

Justice in Employment Law: A Philosophical Study of the Relationship Between Employers and Employees

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Abstract. *This study examines justice in employment law from the perspective of legal philosophy, focusing on the relationship between employers and workers in Indonesia. Based on Article 27 paragraph (2) and Article 28D paragraph (2) of the 1945 Constitution, justice in employment relations is considered as one of the manifestations of human rights that must be guaranteed by the state. However, in practice, the imbalance in the bargaining position between employers and workers often creates injustice, especially in wages, job protection, and the fulfillment of basic workers' rights. Through a legal philosophy approach, this study analyzes the application of the concepts of distributive, commutative, and retributive justice in employment relations. The results of the study show that although employment regulations, such as Law Number 13 of 2003 concerning Employment, have attempted to create justice, their implementation still faces various obstacles, including weak supervision and bias towards economic interests. This study has theoretical benefits in deepening the study of legal philosophy related to justice in industrial relations, as well as practical benefits in providing recommendations for policy makers to improve employment regulations. Thus, this research is expected to be a foundation for creating fairer and more balanced working relationships in Indonesia.*

Keywords: *employers, employment relations, justice, labor law, workers.*

1. INTRODUCTION

The 1945 Constitution (UUD 1945) as the constitutional basis of the Republic of Indonesia places the right to work and justice in employment relations as one of the fundamental aspects. Article 27 paragraph (2) states that "Every citizen has the right to work and a decent living for humanity." In addition, Article 28D paragraph (2) emphasizes, "Everyone has the right to work and receive fair and decent compensation and treatment in employment relations." These two articles not only contain legal norms, but also are a manifestation of the values of social justice in Pancasila as the foundation of the state.

However, the implementation of these norms faces various challenges in employment relations in Indonesia. The relationship between employers and workers is often unbalanced due to significant differences in bargaining positions. In practice, workers tend to be the party vulnerable to exploitation, both in terms of wages, working hours, and social protection. Research shows that efforts to create justice in employment relations are often hampered by weak supervision and legal regulations that have not fully accommodated the needs of workers fairly. (Hasibuan & S.P, 2020)

Legal philosophy views justice as one of the main principles that must be applied in every aspect of life, including in employment law. According to Aristotle, justice is divided into distributive, commutative, and retributive justice. (Utomo & Haryono, 2018). In the context of employment, distributive justice relates to the distribution of rights and obligations based on the contribution of each party, while commutative justice emphasizes balance in employment relationships, such as in determining wages and treating workers. This study of the philosophy of law on justice in employment is important to evaluate the extent to which these principles have been applied in the relationship between employers and workers in Indonesia.

In addition, the regulation of employment law in Indonesia, such as Law Number 13 of 2003 concerning Employment, is often criticized because it is considered to be more biased towards employers and investors. (Sari & Kusuma, 2019) In a broader context, this reflects a major challenge in realizing justice in industrial relations. Therefore, the study of justice in employment law from the perspective of legal philosophy is very relevant.

This study aims to analyze the concept of justice in employment relations and evaluate the implementation of employment law in Indonesia. Through a legal philosophy approach, it is hoped that this study can provide significant theoretical contributions to creating fairer and more balanced employment relations .

Based on the background description above, the author feels the need to limit the problem to prevent the topic from broadening in this study. Therefore, the author formulates the problem that focuses on three main aspects: first, how the concept of justice in legal philosophy is applied in the relationship between employers and workers; second, to what extent labor law in Indonesia has reflected the principle of justice in regulating the rights and obligations of employers and workers; and third, what factors can influence the achievement of justice in labor law. With these limitations, the study is expected to provide a more in-depth and focused analysis of the aspect of justice in the context of labor law in Indonesia.

This study has three main interrelated objectives. First, this study aims to analyze the concept of justice in legal philosophy relevant to employment law, in order to understand the theoretical basis underlying the principle of justice in the context of employment relations. Second, this study aims to evaluate the implementation of the principle of justice in employment law in Indonesia, with the intention of assessing the extent to which existing regulations and practices have reflected and upheld the principle of justice. Third, this study aims to identify obstacles that may arise in efforts to realize justice in the relationship between employers and employees, so that it can provide valuable insights for the improvement and development of employment policies in the future.

2. RESEARCH METHODS

This study uses a normative legal approach, focusing on the analysis of laws and regulations, legal doctrine, and legal literature related to justice in labor law, especially in the relationship between employers and workers. This type of research is descriptive-analytical, aimed at explaining and analyzing justice in labor law and comparing existing regulations with their implementation in the field. The data sources used include primary legal materials (such as the 1945 Constitution, the Manpower Law, the Job Creation Law), secondary legal materials (books, scientific journals), and tertiary legal materials (legal dictionaries). Data collection techniques are carried out through literature studies and, if necessary, interviews with experts and stakeholders in the field of employment.

Data analysis uses legal interpretation methods, including grammatical, systematic, historical, teleological, and comparative interpretations. The framework of this research uses Aristotle's theory of justice, which includes distributive, commutative, and retributive justice, as a means to solve problems in the scope of employment. The location and subject of the research focus on legal regulations and employment conditions in Indonesia, with a case study of worker disputes regarding fairness in treatment and compensation. The expected results of this research are the identification of legal gaps in fulfilling a sense of justice for workers, recommendations for equitable employment regulations, and academic contributions to equitable employment law regulations.

3. DISCUSSION

Application of the Concept of Justice in Legal Philosophy in the Relationship Between Employers and Workers

The issue of justice is the main thing that must be distributed to all parties in employment law, especially workers/laborers. The concept of justice presented by Aristotle, views that law can only be established in relation to justice, Aristotle distinguishes justice into two types: distributive and commutative. The first applies in public law and the second in civil and criminal law. He believes that law can only be made in relation to justice. Commutative and distributive justice are both susceptible to the problem of equality or equity, and both can only be understood within its framework. In distributive justice, the important thing is that equal compensation is given for equal achievements. In the second, the problem is that inequalities caused by, for example, violations of agreements are corrected and eliminated.

Aristotle says that commutative justice focuses on fixing something that is not working. Commutative justice seeks to provide adequate compensation to the injured party if a violation has been committed or a wrong has been done; if a crime has been committed, then the perpetrator should be punished with the appropriate punishment. Injustice, however, will disrupt the existing or existing "equality." The task of commutative justice is to re-establish this equality. From this description, it is clear that distributive justice is the responsibility of the government, while commutative justice is the domain of the judiciary. (*Ibid.*, p. 25.)

Distributive Justice, related to rights and obligations that are divided proportionally based on the contribution given or based on a person's needs. This is reflected in the employment relationship in the provision of wages, allowances, facilities and other rights that should be given according to the role, responsibility and performance of each worker. Workers with higher responsibility or performance should receive higher compensation. This is in accordance with the principle that everyone will be given a portion according to their work. In terms of determining and providing wages, it often raises pros and cons from both employers and workers. Many factors cause pros and cons when a regulation on wages is enacted, one of which is often contradictory is from the side of workers who question that the determination of wages is considered inappropriate and contrary to the ILO convention or for example the calculation of wages does not base and/or consider and pay attention to the decent living needs (KHL) of workers. (Yetniwati, 2019).

Therefore, in order to avoid pros and cons regarding each wage determination, it must be based on the principles of just wage law. *First*, the correlation between law and morality is very important for the formation, substance, and enforcement of laws related to wages. The application of Pancasila values in industrial relations is the highest moral measure in Indonesia. Pancasila is the ideology of the Indonesian nation, the nation's outlook on life, and the highest source of law.

Second, the right to wages begins when the employment relationship takes place and ends when the employment relationship ends. This means that the rights and obligations will arise after the employment agreement, and the employment relationship will arise as a result of the employment agreement. After the worker and employer reach an agreement, an agreement is made. After an agreement is made, each party must be bound by the agreement based on the principle of *pacta sunt servanda*, the full term of *pacta convent quae neque contra leges neque dolo malo inita sunt omnimodo observanda sunt*. This means that contracts that are not made illegally and do not originate from fraud must be followed in full. After the period of time set by law or the expiration of the employment relationship, the rights and obligations will end.

Third, Basic wages, fixed allowances, and non-fixed allowances are some of the wage components that must be explained in detail. Basic wages must refer to human needs. Wage components will determine the calculation of other rights or wages such as overtime, severance pay, and insurance premiums. Basic wages are compensation for workers' services, and throughout the employment relationship, all workers will receive the largest share of the fixed wages. Therefore, basic wages must be adequate to meet the needs of a decent life for workers. Allowances are given for three purposes: a. complementing basic wages; b. helping workers become more productive; and c. as a social function, appreciating workers' services as human beings in unfavorable situations.

Fourth, Discrimination in wages should not occur. Employers should not provide different compensation based on sex, color, religion, ethnicity, or political affiliation for the same position or level of work. Universal human rights are the right to work and a decent wage, according to John Rawls, who stated, "Everyone should have an equal right to the greatest possible liberty under a system of freedom which gives equal opportunity to all." In addition, everyone has the freedom to choose their own work. Because wage discrimination will create jealousy, envy, and disharmony in relationships between people who have the same opportunities, this discrimination is prohibited. All workers, both permanent and non-permanent, must be protected by wage laws.

Fifth, Payment of wages must be humane, including the amount of wages and the method of payment must consider workers as human beings with the basic right to live decently. If the salary is equal to what is needed to meet the basic needs of a worker, that is enough. The natural right that must be protected by law is to meet the needs of a decent life for everyone. Workers need respect as individuals with dignity and honor. To fulfill the human right to wages, wages must be able to meet the needs of the employee and his family. In addition, workers' wages must be paid on time because it is part of the salary that workers are waiting for to meet their living needs. Employers should be fined, in the event of a delay in paying wages. Workers who do not work for reasons beyond the worker's fault or legitimate reasons (for example, illness, carrying out religious activities, or defending the country) are entitled to compensation.

Commutative Justice , prioritizing balance and equality in transactions between individuals, without considering their status or previous contributions. This relates to employment agreements between employers and employees, (Bahder, 2014) which must be based on fair and equal agreements in terms of employment. Each party must fulfill its responsibilities in accordance with the agreement. For example, employers must pay workers

on time according to the employment agreement, while workers must do their work according to the duties and responsibilities assigned to them.

Mechanisms are needed to restore balance in the event of violations, such as negligence in work or late payment of wages. Along with the development and complexity of industrial relations dispute problems, institutions and settlement systems are needed that are fast, precise, fair, harmonious, dynamic, and equitable. Therefore, a law is needed that allows for the settlement of industrial relations disputes in various forms, both litigation and non-litigation. In the event of a dispute between employers and workers, there are special regulations regarding the settlement of such disputes, namely Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes . The mechanisms and procedures for dispute settlement can be through negotiation, mediation, conciliation, arbitration or resolved in the Industrial Relations Court. Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes was drafted to resolve disputes that occur between workers and employers.

These disputes can occur due to rights, interests, termination of employment, or disputes between trade unions or labor unions in one company. In terms of industrial relations in Indonesia, Law Number 2 of 2004 concerning the Settlement of Industrial Disputes provides an important legal framework for handling disputes. In handling conflicts in the work environment, this law is the main guide for employers, workers, and related parties. According to this law, conflicts in industrial relations can cover a variety of issues, ranging from conflicts that occur individually between workers and employers to conflicts that occur collectively involving trade unions or employer unions.

The purpose of effective industrial dispute resolution based on this law is to create a stable, fair and harmonious working environment that protects workers' rights and promotes economic growth. How important it is to understand this law thoroughly in the context of dispute resolution and how it impacts industrial relations practices in Indonesia. In order to maintain workplace safety and comply with labor regulations, the use of dispute resolution methods in accordance with the provisions of this law is very important. Although there is criticism of this law because it is considered that the process of resolving industrial relations disputes in this law is very long-winded, with the presence of this law, every dispute has a structured resolution mechanism and most importantly can reflect commutative justice for both workers and employers to be able to fight for their rights when violated.

Retributive Justice, related to the imposition of sanctions for violations or mistakes made. (Nur, 2022). In labor law, this includes disciplinary action against workers who violate company regulations and employers who violate workers' rights. For example, workers who

commit serious violations can be subject to sanctions, ranging from being given a warning letter, being suspended, to serious violations with sanctions of termination of employment.

On the other hand, in the case of employers being late and/or not paying workers' wages in accordance with laws and regulations, they can also be subject to legal sanctions, ranging from warnings to temporary suspension and/or revocation of business licenses. Retributive justice is very important to implement, in order to ensure that every violation will be punished with sanctions commensurate with the act, so as to create a deterrent effect and prevent violations from happening again.

The implementation of the three concepts above will create fair and harmonious industrial relations between employers and workers. The concept of justice presented by distributive justice ensures that wages, workers' rights and other social security are received by workers in accordance with the burden and responsibilities carried out, while the concept of commutative justice guarantees equality in the preparation of clauses in agreements where with this concept of justice the bargaining position of workers can be placed on an equal footing with employers and are no longer in a weak position to fight for the rights to be obtained, then the concept of justice presented by retributive justice is the provision of a guarantee of appropriate sanctions for misappropriation and/or denial of obligations that must be given, so that workers do not need to worry anymore when employers are late and/or do not pay their wages. When these three concepts of justice are applied properly, it is expected to provide improvements to workers' welfare and company productivity as a whole.

Reflection of the Principle of Justice in the Regulation of the Rights and Obligations of Employers and Workers

Based on the employment agreement containing elements of work, wages, and orders, the legal relationship between workers and employers is known as an employment relationship. There are three different perspectives on employment law. According to the worker's perspective, this law serves to protect workers from exploitation and discrimination that may occur during an employment relationship. According to the employer's perspective, this law serves to achieve economic goals, such as generating profits for the company. According to the government's perspective, this law serves to create a safe working environment for workers. (Huijbers, 1982)

It is undeniable that corporations play a significant role in the Indonesian economy in terms of reducing unemployment and economic growth. As a result, there is a close relationship of mutual need between corporations and society. However, corporations often act arbitrarily towards their employees due to socio-economic differences. Employment regulations are made

because of the inequality of status between workers and employers. The opening of the 1945 Constitution states that the state guarantees the protection and welfare of its citizens.

Employment laws and regulations in Indonesia are designed to reflect the principle of justice in regulating the rights and obligations between employers and workers. Employment laws in Indonesia are designed to reflect the principle of justice in regulating the rights and obligations between employers and workers. In terms of regulating rights and obligations, the principle of justice must be reflected, which can be felt by both employers and workers. Talking about rights and obligations, the most concern and often causes conflict between employers and workers is regarding the regulation of wages. Wages are the most crucial thing to regulate, which in its determination must of course provide a sense of justice for workers in return for the work and responsibilities that have been completed.

Wages are one of the sources of income for workers to meet their living needs properly. The right to wages is one of the rights in an employment relationship that arises from an employment agreement. Article 27 paragraph 2 of the 1945 Constitution of the Republic of Indonesia states, "Every citizen has the right to work and a decent living for humanity." This right is constitutionally protected.

Article 28 D of the 1945 Constitution of the Republic of Indonesia stipulates:

- (1) Every person has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law;
- (2) Everyone has the right to work and receive fair and appropriate compensation and treatment in employment relationships.

These constitutional rights are then further regulated by laws and regulations, namely Law Number 13 of 2003 concerning Manpower, and its implementing regulations, namely Government Regulation Number 36 of 2021 concerning Wages as amended by Government Regulation (PP) Number 51 of 2023 concerning Amendments to Government Regulation Number 36 of 2021 concerning Wages. Along the way, many labor unions or labor unions have filed a judicial review of Law Number 13 of 2003 concerning Manpower to the Constitutional Court.

In terms of wage regulation, Law Number 13 of 2003 concerning Manpower does not provide the concept of minimum wage, decent living concept, wage protection concept and wage safety net concept. However, despite the different capabilities and conditions of companies, ranging from micro companies, small companies, medium companies, and large companies, the minimum wage provisions in the law must be complied with by all companies. Likewise, the Job Creation Law, as a replacement law for Law Number 13 of 2003 concerning

Manpower which is touted as an investment-friendly law and has better regulations than the previous law, is also not free from criticism, especially since its formation is formally flawed and declared conditionally unconstitutional by the Constitutional Court. In Decision Number: 91/PUU-XVIII/2020 the Constitutional Court stated that:

" Declaring the formation of the Job Creation Law is contrary to the 1945 Constitution and does not have legally binding force conditionally as long as it is not interpreted as 'no improvements are made within 2 (two) years since this decision was pronounced'. Declaring the Job Creation Law remains in effect until improvements are made to the formation in accordance with the time limit as determined in this decision "

In its 448-page ruling, the Constitutional Court also ordered lawmakers to make improvements within 2 (two) years. If, within that time period, it is not fulfilled, the Job Creation Law will be declared permanently unconstitutional. Thus, the newly enacted law has not been able to present justice in its regulations.

According to John Rawls' theory of justice, "Social and economic inequalities should be arranged in such a way that they can be expected to benefit everyone", legislation must balance the interests of workers and employers. It is important for workers to meet their and their families' living needs properly. However, the interests of employers are for the company to continue operating. Therefore, it is said that the law must pay attention to social justice, or that the law must regulate social justice. (John Rawls, 2006). So, in order to avoid pros and cons, each wage determination must be based on the principles of fair wage law, which the author has described in the previous section. Thus, an ideal and harmonious working relationship will be established between employers and workers.

Factors That Can Influence the Achievement of Justice in Employment Law

Employment Law was born from the spirit of presenting justice that can be accepted by all parties related to the employment relationship. Furthermore, the purpose of drafting the employment law is to achieve or implement social justice in the employment sector and to protect workers from unlimited power from employers, such as by establishing regulations that force employers not to treat workers as weak parties. In addition, the purpose of employment law is to equalize the socio-economic justice of the workforce and establish strategies to regulate the economic needs of workers in accordance with the ideals and aspirations of the Indonesian nation as well as mutual cooperation, the characteristics of the nation's personality and the main elements of Pancasila. The objectives of workforce development are: (Sinaga & Zaluchu, 2003)

- a. empowering and utilizing the workforce optimally and humanely;
- b. realizing equal employment opportunities and providing a workforce that meets national and regional development needs;
- c. provide protection to workers in realizing prosperity; And
- d. improve the welfare of workers and their families. (Law Number 13 of 2003 concerning Manpower, Article 4).

Then, many interrelated factors influence fairness in employment law. Some of the main factors include:

1. Regulations and Policies

In practice, justice in industrial relations is highly dependent on the quality and clarity of laws and regulations. Unclear regulations or those with legal loopholes can lead to different interpretations, which hinders the implementation of justice. For example, although many regulations have been made that regulate employment relations, there are still loopholes for violating them. Law Number 13 of 2003 concerning Manpower, which for years has been the legal umbrella for employment regulations in Indonesia, has received many negative responses from workers because it is considered to provide less sense of justice, as evidenced by the fact that during its regulation, Law Number 13 of 2003 concerning Manpower has been subject to many judicial reviews at the Constitutional Court.

Likewise with the Replacement Law, namely the Job Creation Law, which since its birth has received negative responses from the public, especially laborers or workers. How could it not be, the law that was touted as a replacement for the previous law which was considered better and had an investment-friendly mission by its drafters, but then a cancellation test was submitted because it was considered to have defects in its drafting, because in its drafting and discussion it was not in accordance with the procedures for drafting laws and regulations and was not accompanied by an academic manuscript, where this academic manuscript functions as a guideline and scientific basis in the formation of laws and regulations.

This manuscript is the result of a scientifically accountable research. Thus, then upon the request after going through the trial process, the Constitutional Court finally decided that Law Number 11 of 2020 concerning Job Creation (Job Creation Law) was formally flawed and declared conditionally unconstitutional. How is it possible that a law that has been drafted and enacted can present a sense of justice, if it has just been enacted and has already reaped opposition, is formally flawed and declared conditionally unconstitutional.

Back to the ideals of the Unitary State of the Republic of Indonesia, that Manpower Development is based on Pancasila and the 1945 Constitution, which has the aim of being able to provide real justice for all parties involved in employment relations. Thus, it has become a necessity in every preparation, enactment and implementation of a law that regulates employment must be able to present a real form of justice.

2. Culture and Attitudes of the Parties

In order to achieve justice, it is inseparable from the culture and attitudes of workers, employers and law enforcers who play an important role in realizing justice. The importance of the role of workers in the sustainability of company operational activities has not been clearly understood by employers. On the other hand, workers also often do not understand the importance of the relationship between employers and workers in employment relations. This shows that workers still have a low understanding of their obligations. In addition, law enforcers have not yet fully fulfilled their obligations. Many supervisors and law enforcers still carry out their duties in a manner that is not in accordance with existing regulations. When problems arise, the resolution is often unfair, especially for workers.

It often happens that the position of employers and workers is in an unbalanced position, employers are in a strong position, while workers who need work are in a weak position, so they are more likely to meet the requirements submitted by employers. This often causes employment problems whose resolution process can be protracted and can even go to court because the mediation process through bipartite and tripartite mechanisms does not find an agreement.

To overcome the problems described above, and as an effort to realize a fair working relationship for the parties, a change in attitude and understanding is needed based on each obligation that must be carried out by each party. By focusing on the implementation of each obligation, which of course does not violate laws and regulations and work agreements, then there will be no rights of one party that are violated in their fulfillment. Of course, the role of the government is very important, in compiling an ideal and fair employment regulation, which is not based on only one interest but really plays its role as a means to be able to present justice that is felt in real terms by all parties. This means that apart from compiling regulations, the role of supervision and enforcement is an inseparable part, in order to ensure that the regulations made are obeyed and implemented by both employers and workers.

In the event of a dispute between employers and workers, of course the role of law enforcement is the hope of the disputing parties, whose decisions are certainly expected to fulfill a sense of justice, which in the consideration process does not only look at the rules

and/or work agreements made between employers and workers which base everything on the principle of freedom of contract and the principle of consensualism, but by paying attention to the values and principles of humanity in order to realize real protection and justice for all parties involved. . (Sinaga & Zaluchu) Thus, if all of this is done correctly, it is not inevitable that an ideal, harmonious working relationship will be created that is able to present justice in a real form that can be felt by all parties, especially employers and workers.

3. Law enforcement

The achievement of justice is greatly influenced by the effectiveness of the enforcement itself. In law enforcement, there are several factors that can affect the effectiveness of enforcement, including ineffective regulations and an unsupportive culture. The author has explained in the previous discussion that in terms of culture, the importance of the role of law enforcement in disputes between employers and workers is the hope of the disputing parties, whose decisions are certainly expected to fulfill a sense of justice, which in the consideration process does not only look at the rules and/or work agreements made between employers and workers which base everything on the principle of freedom of contract and the principle of consensualism, but by paying attention to the values and principles of humanity in order to realize real protection and justice for all parties involved.

Then in terms of the rules that are drawn up, justice in industrial relations is very dependent on the quality and clarity of the laws and regulations. Unclear regulations or those that have legal loopholes can lead to different interpretations, making them prone to conflict in employment relations.

The existence of a regulation that regulates, must not only create certainty but must also be able to provide protection whose purpose is to present real justice. Regulations that are born with procedures that should be followed, not short procedures that set aside the rules of drafting that should be so that their validity is not appropriate because they have defects in the legislative process, let alone being declared unconstitutional. Thus, it has become a necessity in every drafting, enactment and implementation of a law that regulates employment must be able to present a real form of justice.

In order to realize effectiveness in law enforcement and in order to realize protection of workers' rights , there is a need for supervision of compliance in the implementation of laws and regulations . Labor supervision is an important part of labor protection and enforcement of labor laws. (Abdul, 2003)

A clear and targeted mechanism that focuses on the implementation of the obligations of a regulation that must be carried out in the implementation of supervision, which can provide assurance of the effectiveness of enforcement of labor laws and the implementation of labor laws and regulations in order to maintain a balance between the rights and obligations of employers and workers, maintain business continuity and work peace, increase work productivity and protect workers.(Sinaga & Zaluchu)

Therefore, the government needs to pay attention to the interests of all parties involved in employment in a balanced manner in order to provide fair protection, so that employment relations can be established conditionally, harmoniously and run well . By understanding and managing these factors, it is hoped that justice in employment relations can be realized and its presence can be felt in real terms by all parties, both employers and workers.

4. CONCLUSION

To create fair, conducive and harmonious industrial relations, the application of the concept of justice in legal philosophy is very important, especially distributive and commutative justice as put forward by Aristotle. Distributive justice demands the distribution of workers' rights such as wages and social security in a balanced manner according to the burden of work, while commutative justice emphasizes equality between employers and workers. Retributive justice is also needed to ensure appropriate sanctions for violations. Employment laws and regulations in Indonesia are designed to reflect the principle of justice, but Law No. 13/2003 and the Job Creation Law are still criticized because they are considered not entirely fair. The achievement of justice in employment law is influenced by regulations that present a real form of justice, a culture that respects workers' rights, and effective law enforcement and supervision. By implementing these concepts of justice comprehensively, it is hoped that harmonious and just industrial relations can be created for all parties .

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