

CHAPTER V

CONCLUSIONS AND SUGGESTIONS

A. Conclusion

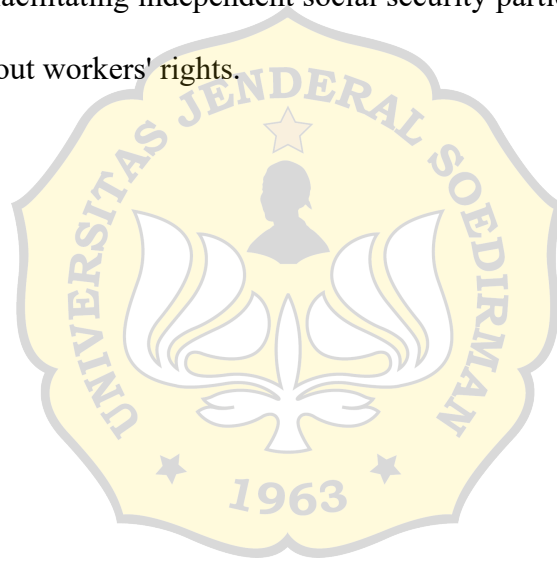
Based on the analysis of the data and the results of the discussion obtained from this study, it can be concluded that:

1. Comparison of Legal Protection of *Gig Economy* in Indonesia and Spain

Gig workers in Indonesia are still categorized as partners, not formal workers. Thus, *gig workers* are not included in the definition of employment relations as stipulated in Article 1 number 15 of Law No. 13 of 2003 concerning Manpower, namely the relationship between employers and workers who meet the elements of work, wages, and orders, so that they do not receive employment law protection such as social security, minimum wage, leave rights, and protection from unilateral layoffs, as well as other normative rights as stipulated in regulations legislation.

Spain has implemented the *Riders Law regulation* in response to the uncertainty of the legal status of gig workers, the lack of social protection, and exploitative practices by platforms. This regulation is important because it affirms the status of gig workers as formal workers, thus obtaining employment rights such as social security protection, minimum wage, working hours limits, the right to leave, protection from layoffs as stipulated in labor regulations in Spain

2. The obstacles and efforts of the Government of Indonesia in providing protection to gig workers cover various aspects. The main obstacles include labor regulations that have not specifically regulated employment relations in the gig economy, delays in regulatory responses to the development of this work model, the absence of effective supervision mechanisms for digital platforms, and the absence of equal negotiation space between platforms and workers. To overcome these obstacles, the government has made a number of efforts, including drafting regulations, facilitating independent social security participation, and providing education about workers' rights.



B. Suggestion

Based on the results of this study, it is suggested that the Indonesian government review and revise existing labor regulations, such as Law Number 13 of 2003 concerning Manpower, in order to be able to accommodate the characteristics of the gig economy work system. These adjustments need to be made by clarifying the legal status of gig workers as part of flexible employment relationships while still receiving fair protection. *Riders Law* in Spain can be a reference in building a progressive legal framework, as it recognizes employment relationships and guarantees the basic rights of gig workers. The *International Labour Organization* (ILO) Recommendation No. 198 of 2006 can also be used as a guideline to establish indicators of employment relations and strengthen their legal position. In addition, stakeholder involvement and increased legal education for gig workers are important so that they are more aware and able to fight for their rights effectively