



The impact of Constitutional Court Decision Number 168/PUU-XXI/2023 on labor law in Indonesia

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ABSTRACT

The enactment of Law No. 6 of 2023, which formalizes Perppu No. 2 of 2022 on Job Creation, has generated debate. Aggrieved parties have submitted a judicial review of the Law. The Constitutional Court, in its judicial review, rendered Decision No. 168/PUU-XXI/2023, which largely approved the petitioners' request. This study aims to examine the effects of Constitutional Court Decision Number: 168/PUU-XXI/2023 on labor law in Indonesia and to assess the harmonization of rules and their implementation following this decision. The employed research strategy was normative juridical, utilizing a literature review to analyze legal difficulties pertaining to the Job Creation Law, alongside relevant literature and reference materials. The study's results indicate that Constitutional Court Decision Number: 168/PUU-XXI/2023, which partially granted the judicial review petition, constitutes a substantial advancement by affirming multiple provisions in the Job Creation Law that contravene the constitution, especially concerning the safeguarding of workers' rights. The government and the Indonesian House of Representatives must formulate labor legislation in Indonesia by enacting a new Labor Law that adheres to Constitutional Court Decision Number: 168/PUU-XXI/2023. Future coordination among the government, businesses, and labor unions will be essential for achieving a just and sustainable labor system in Indonesia.

Keywords: Constitutional Court Decision, Labor Law, Job Creation Law



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INTRODUCTION

Labor law is a set of written and unwritten regulations that govern the rights and obligations between workers/laborers and employers, covering all aspects of the employment relationship before, during, and after work. The fact is that many people work for companies; therefore, the employment relationship between a worker and a company must be regulated so as to prevent arbitrariness that could harm either party.¹ As it has developed, labor law not only regulates individual employment relationships but also covers industrial relations broadly.²

In Indonesia, labor laws have undergone several changes, with the issuance of regulations aimed at empowering the workforce, ensuring equal employment opportunities, and improving workers' welfare. However, in practice, these changes often generate pros and cons among stakeholders. Labor laws should be designed to protect and create a sense of security, peace, and prosperity by realizing social justice for all Indonesian people. Labor laws such as these are a very important factor for the implementation of national development in the Republic of Indonesia.

The constitutional basis governing labor is set out in the Preamble and the Body of the 1945 Constitution of the Republic of Indonesia. The Preamble to the 1945 Constitution, as well as its spirit and legal ideals, are sourced from and inspired by the philosophy of Pancasila. This spirit and legal

¹ Nikodemus Maringan, "Tinjauan Yuridis Pelaksanaan Pemutusan Hubungan Kerja (Phk) Secara Sepihak Oleh Perusahaan Menurut Undang-Undang No. 13 Tahun 2003 Tentang Ketenagakerjaan," *Jurnal Ilmu Hukum Legal Opinion* 3, no. 3 (2015): 1–10, <https://media.neliti.com/media/publications/146819-ID-none.pdf>.

² Suhartoyo Suhartoyo, "Perlindungan Hukum Bagi Buruh Dalam Sistem Hukum Ketenagakerjaan Nasional," *Administrative Law and Governance Journal* 2, no. 2 (June 3, 2019): 326–36, <https://doi.org/10.14710/alj.v2i2.326-336>.

ideals are further embodied in the main body of the Constitution.³ Regarding the provisions in the main body relevant to labor issues, Article 27, paragraph 2, of the 1945 Constitution states that “Every citizen shall have the right to work and to a decent livelihood.” This article affirms the right of every Indonesian citizen to obtain employment and lead a decent life, thereby providing the basis for the government to create jobs and protect citizens through the Indonesian labor law system, including the issuance of Law No. 13 of 2003 on Labor.

Throughout its journey, Law Number 13 of 2003 concerning Manpower has changed, and most of it has been amended by Law Number 11 of 2020 concerning Job Creation. Overall, at least 72 amendments to Law Number 13 of 2003 concerning Manpower were introduced in Law Number 11 of 2020 on Job Creation.⁴ Subsequently, the Law was replaced by Government Regulation (Perppu) Number 2 of 2022 concerning Job Creation, which was subsequently enacted as Law Number 6 of 2023 concerning the Stipulation of Government Regulation instead of Law Number 2 of 2022 concerning Job Creation.

Law Number 13 of 2003 concerning Manpower and Law Number 6 of 2023 concerning the Stipulation of Government Regulation, instead of Law Number 2 of 2022 concerning Job Creation, are legal provisions for the implementation of development in the labor sector, which regulate the relationship between workers and employers, workers and workers, and workers or employers and the government.⁵

Law No. 6 of 2023 on Job Creation, aimed at fostering economic growth via enhanced investment and job creation, has incited debate, particularly among workers and labor organizations who perceive a compromise of their safeguards and rights. Stakeholders contend that this legislation may diminish protections for workers’ rights and facilitate employment termination, thereby heightening uncertainty and vulnerability among workers. This has led multiple parties to initiate a judicial challenge before the Constitutional Court, aiming to restore the rights of workers perceived to be jeopardized by the Job Creation Law.

On October 31, 2024, the Constitutional Court (MK) issued Decision Number: 168/PUU-XXI/2023, partially granting the petitioners’ request. The Constitutional Court (MK) Decision Number 168/PUU-XXI/2023 introduces substantial modifications to Indonesian labor legislation, specifically about Law Number 6 of 2023 on Job Creation. The Constitutional Court sanctioned a judicial assessment of 21 elements of the Job Creation Law deemed constitutionally problematic. This verdict addresses multiple contentious labor matters, including the employment of foreign workers, contractual agreements, outsourcing, remuneration, working hours, and termination of employment.

With the issuance of Constitutional Court Decision Number 168/PUU-XXI/2023, there have been changes to Indonesian labor law. Therefore, it is essential to involve stakeholders, including the government, employers, and labor unions, in drafting a new Labor Law for Indonesia. Stakeholder involvement is expected to provide a more in-depth and comprehensive understanding of changes in Indonesian labor law.

This Constitutional Court ruling not only addresses the petitioner’s request for judicial review but also affirms the importance of protecting workers’ rights within Indonesia’s legal and constitutional system. By granting part of the petition, the Constitutional Court has demonstrated its commitment to balancing investment interests and the protection of workers’ rights. Through an analytical approach, this study aims to provide deeper insights into Constitutional Court Decision Number: 168/PUU-XXI/2023 in the context of labor law in Indonesia and its implications for law enforcement and the protection of workers’ rights in the future.

³ I Ketut Satria Wiradharma Sumertajaya et al., “Implikasi Putusan Mahkamah Konstitusi Nomor 168/Puu-Xxi/2023 Terhadap Perjanjian Kerja Waktu Tertentu (PKWT),” *Jurnal Yustitia* 19, no. 2 (December 16, 2024): 30–41, <https://doi.org/10.62279/yustitia.v19i2.1353>.

⁴ Agustianto, “Perubahan Hukum Ketenagakerjaan Dalam Undang-Undang Cipta Kerja,” *Reformasi Hukum* 25, no. 2 (November 30, 2021): 147–66, <https://doi.org/10.46257/jrh.v25i2.167>.

⁵ Cornelia Indira Kusuma Bahari and Emmilia Rusdiana, “Perlindungan Hukum Bagi Pekerja Paruh Waktu Untuk Mendapatkan Hak Cuti Tahunan,” *Novum: Jurnal Hukum* 9, no. 3 (2022): 130–43.

Several previous studies have examined Constitutional Court Decision Number: 168/PUU-XXI/2023—the survey conducted by Sukma et al.⁶ Examined this decision with a focus on the analysis of termination of employment (PHK). Meanwhile, Hasugian⁷ Examined the implications of this decision on the minimum wage policy in the North Sumatra region. Meanwhile, Mulia and Ahmad⁸ Reviewed Law No. 11 of 2020 from a sociological perspective regarding the parties affected by the enactment of the Job Creation Law.

Based on the above background, the researcher conducted this study to analyze the impact of Constitutional Court Decision Number: 168/PUU-XXI/2023 on labor law in Indonesia and to examine how regulations and their implementation were harmonized after the decision.

RESEARCH METHOD

This study constitutes normative legal research, derived from literature reviews, analyzing legal issues through statutory provisions, specifically the Job Creation Law, alongside literature and reference materials, including Constitutional Court Decision Number: 168/PUU-XXI/2023 as the principal and most comprehensive source, which scrutinizes various articles of the Job Creation Law and establishes a binding legal foundation.

The methodologies employed are the statutory, case law, and conceptual approaches. The statutory approach involves analyzing the rules and regulations immediately relevant to the legal issue at hand.

The case approach emphasizes a thorough, detailed examination of specific cases. Simultaneously, the conceptual approach initiates with ideas and concepts formulated within legal science. This study utilized secondary data sources, specifically literature reviews, from which data were gathered from books, documents, notes, reports, and relevant laws and regulations on the subject of investigation.

The secondary data used comprises primary, secondary, and tertiary legal materials. The principal legal materials utilized include a copy of Constitutional Court Decision Number 168/PUU-XXI/2023, which serves as the primary source containing legal reasoning and rulings from constitutional judges, along with Law Number 6 of 2023, Government Regulation instead of Law (Perppu) Number 2 of 2022, Law Number 11 of 2020, Law Number 13 of 2003, and the 1945 Constitution, which is the supreme legal authority employed by the Constitutional Court for constitutional review. Additionally, secondary legal materials include scientific legal journals that feature analyses, critiques, and perspectives from legal experts on Constitutional Court rulings, as well as legal texts on constitutional law, labor law, and the procedural law of the Constitutional Court, which offer pertinent theoretical frameworks and legal doctrines. Tertiary legal materials include legal dictionaries for understanding legal terminology in decisions and cumulative indexes that help locate relevant articles or books.

This study employs a descriptive research methodology for data presentation. Suharsimi Arikunto defines descriptive research as an investigation aimed at examining circumstances, conditions, or other specified things, with the findings provided in a research report format. The data analysis used is qualitative, involving the processing, interpretation, and comprehension of non-numerical data (such as interviews, observations, and documents) to uncover meaning, patterns, themes, and intricate linkages. The objective is to attain a deeper understanding of social processes, behaviors, or human experiences.

⁶ Mayzura Kamila Sukma et al., “Kajian Terhadap Putusan MK Nomor 168/PUU-XXI/2023: Analisis Pergeseran Paradigma Ketenagakerjaan Terkait Pemutusan Hubungan Kerja (PHK),” *Jurnal Ilmiah Nusantara* 2, no. 1 (2025): 473–85, <https://doi.org/https://doi.org/10.61722/jinu.v2i1.3382>.

⁷ Yoel Edward Hasugian, “Implikasi Putusan Mahkamah Konstitusi Nomor 168/PUU-XXI/2023 Terhadap Upah Minimum Sektoral Di Sumatera Utara,” *Neoclassical Legal Review: Journal of Law and Contemporary Issues* 4, no. 2 (November 3, 2025): 92–105, <https://doi.org/10.32734/nlrjolci.v4i2.21323>.

⁸ Wahyu Riski Mulia and Ridho Sa’dillah Ahmad, “Meninjau Kembali Undang-Undang Cipta Kerja Nomor 11 Tahun 2020 Terhadap Pihak Yang Terdampak Dilihat Dari Sudut Pandang Sosiologis,” *JUNAGARA: Jurnal Ilmiah Hukum Dan Kenegaraan* 1, no. 1 (2024): 21–33, <https://doi.org/https://doi.org/10.55080/junagara.v1i1.1001>.

RESULTS AND DISCUSSIONS

The Impact of Constitutional Court Decision Number 168/PUU-XXI/2023 on Labor Law in Indonesia

The Constitutional Court (MK), through Decision Number 168/PUU-XXI/2023, has conducted a judicial review of Law Number 6 of 2023 concerning the Stipulation of Government Regulations on Job Creation as a replacement for Law Number 2 of 2022. There are several material changes in Chapter IV on Employment in the Law. These material changes include:⁹

1. Foreign Workers (TKA)

The term “foreign workers” has become common. Judging from its development, the background for the use of foreign workers in Indonesia has changed over time.¹⁰ The skills and knowledge of the workforce are greatly affected by globalization’s impact on workforce performance.¹¹

To prioritize local Indonesian workers, the Constitutional Court, through Decision No. 168/PUU-XXI/2023, stated that Indonesian workers must be given priority in every job opportunity. This decision also transfers authority from the Central Government to the Indonesian Minister of Manpower regarding the use of foreign workers in Indonesia.

- a. Based on Constitutional Court Decision Number 168/PUU-XXI/2023, the authority to approve plans for the use of Foreign Workers (TKA) has now been transferred from the central government to the Minister of Manpower of the Republic of Indonesia. This requires more specific approval regarding the use of TKA in Indonesia; and
- b. The use of foreign workers in Indonesia is only permitted for specific positions and periods of time in accordance with the required competencies. However, there is an emphasis on prioritizing local workers, ensuring Indonesian workers remain the top priority for every job opportunity.

This ruling affects the prioritization of Indonesian labor. Following the Constitutional Court’s ruling, foreign workers may be employed in Indonesia, but they must be competent, have a position, and be employed for a specific period of time. This returns to the original purpose of employing foreign workers, namely to transfer knowledge and technology.

Foreign workers without skills are prohibited from working in Indonesia because they threaten local workers. Based on the Constitutional Court’s decision, only foreign workers with skills in certain positions that require permission from the Minister of Manpower can work in Indonesia.

2. Employment Agreement

Iman Soepomo argues that, fundamentally, an employment relationship, namely the relationship between an employee and an employer, occurs after an agreement has been made between the employee and the employer, whereby the employee declares their willingness to work for the employer in exchange for wages. The employer declares their desire to employ the employee in exchange for paying wages.¹² Such an agreement is called an employment agreement.

The protection of workers/laborers through the regulation of the Indefinite Work Agreement (PKWTT) is intended to provide certainty for those who perform continuous work, ensuring the duration of their work agreement does not limit them. Meanwhile, in a Fixed-Term Employment Agreement (PKWT), employers can apply it to limited-term work, thereby avoiding the obligation to hire permanent workers/laborers for such work.

In an effort to strengthen labor laws in Indonesia, Constitutional Court Decision Number 168/PUU-XXI/2023 introduced a number of significant changes to Chapter IV on Employment in the Job Creation Law, particularly regarding Fixed-Term Employment Agreements (PKWT).

⁹ Mahkamah Konstitusi, “Putusan Mahkamah Konstitusi Nomor 168/PUU-XXI/2023” (2023).

¹⁰ Agusmidah and Asep Jamaludin, *Hukum Ketenagakerjaan Indonesia : Dinamika Dan Kajian Teori*, 1st ed. (Bogor: Ghalia Indonesia, 2010).

¹¹ Dionisius Narjoko, “Policy Brief: Menanggapi Akibat Globalisasi Terhadap Kinerja Tenaga Kerja: Pengalaman Dari Sektor Tekstil Dan Garmen Indonesia,” n.d.

¹² Iman Soepomo, *Hukum Perburuhan Bidang Hubungan Kerja* (Jakarta: Djambatan, 1987).

These changes aim to provide greater legal certainty and protection for workers/laborers, as well as to ensure harmony between their rights and employers' obligations.

- a. Based on Constitutional Court Decision Number: 168/PUU-XXI/2023, Fixed-Term Employment Agreements (PKWT) are regulated with a maximum term of 5 years, which includes the extension period of the employment agreement;
- b. PKWT must be drawn up in the form of a written agreement using Indonesian and Latin script to ensure clarity and good understanding between the parties; and
- c. The Minister of Manpower of the Republic of Indonesia is authorized to stipulate provisions regarding the implementation of some outsourced work in accordance with the type and field of work agreed upon in a written contract.

The effect of this Constitutional Court ruling is that workers/laborers under a Fixed-Term Employment Agreement (PKWT) are still permitted, but for a maximum period of 5 (five) years, not to be exceeded even if there is an extension. The agreement must be in writing and clearly specify the time limit for the employment relationship under the PKWT.

In addition, about outsourcing, the Minister of Manpower is authorized to determine the scope of outsourcing in accordance with the type and field of work agreed upon in a written outsourcing agreement, so that outsourcing cannot be carried out for all types and fields of work. Instead, there are restrictions on the types and number of outsourced jobs permitted.

3. Break Time

Constitutional Court Decision Number: 168/PUU-XXII/2024 also regulates workers'/laborers' rest periods:

- a. Based on Constitutional Court Decision Number: 168/PUU-XXI/2023, an additional type of weekly rest has been added, in addition to 1 (one) day for 6 (six) working days in 1 (one) week. The additional type of weekly rest is 2 (two) days for 5 (five) working days in 1 (one) week; and
- b. There is an affirmation regarding the obligation of certain companies to provide long breaks as stipulated in the Employment Agreement, Company Regulations, or Collective Labor Agreement.

4. Wage payment

The Job Creation Law's material testing includes several items, namely the Minimum Wage. The Constitutional Court's decision invalidated several provisions in the Job Creation Law that changed the rules regarding the minimum wage. For example, Article 42 of Law 13/2003 on Fixed Minimum Wages (UMT) was upheld after the material review. This means that employers must continue to comply with the minimum wage so that workers receive fair compensation.¹³

Based on Constitutional Court Decision Number: 168/PUU-XXI/2023 regarding wages, several significant changes are stipulated as follows:

- a. Decent living for workers/laborers has been expanded in meaning to include a reasonable income to meet the needs and welfare of workers/laborers and their families, including education, health, and old age security;
- b. Regional Wage Councils, including local governments, are involved in formulating wage policies, which the central government will later use in determining wage policies;
- c. The structure and scale of wages must take into account the principle of "proportionality," which has been added as a basis for wage regulation;
- d. Governors are required to set sectoral minimum wages at the provincial level and may also do so at the district/city level;
- e. Expansion of the meaning of one of the considerations in the minimum wage calculation formula, namely, a specific index variable. The particular index is defined as the contribution of labor to regional economic growth, taking into account the interests of companies,

¹³ Fajar B Hirawan et al., "Kajian UU 11/2020 Tentang Cipta Kerja Klaster Ketenagakerjaan: Studi Pada Regulasi Pengupahan, PHK, Dan Pesangon," *Jurnal Ketenagakerjaan* 18, no. 1 (2023), <https://doi.org/https://ejournal.unesa.ac.id/index.php/novum/article/view/56567/44515>.

workers/laborers, and the principle of proportionality to ensure a decent life for workers/laborers;

- f. Interpretation in certain circumstances is defined as natural or non-natural disasters, including extraordinary global/national economic conditions;
- g. Wages above the minimum can be set not only based on an agreement between employers and workers/laborers, but also by labor unions;
- h. The structure and scale of wages now take into account classification, position, length of service, education, and competence, in addition to company capacity and productivity;
- i. If a company goes bankrupt or is in the process of liquidation, the payment of workers' wages takes precedence, even over preferred creditors, except for creditors with property rights; and
- j. The Wage Council plays an active role in providing advice and consideration to the central or regional government in the formulation of wage policies and the development of wage systems.

This Constitutional Court decision has the effect of reinstating the role and participation of the regional wage council, which consists of representatives from the local government, employers, and labor unions, in the development of wage policies so that the central government can use them as a basis for deciding on wage policies, including reinstating the sectoral minimum wage set by the governor. Additionally, the Constitutional Court's ruling reinstates the term "proportional" in Article 88 paragraph (3) letter b of the Manpower Act, which was modified in the Job Creation Act.

A proportional wage structure and scale must be negotiated between employers and labor unions; this certainly affects labor unions' role in negotiating wage structures and scales within companies. In general, this ruling emphasizes the importance of worker welfare and fairer and more proportional wage regulations.

5. Termination of Employment (PHK)

Termination of employment has a significant psychological and economic-financial impact on workers and their families, affecting their livelihoods.¹⁴ Based on Constitutional Court Decision Number: 168/PUU-XXI/2023, regulations related to termination of employment (PHK) have undergone several significant changes as follows:

- a. If workers/laborers reject the termination of employment, the termination must be resolved through bipartite negotiations based on mutual agreement between the employer and the workers/laborers and/or labor union;
- b. If bipartite negotiations fail to reach an agreement, then layoffs can only be carried out after obtaining a decision from an industrial relations dispute resolution institution that has permanent legal force;
- c. The obligations between employers and workers/laborers shall remain in effect until the conclusion of the industrial relations dispute resolution process with a final and binding decision, in accordance with the provisions of the law concerning the resolution of industrial relations disputes;
- d. Severance pay for workers/laborers affected by layoffs must be provided in accordance with the provisions stipulated in Article 156, Chapter IV, Employment of Law Number 6 of 2023;

The effect of this Constitutional Court ruling is that employers do not have the authority to carry out unilateral layoffs. Before bipartite negotiations take place, workers/laborers can not be laid off. In the bipartite negotiation process, workers/laborers can be accompanied by a labor union. Thus, this Constitutional Court ruling has a positive impact on workers/laborers. Therefore, in cases where workers have been notified of termination but refuse to accept it, and the bipartite negotiation process fails to reach a mutual agreement, termination of workers/laborers can only proceed after the next stage in accordance with the industrial relations dispute resolution mechanism.

The Constitutional Court's ruling on severance pay amounts has had a positive impact on the receipt of severance pay for workers/laborers who have been laid off. The Constitutional Court added the phrase "at least" to the nine mechanisms for determining severance pay amounts listed in Article 156 paragraph (2) of Law Number 6 of 2023. This means that, following the Constitutional Court's

¹⁴ F.X Djumaldji and Wiwoho Soedjono, *Perjanjian Perburuhan Dan Hubungan Perburuhan Pancasila* (Jakarta: PT. Bina Aksara, 2001).

ruling, severance pay can exceed the mechanisms stipulated, and this can be achieved through negotiation.

The Constitutional Court ruling emphasizes that the settlement of termination of employment must prioritize deliberation and the application of applicable legal mechanisms to protect workers' rights. This Constitutional Court ruling not only revises technical aspects but also seeks to create fairer employment standards. With these new regulations, it is hoped that a work environment that respects workers' rights and improves the welfare of local workers will be created. These changes also affect labor laws in Indonesia, maintaining a balance between industrial needs and workers' protection so that the benefits are felt by all parties involved in labor relations.

Regulatory Harmonization Following Constitutional Court Decision Number: 168/PUU-XXI/2023

1. Changes in Employment Policy

Labor law can be considered the legal umbrella of industrial relations, aiming to maintain order and serve as a social control mechanism, particularly by providing a basis for producers' rights (of goods and services). On the other hand, labor law is also projected as a tool in building partnerships.¹⁵

The Constitutional Court has ordered the government and the House of Representatives to promptly draft a new labor law and decouple it from the Job Creation Law's provisions. Lawmakers have up to two years to finish the new Labor Law, according to the Constitutional Court. A new labor law is being proposed for several essential reasons.

The provisions of the Labor Law have been examined in 37 instances previously presented to the Constitutional Court for review. The law is no longer intact due to extensive material found to be unlawful. Secondly, while the Job Creation Law has revised the Labor Law, not all its provisions have been integrated into the latter, resulting in redundancy between the two statutes. The Constitutional Court asserts that the discord and discrepancy between the provisions of the two statutes may jeopardize the safeguarding of workers' rights and the legal certainty for employers.

Therefore, the Constitutional Court encourages the formulation of new laws that also involve the active participation of labor unions to ensure a more transparent substance distinct from the Job Creation Law.

2. Regulatory Harmonization and Implementation Following the Constitutional Court's Decision

It is necessary to amend some of the Manpower Act's implementing rules to comply with the Constitutional Court Decision Number 168/PUU-XXI/2023. Regulations that may be directly affected include Government Regulation Number 36 of 2021 regarding Wages, Government Regulation Number 35 of 2021 concerning Fixed-Term Employment Agreements, Outsourcing, Working Hours, Rest Periods, and Termination of Employment, and Government Regulation Number 34 of 2021 concerning the Use of Foreign Workers.

The requirements affected by Constitutional Court Decision Number 168/PUU-XXI/2023 are now practical and must be implemented without delay; accordingly, adherence to the pertinent sections of the Labor Law affected by the decision is mandated.

CONCLUSION

The Constitutional Court (MK) Decision No. 168/PUU-XXI/2023, which granted part of the judicial review petition, namely 21 norms of the Job Creation Law, represents a significant step toward protecting workers' rights in Indonesia. This ruling affects several provisions in the Job Creation Law that conflict with constitutional principles, particularly those related to the protection of workers' rights.

Within two years, the government must separate the labor cluster from the Job Creation Law and create a new labor law in accordance with Constitutional Court Decision No. 168/PUU-XXI/2023. This demonstrates the necessity of standardizing labor laws, which have been viewed as vague and at odds with the values of fairness and protection of worker rights. The Constitutional Court also

¹⁵ Heru Budi Utoyo and Mashari, "Pengaruh Undang-Undang Cipta Kerja (Omnibus Law) Bagi Pekerja/Buruh Dalam Hubungan Kerja Di Perusahaan," *Jurnal Hukum, Politik Dan Ilmu Sosial* 1, no. 2 (June 18, 2022): 236–46, <https://doi.org/10.55606/jhps.v1i2.1751>.

emphasized that workers and labor unions must actively participate in the law's drafting. It is anticipated that this verdict will provide a foundation for enhancing Indonesia's labor laws and for striking a balance between workers' rights and economic interests.

Based on the research results, the government is expected to immediately follow up on Constitutional Court Decision Number 168/PUU-XXI/2023 by adjusting the affected regulations or policies to create legal certainty regarding legal products that do not conflict with the Constitution and support economic growth. The government needs to encourage broader public involvement in the legislative process. In the future, collaboration between the government, employers, and labor unions is expected to be key in realizing fair and sustainable labor laws in Indonesia.

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