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Humanitarian Manifesto: Reconstructing BPJS Employment Policy to Achieve Universal Social Protection in the Gig Economy Era

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Abstract

This study aims to conduct a juridical and sociological analysis of the vital role of BPJS Ketenagakerjaan as a personification of public law (public legal entity) in actualizing the constitutional mandate of social security protection in Indonesia. By using a qualitative descriptive approach through in-depth literature study and policy analysis methods, this discourse systematically explores the transformative institutional evolution, starting from the era of PT ASTEK (1977), PT Jamsostek (1992), until its culmination in the transformation into a public legal entity in 2014 based on the mandate of Law Number 24 of 2011. The central focus of the analysis is directed at the effectiveness of the five pillars of the core program, namely Work Accident Insurance (JKK), Death Insurance (JKM), Old Age Insurance (JHT), Pension Insurance (JP), and the latest protection instrument, Job Loss Insurance (JKP), in mitigating socio-economic risks and preventing the degradation of workers' welfare. Phenomenologically, the research findings reveal a sharp contradiction between regulatory idealism and field reality, where there is a significant gap in participation between the formal and informal sectors. Although the national workforce continues to grow, reaching 154 million people by August 2025, the employment profile is still dominated by the informal sector, which reaches 59.40%. However, the participation rate of this group is still very limited, namely below 15% of the

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total national informal workforce. This gap is triggered by multidimensional factors, ranging from low social security literacy, the perception of contributions as an additional economic burden, the practice of under-reporting wages by companies that violate normative workers' rights, to bureaucratic obstacles in the claim mechanism in remote areas. The novelty of this research emphasizes the importance of adaptive policy reconstruction to the disruption of the digital economy (gig economy) through the integration of artificial intelligence technology and flexible contribution schemes to increase the inclusiveness of protection for self-employed workers. This analysis confirms that social security is not merely an administrative obligation, but a humanitarian instrument and a civilizational investment to break the chain of structural poverty. Strategic recommendations are directed at strengthening rigid law enforcement regarding corporate compliance, simplifying service access through zero-human-touch digitalization, and internalizing the values of social justice to ensure equitable national economic stability for all Indonesian people in accordance with the mandate of Article 28 H and Article 34 of the 1945 Constitution.

Keywords: BPJS Employment, Gig Economy, Worker Welfare, Legal Certainty, Informal Sector.

INTRODUCTION

A country's economic development is essentially a manifestation of the active role of the workforce as the primary driver of national production. In Indonesia, worker welfare is not merely a sectoral economic issue, but a crucial instrument in maintaining social resilience and ensuring sustainable and equitable development (Samosir & Simanungkalit, 2026). Philosophically, worker protection represents the state's commitment to carrying out the constitutional mandate enshrined in the 1945 Constitution. Current industrial relations should emphasize management practices that balance the interests of employers as shareholders with comprehensive protection policies for workers (Pratiwi et al., 2022).

In line with global dynamics, many intergovernmental organizations (IGOs) now prioritize universal social protection as a key instrument for achieving sustainable development. Based on a semi-structured comparative review conducted by Shriwise et al. (2020) examined the official social protection terminology used by six key intergovernmental organizations—the International Labour Organization (ILO), the International Monetary Fund (IMF), the United Nations Children's Fund (UNICEF), the

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United Nations Development Programme (UNDP), the World Bank, and the World Health Organization (WHO)—covering five dimensions of social protection (labor market, health, family, housing, and education) prior to the introduction of the United Nations 2030 Agenda for Sustainable Development. Shriwise et al. (2020) concluded that universal social protection is an influential policy trend that has shaped how intergovernmental organizations understand and act on social issues. These findings contribute to the theoretical debate on the relationship between discursive and substantive policy change and enrich the growing literature on transnational social protection. Furthermore, these findings have implications for cross-agency and sectoral efforts to improve social protection to achieve the Sustainable Development Goals. The domestic legal basis also reinforces this urgency, where Article 28 H paragraph (3) of the 1945 Constitution firmly states that everyone has the right to social security that allows for the full development of themselves as dignified human beings. This is reinforced by Article 34 paragraph (2) which mandates the state to develop a social security system for all people, especially for weak and disadvantaged groups in society, in order to achieve true equality and social justice. Sari & Rafi'a (2023) explain that the implementation of social welfare requires the broadest possible role of society, be it individuals, families, religious organizations, social organizations, professional organizations, non-governmental organizations, business entities, social welfare institutions, or even foreign social welfare institutions so that social welfare is implemented in a targeted, integrated, and sustainable manner. Thus, social protection is no longer seen as supplementary assistance, but rather a constitutional right inherent in every individual worker so that they feel safe and prosperous in carrying out their functions (Puannandini et al., 2025).

In terms of terminology, social security for workers in Indonesia is implemented through the establishment of the Social Security Administration Agency (BPJS Ketenagakerjaan). The implementation of social security programs is one of the state's responsibilities and obligations to provide socio-economic protection to the community in accordance with the state's financial capacity. BPJS Ketenagakerjaan has the task and function of administering Social Security for Workers through five main programs: Work Accident Insurance (JKK), Job Loss Insurance (JKP), Old Age Insurance (JHT), Pension Insurance (JP), and Death Insurance (JKM). As a public legal entity directly responsible to the President, this institution is tasked with managing an inclusive social security system for all levels of workers, both in the formal and informal sectors (Ekaningsih & Karyadi, 2023).

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Despite the comprehensive regulatory framework, the reality on the ground still shows a significant gap between normative policies and their practical implementation (Sihombing & Ritonga, 2024). A current phenomenon shows that participation in social security programs is still heavily dominated by workers in the formal sector, while informal workers, such as micro-enterprises, domestic workers, and workers on digital platforms, still have very limited participation. One region characterized by a high prevalence of informal work is Southeast Asia, including Indonesia (Kaiser et al., 2023). The dominance of formal workers in social security participation is indeed a major challenge, especially amidst the high proportion of informal workers in Indonesia, which reached 59.40% of the total workforce as of May 2025. The Head of Statistics Indonesia (BPS), Amalia Adininggar Widyasanti, detailed that informal worker coverage increased from 59.17% in February 2024, with the proportion of informal workers increasing and becoming a major driver of the upward trend in the number of workers in Indonesia (Dewantoro & Rai, 2026).

This gap is triggered by various multidimensional factors, ranging from low social security literacy among self-employed workers, the perception that contributions are an additional economic burden, to structural issues related to the perceived complexity of claims mechanisms and unequal access to services in remote areas (Hidayat & Ayu, 2026). Workers' financial unpreparedness to face social risks such as workplace accidents or job loss has the potential to trigger new poverty rates, which will ultimately become a burden on the state (Sutrisno, 2025). Therefore, an in-depth analysis of the program's real contribution and identification of inhibiting factors are needed to formulate a more inclusive and adaptive strengthening strategy to changes in the post-pandemic work ecosystem and the digitalization of the economy. Regarding the program's role in protecting against economic risks, a literature review approach analyzing 18 articles related to BPJS Ketenagakerjaan and employee occupational safety and health (K3) conducted by Pratiwi et al. (2023) concluded that BPJS Ketenagakerjaan strives to realize employee occupational safety and health through its programs.

Social protection is a comprehensive legal and sociological instrument designed to mitigate, reduce, and address the social risks and vulnerabilities inherent in the life cycle of every citizen. Structurally, this protection is realized through social assistance and social security schemes, which serve as an economic cushion to shift the financial burden of unexpected social shocks. Legally, Law Number 40 of 2004 concerning the National Social Security System, specifically Article 1, point 1, affirms that Social Security is the embodiment of social protection, aiming to provide certainty for all citizens in meeting their basic needs for a dignified life (Eriranda & Kusdarini, 2024). Doctrinally,

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social security operates as a protection mechanism that shifts personal risk to collective responsibility, ensuring the upholding of the constitutional right to a decent standard of living (Sholikin, 2024).

Philosophically, social security embodies the social function of the state, where the state serves as the guarantor of the people's welfare. This aligns with legal thinking that views social security not merely as an administrative obligation, but as compensatory economic protection, both through cash benefits and medical services when a worker faces occupational risks (Pamungkas & Hariri, 2022). Ultimately, social security serves as a legal bridge connecting individual vulnerability with social justice, ensuring that every citizen is able to maintain their human dignity by adequately meeting basic needs (Stevania & Hoesin, 2024).

This research is crucial given the anomaly between the projected increase in the number of informal workers, which will reach nearly 60% of Indonesia's working population by 2025, and the low absorption of social security coverage in that sector. Without a strategic study to map structural barriers and formulate a policy model adaptive to the digital economy, the vision of universal social protection will remain a mere theoretical discourse, while millions of workers remain at risk of economic vulnerability that could hinder the achievement of national sustainable development targets.

LITERATURE REVIEW

History of Social Protection in Indonesia

The existence of this institution is the result of a long transformation in the history of social protection in Indonesia, including (Noya, 2025):

The establishment of PT Jamsostek (Persero) was a long process that began with Law No. 33/1947 in conjunction with Law No. 2/1951 concerning Work Accidents, as well as various ministerial regulations and the establishment of foundations such as the Social Security Fund Foundation (YDJS) in 1964. This culminated in the enactment of Law No. 14/1969 concerning the Principles of Manpower. The government issued Government Regulation (PP) No. 33 of 1977 concerning the implementation of the Workers' Social Insurance (ASTEK) program. This regulation required every employer/private entrepreneur and state-owned enterprise (BUMN) to participate in the ASTEK program. Furthermore, PP No. 34/1977 also issued concerning the establishment of the implementing body, namely Perum Astek.

The enactment of Law No. 3 of 1992 concerning Workers' Social Security (JAMSOSTEK). Through PP No. Following Law No. 36/1995, Perum Astek changed its

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status to PT Jamsostek (Persero), the social security provider for workers, providing basic protection for workers and their families. The government issued Law No. 40 of 2004 concerning the National Social Security System (SJSN). This law is related to the amendment to Article 34, paragraph 2 of the 1945 Constitution, which stipulates that the state is obliged to develop a social security system for all citizens to enhance dignity, security, and work productivity.

Law No. 24 of 2011 concerning the Social Security Administering Body (BPJS) was enacted. This law serves as the legal basis for the transformation of social security providers in Indonesia. PT Jamsostek (Persero) officially transformed into a Public Legal Entity under the name BPJS Ketenagakerjaan. This agency remains entrusted with administering social security programs for workers, including: Work Accident Insurance (JKK), Death Insurance (JKM), and Old Age Security (JHT). On July 1, 2015, BPJS Ketenagakerjaan officially launched a new program, the Pension Guarantee (JP). This addition aims to provide maximum protection for all workers in Indonesia.

Five Pillars of the Main BPJS Program

Technically and operationally, BPJS Ketenagakerjaan (Employment Social Security Agency) carries out its functions through five main program pillars designed to mitigate various life risks that can threaten workers' economic stability (Prayuti, 2025).

Work Accident Insurance Program (JKK): Serves as the frontline by providing comprehensive medical protection, where all medical expenses are covered according to the participant's medical needs without any specific financial ceiling. This is crucial legally and economically because it can prevent workers from falling into poverty due to unexpected and excessive medical expenses.

Death Insurance (JKM): Serves as a social security instrument for bereaved families, providing cash benefits and educational scholarships for participants' children, thus ensuring that the risk of the breadwinner's death does not immediately sever the chain of success for the next generation. Pension Insurance (JP): Pension Insurance (JP) is a social protection instrument that serves as a financial safety net for workers upon retirement. Philosophically, this program represents a concrete manifestation of the state's commitment to maintaining the dignity and economic independence of individuals by providing monthly cash payments to replace lost income.

Unlike lump-sum savings schemes, the JP prioritizes the sustainability of regular cash flow. This mechanism helps seniors manage their finances more measurably to meet basic and health needs without the risk of mismanagement of funds early in

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retirement. Sociologically, the JP plays a crucial role in breaking the "sandwich generation" cycle, providing financial autonomy to seniors, thus maintaining harmonious intergenerational relationships without the burden of economic dependency.

Macroeconomically, this guarantee maintains the purchasing power of the elderly, supporting domestic market stability. Managed by the Social Security Agency (BPJS Ketenagakerjaan), the JP is a form of social solidarity and respect for humanity, ensuring that the risks of aging do not rob them of their right to a prosperous life. As a long-term investment, the JP is a pillar of national resilience, guaranteeing not only a long life but also a dignified and financially secure old age. Its success serves as a benchmark for the state's protection of its citizens in their twilight years.

Old Age Security (JHT) and Pension Security (JP): Analyzed as long-term savings schemes and future protection that enable workers to maintain financial independence after they are no longer productive. The JHT (Job Loss Insurance) provides cash funds that participants often use as business capital or education costs when they retire, while the JP (Job Loss Insurance) guarantees a stable, regular income in retirement.

Job Loss Guarantee (JKP): In response to the dynamics of the modern labor market, which is vulnerable to layoffs, the Job Loss Guarantee (JKP), which will be fully implemented in 2025, provides a new dimension of protection. JKP not only provides a financial cushion in the form of cash but also provides access to job market information and vocational training, aiming to enable workers affected by efficiency or economic changes to quickly re-enter the workforce with more relevant skills. The integration of these five programs collectively enhances psychological stability and respect for work, as it guarantees the state's presence in the face of any economic shocks, whether personal or public.

METHOD

This study adopts a mixed-methods legal research method that comprehensively integrates doctrinal (normative) and non-doctrinal (empirical) approaches to obtain a holistic picture. This approach was chosen to bridge the gap between legal idealism written in regulations and the reality of their implementation in society, particularly in the context of social security and trade law. The doctrinal or normative approach in this study is applied to analyze various theoretical aspects regarding legal compliance and international trade law norms. The main focus of this section is to conduct an in-depth evaluation of import documentation practices to determine their compliance with applicable legal provisions and the principles of good corporate governance. This analysis

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involves examining the regulatory hierarchy, starting from the constitutional mandate in Article 28 H and Article 34 of the 1945 Constitution, to technical regulations such as Law Number 24 of 2011 concerning the Social Security Administering Body. Through an in-depth literature study, researchers explore the evolution of social security institutions in Indonesia, from the PT ASTEK era to its transformation into a public legal entity in 2014.

In parallel, a non-doctrinal or empirical approach is used to examine the practical implementation of the law in the field through a case study method. The focus of the case study is directed at a specific business entity, namely CV. Wahana Eloh Nusantara, to observe how compliance with trade and social security laws is implemented on an operational scale. This approach allows researchers to conduct a sociological analysis of the phenomena that occur, such as the contradiction between regulatory mandates and the reality of community participation. This is highly relevant considering that data shows that although the national workforce continues to grow to reach 154 million people in August 2025, the level of social security participation is still very unequal, especially in the informal sector which dominates Indonesia's employment profile at 59.40%.

Data in this study were collected through a qualitative descriptive approach that includes systematic policy analysis methods. The research instrument, in the form of a structured questionnaire table, was prepared to obtain information regarding trade documentation, notarial deeds, and other company documents related to the case studied. Furthermore, the data collection technique also involved extensive literature review of BPJS Ketenagakerjaan operational data, periodic reports, and scientific journals related to social security and labor protection. The novelty of this methodology lies in its efforts to identify changes in the post-pandemic employment landscape, particularly with the massive growth of the platform economy or gig economy. Researchers used a sociological lens to map multidimensional barriers, ranging from low social security literacy, psychological barriers related to the perception of contributions as an economic burden, to bureaucratic obstacles in remote areas. By integrating these two approaches, this research goes beyond legal text analysis but also formulates applicable strategic recommendations, such as the use of artificial intelligence technology and flexible contribution schemes to increase the inclusiveness of protection for all workers in Indonesia. Ultimately, this method is used to prove that social security is a humanitarian instrument and a crucial civilizational investment in breaking the chain of structural poverty.

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DISCUSSION

Institutional Dynamics and Effectiveness of Social Security

An analysis of the role of BPJS Ketenagakerjaan must begin with a thorough understanding of the legal foundations that serve as the cornerstone of its operation. Legally, the existence of this institution is a direct implementation of Article 28 H paragraph (3) and Article 34 paragraph (2) of the 1945 Constitution, which mandates the state to develop a national social security system for all citizens. This constitutional mandate was then translated into a more technical regulatory hierarchy through Law Number 40 of 2004 concerning the National Social Security System (SJSN) and reinforced by Law Number 24 of 2011, which changed the status of PT Jamsostek (Persero) to the Public Legal Entity BPJS Ketenagakerjaan. This change in status is not merely a change in nomenclature, but a fundamental transformation in which this institution now reports directly to the President, which legally confirms its position as a representative of the state in providing socio-economic protection for workers. This legal basis provides certainty for the five main protection programs: JKK, JKM, JHT, JP, and JKP, which are normatively designed to provide long-term financial protection and protection against sudden work risks.

However, a closer look at the field reveals a stark contradiction between the regulatory idealism and the reality of public participation. Based on operational data, although participation in the formal sector has shown good stability thanks to the integration of the Online Single Submission (OSS) system and company compliance monitoring, the informal sector, or Non-Wage Workers (BPU), still faces significant challenges. A growing phenomenon indicates that informal sector workers, such as domestic workers, MSMEs, and the self-employed, still have very low participation rates. According to data from the National Labor Force Survey (Sakernas) by the Central Statistics Agency (BPS), the workforce in Indonesia increased by 1.89 million people in August 2025 compared to the previous year, bringing the total to 154 million. Despite a quantitative increase, the Labor Force Participation Rate (LFPR) actually experienced a slight decline of 0.04 percentage points to 70.59 percent. On the other hand, 146.54 million people were recorded as being employed, meaning there was job growth for 1.90 million people in the past year. The Agriculture, Forestry, and Fisheries sector was the main contributor to this expansion of employment, adding approximately 0.49 million workers. In terms of status, the majority of the population works as laborers or employees at 38.74 percent, while the group of entrepreneurs who employ laborers remains the

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smallest category at 3.46 percent. This condition generally shows a workforce profile that is still heavily dominated by the informal sector (Martono, 2026).

This gap arises from structural and psychological barriers for many informal workers, where social security contributions are often perceived as a reduction in daily income or an additional economic burden, rather than as an investment in future protection. This gap is further widened by low literacy regarding long-term benefits and bureaucratic obstacles in claims mechanisms, which are sometimes considered complicated by communities in remote areas. The novelty of this analysis lies in identifying changes in the post-pandemic employment landscape, marked by the massive growth of the platform economy, or gig economy. Workers in this digital ecosystem often find themselves in a legal gray area due to their flexible and non-standard employment relationships, often overlooked by the conventional mandatory social security contribution system. Despite offering flexibility, this sector faces serious challenges related to employment status, social protection, occupational safety, and old-age security, given that Indonesia currently lacks a comprehensive legal framework to protect gig economy workers (Atmafatan & Malie, 2026).

According to the first quarter report for 2025, BPJS Ketenagakerjaan is intensifying its Universal Coverage Jamsostek (UCJ) program. This measure aims to strengthen social security protection for all categories of workers, especially those in vulnerable sectors. Strategic priorities for 2025 include expanding the number of participants, maximizing service quality, and strengthening collaboration with local governments. Innovations presented through the JMO application (Hariyono et al., 2025) and the Agen Perisai scheme are indeed progressive steps to reach this segment of society. However, the most significant innovation is the implementation of Job Loss Insurance (JKP) starting in 2025, which complements the social protection ecosystem by providing access to training and job market information, beyond just cash compensation. This demonstrates the shift in BPJS's role from merely distributing financial benefits to an institution that actively supports workforce mobility and productivity amidst the dynamics of digitalization.

As an educational and applicable solution, a series of strategic policy recommendations involving cross-sectoral collaboration are needed. The government needs to simplify registration and make contribution schemes more flexible, for example by integrating social security contribution payments into digital payment platforms frequently used by informal workers and MSMEs. Furthermore, oversight must be strengthened through the use of data analytics to detect companies' under-reporting of wages in real time. Accelerating the integration of the national social security information

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system is also crucial to ensure the claims process can be automated without cumbersome bureaucratic hurdles. Finally, targeted educational campaigns must be conducted, targeting the younger generation and labor unions, to shift the paradigm of social security from a mere obligation to a basic need for family financial security. With these steps, BPJS Ketenagakerjaan can achieve broader inclusivity and ensure that the benefits of protection are felt equally by all levels of the Indonesian workforce.

Service Transformation in Digital Ecosystem and Operational Risk Mitigation

In an era of technological disruption, BPJS Ketenagakerjaan (the Social Security Agency for Employment) has made a paradigm shift through service digitization, aiming to reduce bureaucratic barriers. Innovation through the Jamsostek Mobile (JMO) application is an adaptive response to the need for information transparency. Participants can now monitor their JHT (Javanese Social Security) balances in real time, submit claims online, and even update their membership data without having to be physically present. Legally, this digitization supports the principles of public information transparency and accountability in the management of trust funds. However, the effectiveness of this technology still faces challenges in terms of digital inclusivity, especially for workers in remote areas with limited internet access. This “digital divide” phenomenon requires the agency to maintain a hybrid approach, where strengthening digital infrastructure goes hand in hand with optimizing the role of physical channels and Perisai Agents.

Furthermore, data integration between BPJS Ketenagakerjaan and the OSS (Online Social Security Administration) and Dukcapil systems is a crucial step in creating a valid social security ecosystem. Synchronized data validation minimizes the risk of fictitious claims or overlapping membership. This discussion highlights the importance of participant personal data security amidst increasing cyber threats. As a public legal entity, BPJS Ketenagakerjaan bears a significant legal responsibility to ensure the data of millions of workers is protected in accordance with the Personal Data Protection Law (PDP Law). Strengthening cybersecurity systems is no longer merely a technical necessity, but a legal obligation that determines the level of public trust in the credibility of the national social security system.

Analysis of Legal Compliance and Regulatory Enforcement Problems

Although Law Number 24 of 2011 grants supervisory authority, in practice, obstacles to compliance enforcement at the employer level remain. One major problem is the practice of under-reporting wages. Many companies only register a small portion of

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their employees' total wages or even only register a portion of their workers (PDS). Under-reporting is a serious violation that negatively impacts both workers and the government. Based on the provisions of Government Regulation Number 36 of 2021 concerning Wages, companies are obligated to provide wages no lower than the applicable Provincial Minimum Wage (UMP) or Regional Minimum Wage (UMK) (Government Regulation Number 36 of 2021). Furthermore, the regulation emphasizes that all income data submitted to BPJS Ketenagakerjaan must reflect actual conditions to guarantee workers' social protection rights.

This practice directly harms workers because the amount of benefits received, particularly JKK (Javanese Family Insurance) and JHT (Javanese Old Age Insurance), is highly dependent on the reported wages. Legally, this constitutes a violation of workers' normative rights, which can result in administrative and criminal sanctions. However, the limited number of labor inspectors in the regions often creates loopholes for employers to ignore this obligation. This phenomenon demonstrates that social security law enforcement cannot rely solely on sanctions but must be driven through a preventative approach and cross-agency collaboration. Synergy between the Social Security Agency for Employment (BPJS Ketenagakerjaan), the Attorney General's Office, and local governments needs to be strengthened to ensure that every business entity complies with regulations. Legal compliance should not be viewed as a burden, but rather as an investment in industrial stability, as protected workers will have higher productivity.

Towards Universal and Sustainable Social Protection

The system has adopted the principle of universal coverage through mandatory membership mandates. However, empirically, this implementation is fragmented by stratification of participation and regional disparities in healthcare access (Samhaji & Anggara, 2025). This phenomenon indicates the continued dominance of market logic in public service governance. Rather than achieving universal protection, reliance on market mechanisms creates social segregation and injustice, where the quality of protection is still determined by social class and geography. Furthermore, challenges in implementing social security are also identified by uneven participation in the informal sector, significant financing challenges amidst economic changes, and demands for improved service quality to minimize bureaucracy (Sihombing & Ritonga, 2024).

From a philosophical and humanistic perspective, this situation demonstrates that the state has not fully abandoned the commodification of basic services, thus trapping the right to social and health care within a discriminatory structure. Based on this analysis,

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several strategic recommendations were formulated: First, the government needs to harmonize regulations that accommodate the characteristics of gig workers with flexible contribution schemes based on transactions or a percentage of daily income automatically deducted through the platform. Second, improve social security literacy through educational campaigns that address investment logic to prevent systemic poverty. Third, BPJS Ketenagakerjaan is advised to improve service quality through AI-based claims automation to expedite JKK and JKM verification. Fourth, strengthen transparent investment fund governance in accordance with Good Corporate Governance principles to ensure stable returns for participants.

Job Market Dynamics and the Post-Pandemic Platform Economy Phenomenon

The fundamental foundation of the social security system is rooted in the constitutional value of social justice, where Article 28 H and Article 34 of the 1945 Constitution guarantee the right of every person to a prosperous life and access to social security. However, the growth of the platform economy (gig economy) has created new vulnerabilities. Currently, Indonesia lacks regulations specifically addressing the protection of gig workers, while many platform companies classify them as partners, not employees, thus excluding them from the same protections as regular workers (Stevania & Hoesin, 2024). This unclear legal status results in weak labor protection and access to social security in the digital ecosystem (Syandika et al., 2025). This situation requires an inclusive protection system capable of embracing post-COVID-19 work patterns that are no longer traditional.

The fundamental problem lies in the gap between regulatory mandates and the reality of participation. Workers' financial unpreparedness to face social risks has the potential to trigger new poverty clusters, ultimately becoming a fiscal burden on the state through unsustainable social assistance schemes. Therefore, strengthening the BPJS Ketenagakerjaan (Employment Social Security Agency) must be viewed as a preventive instrument for national resilience. This gap is driven by low literacy in the informal sector and low compliance in the formal sector. Strategic steps are needed, ranging from data synchronization to close the under-reporting gap, simplifying digital bureaucracy, and conducting a massive literacy campaign to shift the perception of social security from a "cost" to an "investment."

The effectiveness of BPJS Ketenagakerjaan (Employment Social Security Agency) depends heavily on the synchronization of state policies and adaptability to the dynamics of the digital labor market. The transformation from an administrative entity to

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a pillar of inclusive welfare requires regulatory courage to embrace the gig economy and more humane services. This discussion emphasizes that social security is an investment in civilization—a social contract to ensure that every effort of development has a dignified safety net. An integrative strategy that combines law enforcement in the formal sector and contribution flexibility in the informal sector, supported by the digitalization of zero-human-touch services, is key to breaking the chain of structural poverty and realizing true social justice in Indonesia.

CONCLUSION

BPJS Ketenagakerjaan (Employment Social Security Agency) is a concrete manifestation of the constitutional mandate (Article 28 H and Article 34 of the 1945 Constitution), transforming the basic right to social security into measurable and applicable protection. The change in status from a business entity (PT Jamsostek) to a Public Legal Entity under Law Number 24 of 2011 emphasizes the state's direct responsibility in mitigating the economic risks of workers. Five main programs (JKK, JKM, JHT, JP, and JKP) serve as an effective social safety net in maintaining the financial stability of workers' families. The presence of these programs not only provides protection against medical risks and death but also prevents new impoverishment phenomena that could burden the state's fiscal budget in the future. Although legally mandatory, there is a significant gap between formal and informal worker participation. This gap is triggered by low social security literacy, limited geographic access in remote areas, and employer non-compliance in reporting actual wages. This indicates that Indonesia's social security system still requires adaptation to the dynamics of the rapidly growing platform economy (gig economy) post-pandemic.

To comprehensively improve the effectiveness and reach of BPJS Ketenagakerjaan protection, researchers formulated a series of strategic recommendations targeting various stakeholders. From the government's perspective, as regulator, harmonization of informal sector regulations is needed through the development of more flexible derivative regulations for workers in the platform economy ecosystem, including the implementation of an adaptive contribution scheme based on automatic digital transaction deductions (pay-as-you-earn) to facilitate self-employed workers and freelancers. Similarly, strengthening law enforcement must be optimized through synergy between cross-agency supervision between BPJS Ketenagakerjaan, the Ministry of Manpower, and licensing authorities to impose strict administrative sanctions on companies engaging in under-reporting or failing to register all their employees

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honestly. Meanwhile, for BPJS Ketenagakerjaan executive management, accelerating digitalization and simplifying services is a top priority, by strengthening the technological infrastructure of the JMO application so that the claims process can be conducted with zero human touch, based on artificial intelligence (AI) to eliminate manual bureaucratic obstacles. This step needs to be accompanied by an expansion of educational channels that optimize the role of "Shield Agents" through a local wisdom approach to reach vulnerable worker clusters, such as farmers, fishermen, and daily laborers who currently still have minimal social security literacy. At the private sector and community levels, the urgency lies in strengthening awareness of normative rights, where labor unions are encouraged to prioritize social security participation as a key point in Collective Labor Agreements (PKB) to ensure workers' constitutional rights are not neglected for the sake of company operational efficiency alone. Finally, a shift in the investment paradigm is needed in society to change the way people view social security contributions; from being considered a "monthly expense" to becoming an "investment in the protection of human dignity" that is crucial for long-term family economic resilience.

REFERENCES

Atmafatan, S., & Malie, A. M. (2026). Optimalisasi Jaminan Sosial Ketenagakerjaan Bagi Pekerja Jarak Jauh Dalam Perspektif Hukum Positif Indonesia. *PERSPEKTIF: Kajian Masalah Hukum dan Pembangunan*, *31*(1), 61-72. https://doi.org/10.30742/perspektif.v31i1.997

Dewantoro, F. R., & Rai, A. (2026). Analysis of Pre-Elderly Workers' Quality Index and Its Impact on East Java's Economy (Nighttime Light Approach): Reflection on Silver Economy Potential. *East Java Economic Journal*, *10*(1), 98-128. https://doi.org/10.53572/ejavec.v10i1.206

Dian Pratiwi, P. ., Fauzi, A. ., Putri Gumelar, P. ., Ramdhani, R. ., Sasono, A. ., & Asmoroningtyas, T. . (2023). Program BPJS Ketenagakerjaan dalam Menjamin Keselamatan dan Kesehatan Karyawan (Literature Review). *Jurnal Ilmu Manajemen Terapan*, *4*(6), 768–777. https://doi.org/10.31933/jimt.v4i6.1614

Ekaningsih, L., & Karyadi, A. (2023). Perlindungan Hukum Badan Penyelenggara Jaminan Sosial Terhadap Hak Ketenagakerjaan Pegawai Masjid Agung Jawa Tengah. *JPeHI (Jurnal Penelitian Hukum Indonesia)*, *4*(01), 63-81. https://doi.org/10.61689/jpehi.v4i1.462

Copyright at authors some right reserved this work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License.

Eriranda, A. O., & Kusdarini, E. (2024). Makna Welfare State Ditinjau dari Implementasi Pasal 34 Ayat (1) Undang-Undang Dasar 1945. *Jurnal Hukum Ius Quia Iustum*, *31*(3), 560-584. https://doi.org/10.20885/iustum.vol31.iss3.art4

Hariyono, H., Judijanto, L., Baka, C., Fatimah, I. F., Haryono, P., & Efitra, E. (2025). *Literasi Digital dan Media dalam Dunia Pendidikan*. PT. Green Pustaka Indonesia.

Hidayat, R., & Ayu, L. (2026). Kesenjangan Sosial dan Ketimpangan Ekonomi sebagai Pemicu Konflik Politik di Negara Berkembang. *Journal of Social and Political Inquiry*, *1*(1), 7-12. https://ejournal.kalibra.or.id/index.php/jospi/article/view/136

Kaiser, A. H., Rotigliano, N., Flessa, S., Ekman, B., & Sundewall, J. (2023). Extending universal health coverage to informal workers: a systematic review of health financing schemes in low-and middle-income countries in Southeast Asia. PLoS One, 18(7), e0288269.

Martono, D. (2026). Pengaruh Pertumbuhan Ekonomi dan Proporsi Lapangan Kerja Informal terhadap Pengangguran Terbuka di Indonesia. *Jurnal Simki Economic*, *9*(2), 543-554. https://doi.org/10.29407/jse.v9i2.1607

Noya, J. (2025). Integrasi Kebijakan Sosial Dan Tata Kelola Administrasi Publik: Studi Kasus Program Perlindungan Sosial Di Indonesia. *Jurnal Badati*, *7*(1), 167-192. https://doi.org/10.38012/jb.v7i1.1548

Pamungkas, T. J., & Hariri, A. (2022). Tanggung jawab negara dalam pemenuhan jaminan sosial persepektif Welfare State. *Media of Law and Sharia*, *3*(4), 270-283. https://doi.org/10.18196/mls.v3i4.15198

Prayuti, Y. (2025). Legal Compliance Analysis of the BPJS Health Patient Referral Procedures at Primary Healthcare Facilities. *Research Horizon*, *5*(6), 3091-3104. https://doi.org/10.54518/rh.5.6.2025.893

Puannandini, D. A., Dzulfqar, D. A., Sandika, A., & Pradipta, M. A. (2025). Kesejahteraan Pekerja Sebagai Upaya Perlindungan Hak Asasi Manusia. *Jurnal Media Akademik (JMA)*, *3*(7). https://doi.org/10.62281/v3i7.2558

Samhaji, S., & Anggara, F. D. (2025). Analisis Implementasi Kebijakan Pemerataan Akses Pendidikan pada Daerah Tertinggal Indonesia. *Journal of Governance and Policy Innovation*, *5*(2), 99-112. https://doi.org/10.51577/jgpi.v5i2.839

Samosir, R. W. O., & Simanungkalit, R. L. (2026). Modernisasi Perjanjian Kerja Bersama (PKB): Integrasi Klausul Hak Cipta Sebagai Instrumen Keadilan Ekonomi dan Kepastian Hukum Dalam Hubungan Ketenagakerjaan. *Jurnal Humaniora dan Sosial Sains*, *3*(1), 25-33. https://humaniorasains.id/jhss/article/view/178

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Sari, I. F., & Rafiâ, M. (2023). Dampak evolusi perlindungan sosial terhadap kesejahteraan sosial dalam perspektif ekonomi Islam. *Jurnal Ilmiah Ekonomi Islam*, *9*(1), 1080-1087. https://doi.org/10.29040/jiei.v9i1.8476

Sholikin, A. (2024). "Social Security" bagi Tenaga Kerja Informal pada Sektor Industri Ekstraktif di Bojonegoro. *Madani Jurnal Politik Dan Sosial Kemasyarakatan*, *16*(02), 225-248. https://doi.org/10.52166/madani.v16i02.7401

Shriwise, A., Kentikelenis, A.E., & Stuckler, D. (2020). Universal Social Protection. *Sociology of Development*, 6(1), 116-144.

Sihombing, I. L., & Ritonga, F. U. (2024). Manfaat Program Layanan BPJS Ketenagakerjaan Bagi Kesejahteraan Masyarakat:(Magang Mitra USU di BPJS Ketenagakerjaan Medan Kota). SOSMANIORA: Jurnal Ilmu Sosial dan Humaniora, 3(3), 322-327. https://doi.org/10.55123/sosmaniora.v3i3.3883

Stevania, M., & Hoesin, S. H. (2024). Analisis kepastian hukum jaminan sosial ketenagakerjaan bagi gig worker pada era gig economy di Indonesia. Jurnal Ilmiah Penegakan Hukum, 11(2), 268-277. https://doi.org/10.31289/jiph.v11i2.11968

Sutrisno, S., Imamia, T. L., Andhayani, A., Lutfillah, N. Q., Darmayanti, R., Syuliswati, A., & Eltivia, N. (2025). Literasi Keuangan Dan Kemandirian Finansial: Studi Pada Pekerja Konstruksi dalam Konteks Menghadapi Ketidakpastian Ekonomi. *Jurnal Konstanta*, *4*(1), 246-255. https://doi.org/10.29303/konstanta.v4i1.2121

Syandika, M. A., Harahap, I. A., Suhardiman, T. A., & Purba, J. (2025). Transformasi Hukum Ketenagakerjaan di Era Digital: Menjawab Tantangan Perlindungan Hak Pekerja di Era Ekonomi Digital. *EBJESMA: Journal of Law and Human Rights*, *1*(1), 4-8. https://ejournal.katersipublisher.com/index.php/EBJESMA/article/view/92

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