor market grows responsibly. Regulatory clarity also fosters trust between workers and operators, reducing conflicts and improving long-term cooperation.

A crucial component of regulation is the recognition of legal relationships between platform workers and operators.[40] Currently, these relationships are framed as partnerships, excluding workers from formal labor protections. As a result, they lack legal standing to claim wages, social security, or occupational safety benefits. Explicit recognition of employment relationships would provide a foundation for safeguarding platform workers' rights, including fair wages, social security access, paid leave, and channels to voice concerns. Legal certainty benefits both workers and operators, allowing the sector to operate efficiently without risking exploitation.[41] Properly defined rights would also reduce disputes and foster a cooperative labor environment.

Breakthroughs in interpreting labor relations are essential. Expanding the definition of "wages" to include commissions or performance-based income could allow platform workers' earnings to be recognized legally. Traditional definitions of wages, based on fixed payments over time, exclude many gig workers whose income varies with demand. If commissions and variable earnings are legally treated as wages, platform workers could meet the requirements for an employment relationship under Indonesian law. Such adjustments would align labor law with the realities of digital work and ensure that protections are accessible to those currently outside formal employment categories.[42] This reform would also clarify obligations for both operators and workers, reducing ambiguities in employment relationships.

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36 Xue Li et al., "Investigating Gig Workers' Commitment to Crowdsourced Logistics Platforms: Fair Employment and Social Exchange Perspectives," *Technology in Society* 74 (August 2023): 102311, https://doi.org/10.1016/j.techsoc.2023.102311.

37 Maria Cesira Urzì Brancati, Annarosa Pesole, and Enrique Fernández-Macías, *New Evidence on Platform Workers in Europe, JRC Science For Policy Report, Results from the Second COLLEEM Survey, EUR 29958 EN*, 2020, https://doi.org/10.2760/459278.

38 Kimberly Do et al., "Designing Gig Worker Sousveillance Tools," in *Proceedings of the CHI Conference on Human Factors in Computing Systems* (New York, NY, USA: ACM, 2024), 1–19, https://doi.org/10.1145/3613904.3642614.

39 Nathalie Mitev et al., "Introduction: New Ways of Working, Organizations and Organizing in the Digital Age," 2021, 1–19, https://doi.org/10.1007/978-3-030-61687-8_1.

40 Alex Rosenblat and Luke Stark, "Algorithmic Labor and Information Asymmetries: A Case Study of Uber's Drivers," *International Journal of Communication* 10 (2016): 3758–84, https://doi.org/10.2139/ssrn.2686227.

41 Jack Linchuan Qiu, ShinJoung Yeo, and Richard Maxwell, *The Handbook of Digital Labor*, ed. Jack Linchuan Qiu, ShinJoung Yeo, and Richard Maxwell (Wiley, 2025), https://doi.org/10.1002/9781119981831.

42 Andri Herman Setiawan et al., "Analysis of Digital Employment Contracts on Gig Economy Platforms: Between Flexibility and Exploitation."

Indonesia can also explore hybrid employment models, which balance autonomy with essential protections.[43] This model allows workers to maintain flexibility in time and place. At the same time, operators should ensure that they provide a minimum set of welfare rights, such as social security, accident insurance, sick leave, and guaranteed minimum income.[44] Hybrid employment addresses the regulatory grey zone where many platform workers currently fall, offering partial employment recognition that secures basic protections without restricting flexibility.[45] By formally acknowledging partial employment relationships, this approach reconciles the traditional labor framework with non-standard digital work. The model reflects workers' dual needs for flexibility and social security, making it suitable for Indonesia's current economic and legal context.

Hybrid employment aligns with the reality that many gig workers prefer flexible arrangements. Not all platform workers seek permanent employment; flexibility is a primary attraction of digital work. A hybrid model establishes a new legal category that preserves autonomy while ensuring welfare protections.[46] Workers can choose when and where to work, confident that basic protections are in place. This balance between freedom and security strengthens both individual resilience and the broader economy.[47] By acknowledging partial employment, hybrid models reduce vulnerability while maintaining the sector's dynamism. The model also mitigates income uncertainty and exposure to work-related risks, promoting long-term stability for workers and operators alike.

Adopting hybrid employment can improve industrial relations. Platform operators maintain efficiency without the administrative burden of complete employment systems, while workers gain certainty regarding social protection and fair treatment. This mutual benefit fosters cooperation, reduces disputes, and encourages sustainable development of the digital economy. Hybrid employment represents a forward-looking approach to the challenges of the gig economy, combining flexibility, fairness, and protection.[48] By adopting this model, Indonesia can create a legally coherent framework that safeguards workers while preserving the sector's innovation-driven growth. Participation of workers, companies, and civil society is critical in designing these regulations, ensuring that the resulting framework is inclusive, effective, and widely accepted.

Comparative lessons can be drawn from Singapore's Platform Workers Act 2024, which grants drivers, couriers, and similar workers access to social protection, including mandatory operator contributions to pension funds. While not equating them fully with formal

43 Maite Blázquez, Ainhoa Herrarte, and Ana I. Moro-Egido, "Well-Being Effects of the Digital Platform Economy: The Case of Temporary and Self-Employment," *Technological and Economic Development of Economy* 30, no. 6 (September 17, 2024): 1618–51, https://doi.org/10.3846/tede.2024.21858.
44 Kathleen Thelen, "Regulating Uber: The Politics of the Platform Economy in Europe and the United States," *Perspectives on Politics* 16, no. 4 (December 23, 2018): 938–53, https://doi.org/10.1017/S1537592718001081.
45 Alex J Wood et al., "Good Gig, Bad Gig: Autonomy and Algorithmic Control in the Global Gig Economy," *Work, Employment and Society* 33, no. 1 (February 8, 2019): 56–75, https://doi.org/10.1177/0950017018785616.
46 Ayomikun Idowu and Amany Elbanna, "Digital Platforms of Work and the Crafting of Career Path: The Crowdworkers' Perspective," *Information Systems Frontiers* 24, no. 2 (April 24, 2022): 441–57, https://doi.org/10.1007/s10796-020-10036-1.
47 Dominik Klaus, Barbara Haas, and Maddalena Lamura, "Dependency and Social Recognition of Online Platform Workers: Evidence From a Mixed-Methods Study," *Social Inclusion* 11, no. 4 (November 2, 2023), https://doi.org/10.17645/si.v11i4.7186.
48 Farah Diba Almayanda Alauddin et al., "The Influence of Digital Platforms on Gig Workers: A Systematic Literature Review," *Heliyon* 11, no. 1 (January 2025): e41491, https://doi.org/10.1016/j.heliyon.2024.e41491.

employees, the law guarantees minimum rights and dispute resolution mechanisms.[49] Importantly, work flexibility is preserved, allowing workers to manage schedules independently. Singapore demonstrates that recognizing legal status does not require imposing rigid full-time employment rules.[50] The emphasis is on ensuring basic protections while maintaining autonomy. This approach shows that fairness and flexibility can coexist in the digital labor context.

Singapore's experience offers actionable insights for Indonesia. Recognition of platform workers as a separate legal category does not necessitate adopting traditional employment norms. Instead, the law ensures basic protections such as social security contributions, work injury insurance, income transparency, and dispute resolution mechanisms. Indonesia could replicate these principles by establishing a hybrid employment framework that balances autonomy with essential safeguards.[51] Structured obligations for platform operators, including documentation, transparent payments, and social protection contributions, can reduce ambiguity in employment relationships, enhance compliance, and empower workers to assert rights without disrupting operations. Clear roles and responsibilities improve industrial relations and reduce conflict.

Integrating these lessons, Indonesia can design evidence-based regulations that strike a balance, avoiding both leaving workers unprotected and placing excessive burdens on operators. Participatory regulation-making is crucial, involving unions, academics, companies, and civil society.[52] Inclusive drafting ensures that regulations are grounded in practical needs, enhance legitimacy, and encourage compliance. Collaborative processes prevent one-sided policies that harm workers or stifle businesses. By formalizing employment recognition, redefining wages, and adopting hybrid employment, Indonesia can protect millions of platform workers.[53] Such reforms are vital to prevent inequality, exclusion, and economic vulnerability, ensuring justice in the rapidly evolving digital economy.[54]

Conclusion

Labor regulations in Indonesia are currently unable to accommodate the new work dynamics that have emerged in the digital ecosystem, especially those related to platform workers. The legal status of platform workers is still constructed as business partners, resulting in them not receiving complete employment legal protection, such as fixed wages, social security, protection against termination of employment, and the right to leave. Various sectoral regulations , such as the Regulation of the Minister of Transportation and the Circular Letter of the Minister of Manpower, only provide partial and voluntary protection, so they have not

49 Xu, Jin, and Zhang, "The Singapore Platform Workers Act and Its Implications."
50 Xu, Jin, and Zhang.
51 Steven Vallas and Juliet B. Schor, "What Do Platforms Do? Understanding the Gig Economy," *Annual Review of Sociology* 46, no. June (2020): 273–94, https://doi.org/10.1146/annurev-soc-121919-054857.
52 Felix Sieker, "Platform Work and Access to Social Protection across Major European Countries," *Journal of International and Comparative Social Policy* 38, no. 3 (November 10, 2022): 193–207, https://doi.org/10.1017/ics.2022.13.
53 Hannah Ulbrich, Marco Wedel, and Hans-Liudger Dienel, *Internal Crowdsourcing in Companies Theoretical Foundations and Practical*, 2020, https://doi.org/10.1007/978-3-030-52881-2.
54 Giuliano Bonoli, Juliana Chueri, and Carlo Dimitri, "Platform Work as a Consequence of Welfare Regime Performance," *Competition & Change* 0, no. 0 (2025): 1–20, https://doi.org/10.1177/10245294251316707.

been able to create a strong and comprehensive legal guarantee for platform workers. In comparison, Singapore has shown progress by passing the Platform Workers Act 2024, which explicitly recognizes the position of platform workers in the national employment system. This law introduces a flexible labor relations model while providing fundamental rights such as social security, compensation for work injuries, the right to form workers' associations, and income transparency. A regulatory model like this can inspire Indonesia to develop a new legal framework responsive to digital transformation. Labor law reform in Indonesia needs to focus on recognizing new forms of employment, such as hybrid employment, and involve all stakeholders so that the policies born honestly answer the needs of the field and can protect platform workers sustainably.

Building on these insights, Indonesia can create evidence-based regulations that balance worker protections with the operational needs of platform companies. A participatory drafting process involving unions, academics, businesses, and civil society is essential to ensure regulations reflect practical realities. Inclusive policymaking enhances legitimacy, encourages compliance, and prevents rules that unfairly burden either workers or operators. By recognizing employment relationships, redefining wages, and implementing a hybrid employment model, Indonesia can safeguard millions of platform workers. This framework addresses inequality, reduces social exclusion, and mitigates economic vulnerability in the digital labor sector. Inspired by Singapore's approach, hybrid employment demonstrates that flexibility and worker protection can coexist. Without such reforms, Indonesia risks entrenching a segmented labor market that leaves many platform workers exposed.

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