
The Gig Economy Dilemma: Exploring Alternatives to Create Decent Work for Online Motorcycle Taxi Drivers in Indonesia

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Abstract

GIG economy, or better known as the platform economy because of its use of technology, has become a world economic phenomenon that has developed rapidly in the last decade, including in Indonesia. It cannot be denied that the GIG economy has had a positive impact on increasing employment opportunities or at least suppressing the spike in unemployment amidst the current crisis. However, this economic model raises a new problem related to workers' protection issues. This research aims to present various alternatives that can be used to create decent work for ojol drivers in Indonesia. A literature review was conducted to capture existing solutions and then adapt them to the Indonesia context. The results of the research suggest: 1) Ministry of Manpower initiates a testing process for the terminology "partner" or "worker" for ojol drivers so that their work relationship status becomes clear and the results of this test can become the basis for formulating further regulations, 2) Ministry of Manpower can expand the definition of three elements contained in an employment relationship are work, wages and orders, 3) utilizing the existence of a community or "paguyuban" of ojol drivers as a representative voice of ojol drivers and several other alternatives which can be found in this article.

Keywords: gig economy, ojol drivers, decent work, alternatives

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1. Introduction

GIG economy, due to the influence of technological developments, known as the digital economy or platform economy, has become a new economic model trend that has been rapidly developing in recent years, including in Indonesia. The term "gig economy" was first popularized by journalist Tina Brown in 2009, referring to the terminology of events or stages that were usually filled by jazz musicians in the 1915 era (Azahar, 2020). In simple terms, the GIG economy is an economy whose contents are short-term jobs where the workers involved are part-time (temporary) workers who work on a short-term contract system. These workers

include casual workers (freelancers), independent contract workers, self-entrepreneurs, project-based workers, part-time workers, "partner" workers, and various other terms, all of which are the opposite of the term of permanent (traditional) workers or, in Indonesia, known as fixed-term workers (PKWT).

This economic model must be recognized as having succeeded in increasing the economy and the number of job opportunities in Indonesia. Based on 2020 data, the platform economy contributed 632 trillion (4%) of Indonesia's gross domestic product; this value is predicted to increase to 4,531 trillion or 18% of Indonesia's estimated GDP of 24,000 trillion in 2030. In 2023, the workforce absorbed in this sector is approximately 20 million people; this number is expected to continue to increase as its contribution to national income increases (Nababan, 2023). Based on research by Google, Temasek, and Bain & Company, the ride-hailing market share, which includes food delivery services and online transportation in Indonesia in 2019 reached US\$ 5.7 billion, increasing very rapidly compared to 2015 which only reached US\$ 980 million, a value This market is estimated to reach US\$ 18 billion in 2025. This number shows Indonesia's market share is the largest in ASEAN (katadata, 2019). There was no definite information because the application provider does not seem to want to provide the data, but it is estimated that the number of online motorcycle taxi drivers reaches 4 million people, with the largest number in the Jakarta area, around 1.7 million (KumparanTECH, 2020).

However, protection issues are becoming a new threat with the increasing popularity of this business. Various research results confirm that workers who are termed partners (a general term for online transportation workers in Indonesia) or independent contractors who work in the platform economy are faced with the problem of job uncertainty, which leads to income uncertainty, lack of social protection, and inadequate working conditions, or in general terms, what is known as the "precariat." Based on data (BPS, 2022), the population aged 15 years and over included in the precariat group or with non-permanent worker status in 2022 will reach 52.20 million people, while the Precarious Employment Rate (PER) in 2022 will be 38.58 percent. This figure can be interpreted as meaning that in 2022, around 38 to 39 people out of 100 working in Indonesia will be precariat or non-permanent workers.

In its development, many employee-partners have worked not part-time but instead full-time. Based on data (Prakarsa, 2017) in (Dihni, 2023), referring to the results of a survey of 213 ojol drivers, 30% of ojol drivers work more than 8 hours a day. Research by the non-governmental organization (NGO) Prakarsa in 2017 found that although ojol drivers excel in flexible working hours, they tend to work more than the working limit to pursue bonuses. This research found that 39% of online ojol drivers work for a whole week without days off. Judging from the number of hours worked, 30% of ojol drivers spend more than 8 hours a day working. Some even work up to 19 hours per day. Furthermore, the Research and Development Agency, Ministry of Transportation surveyed 2,016 respondents and found that 81.31% of ojol drivers made this job their main job (Dihni, 2023).

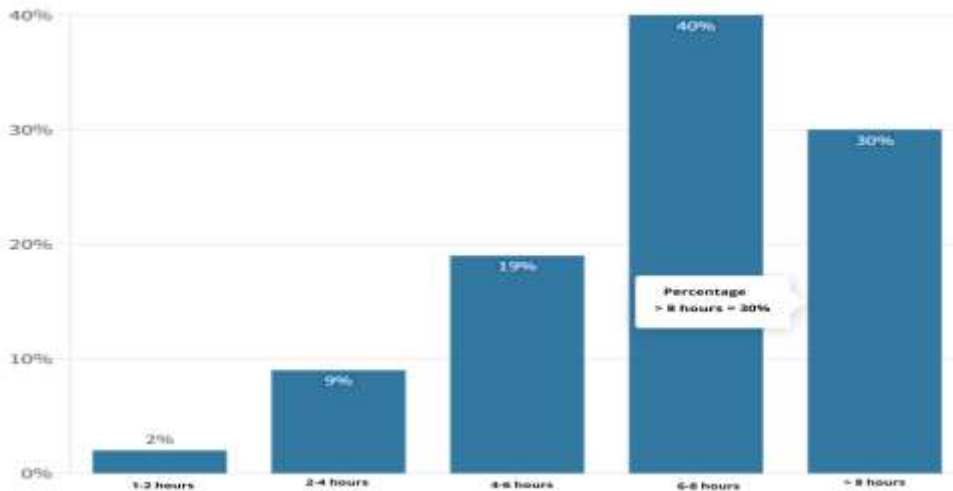


Figure 1. Ojol drivers' working hours
 Source: Prakarsa, 2017

In the past, during the "boom" period, or according to (Permana, 2023) during the "money burning" period in 2014, ojol income reached 10.94 million per month, however in 2018, ojol income decreased to 4.1 million per month. Based on the results of a poll tracker survey in 2022, generally, the income of ojol partners is 3 million - < 4 million/month (Faiz, 2022). The results of a survey by the Research and Development Agency (Balitbang) of the Ministry of Transportation (Kemenhub) show that most ojol drivers only earn IDR 50 - 100 thousand per day. This is the average income of ojol drivers nationally (Dihni, 2023). In terms of social protection, for example, Sakernas data shows that from 2018 to 2021, the proportion of social security participation among informal workers is low compared to formal workers, where ojol drivers are classified as informal workers, respectively 1.1% and 1.6% (Anazah et al., 2023).

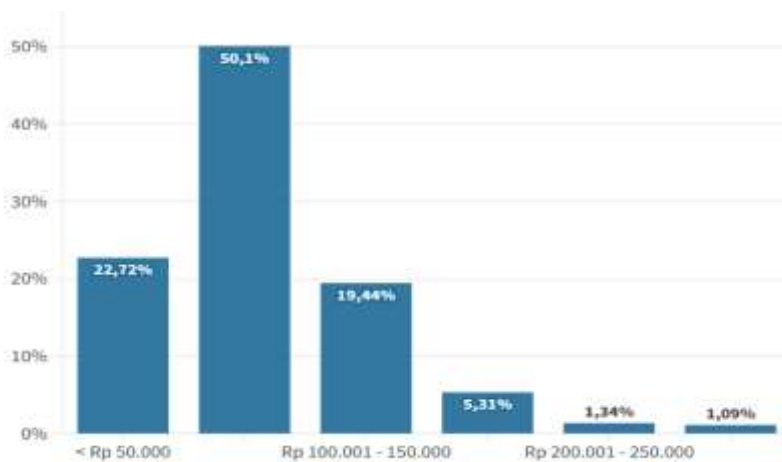


Figure 2. Average daily ojol driver income
 Source: Balitbang Kemenhub 2022

One of the pillars of the decent work agenda is social dialogue. To present this agenda, parties with equal legal status, including workers' organizations, are needed. Until now, there has been no recognized or official representation of the voice of ojol drivers who function to fight for the rights of ojol drivers. The limitations of established Workers' Unions that exist today are one of the problems simply because ojol drivers are not workers. (Bandyopadhyay & Pandey, 2020; Inshyn et al., 2021).

The social reality that occurs is that until now, the Ministry of Manpower or other related ministries, along with established worker/labor organizations, have not been able to provide social protection for ojol workers in the form of, for example, the availability of regulations or a legal vacuum and the absence of workers' voice representation just because of the problem of ojol drivers, not classified as workers (misclassification) (Izzati & Sesunan, 2022). The same thing is also experienced by other developing countries, such as Chile (Fielbaum & Tirachini, 2021) and Columbia (Reilly & Lozano-Paredes, 2019).

Many studies have been carried out to try to reveal or describe the problems of these workers from various aspects; in general, the research findings have the same understanding that worker protection in this sector is still low (Fielbaum & Tirachini, 2021; Graham et al., 2017; Inversi et al., 2022; MacDonald & Giazitzoglu, 2019; Manriquez, 2019; Montgomery & Baglioni, 2021; 2017; Vallas & Schor, 2020; Wood et al., 2019). From Indonesia, several studies confirm the same thing (Halilintarsyah, 2021; Izzati, 2022; Izzati & Sesunan, 2022; Wibowo, 2023) which generally revolves around the problem of legal vacancies.

Of the various existing studies, only some have tried to find solutions or alternative approaches to get out of this problem by paying attention to the current employment conditions. This research attempts to fill this gap (Stewart & Stanford, 2017). For example, the employment economics approach has succeeded in providing several policy options, including ensuring that this relationship is a form of employment. Further research, for example, found the critical role of workers' organizations in bridging the issue of social protection for workers working in the platform economy (Kaine & Josserand, 2019; Minter, 2017). Of course, these options must be adapted to the context of each country.

This research aims to provide various alternative solutions for the Government and other stakeholders to provide decent work for ojol drivers, especially those who work full-time, while filling the gaps in the existing literature. The 1945 Constitution of the Republic of Indonesia, in Article 27, paragraph 1, states that every citizen has the right to decent work, so the state is explicitly responsible for creating decent work. This article is based on an argument that an alternative policy is needed, especially in the field of employment, to resolve the new scourge in the platform economy, namely the social protection of workers, as also stated (Vallas & Schor, 2020) in the results of their research.

The policy of using two-wheeled motorized vehicles as a means of transportation in Indonesia has no legal, operational/service (Izzati, 2024; Sibuea, 2018). Permits for operating

two-wheeled transportation models are more at the discretion of the President due to the need to create job opportunities. The exciting thing was that the Ministry of Transportation rejected this business model proposal in 2015, but within approximately 24 hours, this business model was then approved by the President (Izzati, 2024). This shows that the emergence of this business model was not only triggered by technological developments but was also accelerated by the problem of limited job opportunities or, in other words, taking advantage of excess labor supply (Vallas & Schor, 2020; Wood et al., 2019) or high labor turnover (Švagan, 2023).

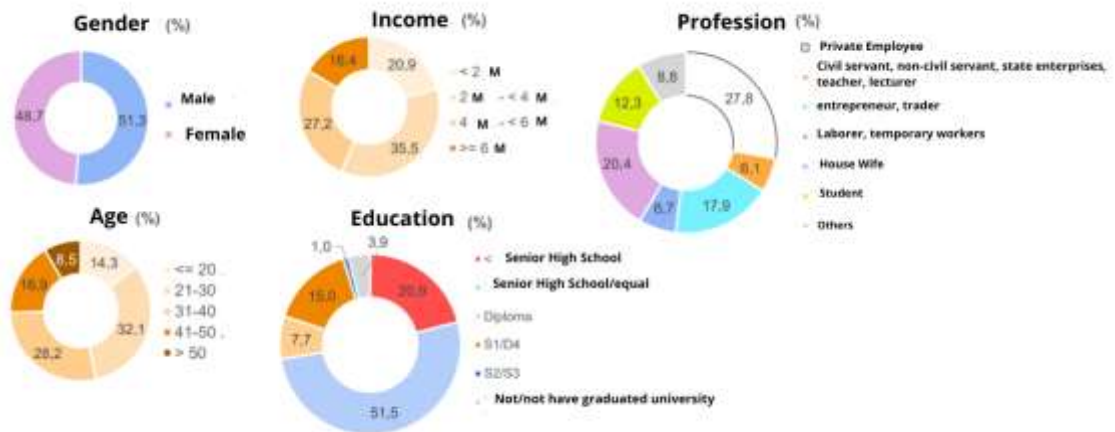


Figure 3. Ojol Driver Characteristics

Source: Polling Institute, 2022

Regarding the concept of decent work, in the case of Indonesia (De Ruyter & Rachmawati, 2020; Novianto et al., 2023) stated that the concept of decent work, which consists of ten indicators, has very little application among workers in the platform economy model.

As stated by (Vallas & Schor, 2020), to understand the rapidly changing field, sociological research is needed which needs to address four problems that require special attention: first, what is the systemic relationship between the two models, namely conventional and platform economics, algorithmic design processes, whether it meets the principles of social justice, for example, the prospects for collective action, regarding the possible role of labor organizations in this economic model, as well as alternative approaches to improving employment conditions. As stated by (Vallas & Schor, 2020), if conventional companies abandon standard employment relationships, this will become a dangerous situation. A platform economy that exploits labor supply will further weaken employment standards and create a vicious cycle that erodes overall job quality.

Table 1. Some relevant literature results containing solutions selected from various literature obtained

Topic	Author	Suggestions/Solutions
Worker Organization	(Graham et al., 2017)	Large organizations/companies that contract digital work are pressured to work only with unions.
	(De Stefano, 2015)	Independent workers must have an organization to carry out collective bargaining.
	(Stopforth, 2023)	Platform companies are being asked to advocate for multi-stakeholder engagement where on-demand workers or their representatives can negotiate changes to their service agreements and fee structures.
	(Mexi, 2019)	Implementation of ILO basic principles such as labor standards and tripartite social dialogue
	(Chudinovskikh, 2022)	The lack of statutory regulations can be offset by the development of self-regulatory mechanisms. Providing employment and legal guarantees to all employees regardless of their form of work
	(Xu & Liu, 2021)	Expanding the reach of traditional unions or fostering new forms of worker organization
	(Pérez et al., 2022)	Traditional unions form services within an affiliate framework
Wages	(Graham et al., 2017)	Regulations may include a minimum hourly rate based on the living wage in the worker's country of residence.
	(Putri et al., 2023)	The government needs to set standards to ensure workers receive at least the minimum wage after their costs are considered and without having to work overtime.
	(Sinha & Pandit, 2023)	Mengusulkan upah tetap per jam
Regulations/Policies	(Izzati & Sesunan, 2022)	Urge to develop stricter regulations regarding partnership models in Indonesia to avoid misclassification.
	(Tronsor, 2018)	Change labor laws to recognize independent worker status.
	(Reilly & Lozano-Paredes, 2019)	Draft new laws on independent and decent digital work, setting clear obligations for the companies involved.
	(Mexi, 2019)	The need to implement ILO basic principles such as labor standards and tripartite social dialogue
	(Yassin & Rani, 2022)	Identify areas that require legislation to exploit the potential of digital platforms.
	(De Stefano, 2015)	GIG workers are grouped as workers; this work is included in the non-standard work category rather than a separate type of work

Topic	Author	Suggestions/Solutions
	(Stewart & Stanford, 2017)	<ul style="list-style-type: none"> - Ensure that this relationship is indeed a form of employment in accordance with existing laws and definitions. - Clarify or expand the definition of work - Creating a new category of workers that will define new rights and protections that relate explicitly to the specific circumstances of GIG workers
Social Security	(Xu & Liu, 2021)	Building a social security system that is portable and covers all workers,
	(Corujo, 2017)	Perlunya menemukan cara untuk mendaftarkan pekerja mandiri berpenghasilan rendah ke jaminan sosial.
	(Behrendt et al., 2019)	Skema non-iuran yang dibiayai pajak, merupakan kunci untuk mewujudkan hak atas jaminan sosial bagi semua orang, khususnya bagi kelompok yang tidak memiliki akses terhadap mekanisme perlindungan sosial berbasis pekerjaan.

Source: processed

2. Research Methods

The scope of this research is limited to the form of a literature review on overcoming the problem of ojol driver protection. A literature review is a technique used to present existing solutions. Research data was obtained from various literature studies. Then, the most relevant literature was selected, which contained relevant suggestions or solutions for resolving the problem of ojol driver protection from both a global and local scope. These various suggestions or solutions are then selected based on the country's urgency and current context of labour.

3. Results and Discussion

3.1. Limited job opportunities, no choice!

Job opportunities are a threat in the context of the labor market in Indonesia, as found by (Ginting, 2020; Iqraam & Sudibia, 2018). Job opportunities are one of the factors that significantly influence the level of poverty in a region. In the case of Indonesia, for example, the number of job opportunities available in 2021 is 40,078, with a total of 777,347 applicants, so it can be concluded that one job vacancy is contested by 19 workers or 1:19 (Theodora, 2021). This does not yet talk about the unemployment rate, which will reach 9.10 million people or 6.49% in 2021, and the average addition to the new workforce is between 2 million – 2.5 million people per year. In general, the highest level of education for workers in Indonesia is elementary school or less, at 51.49% (Muhamad, 2023). Meanwhile, the largest number of workers in this sector are in the 31-40-year age group (productive age), most of whom in Indonesia are heads of families

or are married. The condition of job opportunities means these ojol drivers have no choice but to accept the existing conditions (De Ruyter & Rachmawati, 2020).

3.2. GIG economy vs decent work creation.

Decent work, in simple terms, is work carried out of one's own will or choice, paid or providing sufficient income to support a decent and dignified life and guaranteed physical and psychological security and safety (ILO, 2008). Regarding decent work, the ILO has developed indicators that show the breadth of dimensions covered to monitor and evaluate the achievement of decent work at the population level. These indicators are grouped into four categories, namely: Workers' rights in the workplace (Right at Work), Fair employment opportunities (Employment), Social Protection and Social Dialogue. (Heeks, 2017) found that the platform economy has not been able to create decent work for its workers due to various aspects from ethics, social, law and economics as also conveyed by (Raval & Lalvani, 2022) regarding the importance of applying ethics/morals in this economic model. In Indonesia, as noted by (De Ruyter & Rachmawati, 2020; Novianto et al., 2023), decent work is minimal in this sector. As stated by (Montgomery & Baglioni, 2021), the concept of the gig economy shows a lack of "differentiation" from the long-standing concept of precarious (precarious) work. It is a concept best understood as a subtype (derivative) of capitalism. The impact of technological advances on the gig economy model has ultimately succeeded in reducing what we call "labour cost" because workers and employers can meet and negotiate directly.

Regarding the use of technology, especially algorithms, and its impact on worker protection, (Khan et al., 2023; Vallas & Schor, 2020) stated that it is necessary to examine whether existing algorithms adhere to the principle of fairness or vice versa. In the end, (Heeks et al., 2021) state that algorithms must be transparent and result in fair outcomes for workers. There should be an identifiable and documented policy ensuring equality in how workers are managed on a platform. In terms of wages, for example, Heeks concluded that based on the results of an evaluation of several platforms in South Africa related to the implementation of decent work, it was found that workers on several delivery platforms take home less than the minimum amount of income and worker responses more broadly suggest that Their income decreases as time goes by, and working hours become increasingly long. More than 50% workers work more than the maximum working hours (45 hours per week, according to South African labour regulations,) or 71 hours per week. All workers face contextual risks of crime, accidents, and customer problems; not all platforms make substantial efforts to address this. Most workers need to learn the terms and conditions of their employment and are unable to access written details about their work. All platforms classify their workers as independent contractors even though, de facto, they are platform employees. The platform is considered unresponsive in addressing problems faced by workers, such as racial issues, discrimination, robbery, accidents, and the use of worker data. Most platforms have no effective mechanism to raise these and other work-related problems with managers collectively. The problems that

occur in South Africa are similar and are often found in Indonesia, as also found in several results of research, among others (De Ruyter & Rachmawati, 2020; Izzati, 2024).

3.3. Haunting structural problems

It doesn't seem wrong if the government is deemed unable to protect ojol drivers considering several reasons; first, just because they are not considered workers, there is no effort to prove whether they are classified as workers or partners (problem of misclassification), partnership arrangements in Law 20 of 2008 concerning micro businesses, small and medium are used as references for legality where the actual context is not appropriate (Izzati & Sesunan, 2022). Second, on a practical level, the application fee provisions in the Decree of the Minister of Transportation of the Republic of Indonesia Number KP 667 of 2022, which stipulates a maximum application rental fee of 15%, are not complied with by applicator companies, even in several applicator companies based on the results of interviews with several driver partners, when calculating the value the application rental can exceed 20%. Third, the absence of restrictions on the number of driver quotas has caused partners' income to decline further; this cannot be intervened by the Government (Ministry of Transportation) because demand is still high, according to the applicator company. Fourth, compliance with Minister of Transportation Regulation number 12 of 2019 article 16 paragraph 3 point i. "The certainty of obtaining employment social security protection and social health security by statutory provisions" is only voluntary and is borne entirely by the driver-partner in the absence of clear sanctions and supervision.

Furthermore, as stated by (Ridho & Suryono, 2021) social security protection in accordance with the mandate of statutory regulations cannot be provided by online motorcycle taxi service providers because of the existence of a partnership agreement that binds both of them, which means that there is no company responsibility to the driver partner if negligence occurs cause by accident. Furthermore, the implementation of social protection is transferred to BPJS Employment by simply facilitating the registration of partners as participants in Non-Wage-Earning Workers (PBPU) or independent workers, provided that they must be registered as active participants and pay contributions in order to enjoy social security benefits. On the other hand, if an accident occurs on the road, PT covers social security. Jasa Raharja. Even if there is protection, it is only directly related to the smooth running of this transportation business, such as the Accident Response Team, Grab Benefits program, donations, Business Continuing Class Program, and others (Septiani, 2022).

Several countries have set regulations related to this; for example, regarding quotas, China limits the quota for ojol drivers to only residents who have passed the test (Wang et al., 2022). Regarding social security, the Malaysian Government requires online transportation drivers to purchase additional protection insurance managed by the Social Security Organization (SOCSO) (Abdul Manaf et al., 2022). Some of these arguments make it not wrong to conclude that the Government is unable to compete with market forces.

3.4. Missing Voice

The problem of the absence of the right to social dialogue in this sector is caused by the unclear status of workers. Apart from the issue of worker status, consumer interests and anti-monopoly laws are also obstacles to implementing the right to collective bargaining. However, a consensus on organizing this matter has emerged throughout the world. As an example in his research, Norway is one country that recognizes the existence of this right even though they are not considered workers. The existence of formal organizations can help voice their aspirations to the competent authorities (Bandyopadhyay & Pandey, 2020).

(Yuniastuti et al., 2019) States that involving ojol driver partners automatically places ojol workers on an equal footing with the company (equality in terms of partnership). The legal basis for partnerships, patterns of work agreements, and partnership principles become clearer and are adhered to by each partner when making agreements so that it no longer creates an asymmetry of information between the company (applicator) and the driver as a partner. Based on the results of this research, there are two things that are critical factors in the failure to provide social protection for driver-partners, namely, the lack of optimal role of the government and the absence of worker organizations/partner unions as representation in negotiating employment protection. (Tronsor, 2018) states that the struggles faced by workers in the gig economy will unite workers in closer communities and support each other.

Bringing up the role of communities or workers' organizations is an essential part of realizing the creation of decent jobs amidst the conditions of existing structural problems such as employment opportunities, Government, parliament, and established workers' unions' role in protecting workers in this sector is not yet optimal. On the one hand, the worker community can be classified as a Public Sphere and a social capital while fighting for the creation of decent jobs or a moral voice, as expressed by (Etzioni, 1993). A community is formed because of the same goals, views, and knowledge, as well as creating rules and deep beliefs among members of the community. Durkheim in (Siti Chodijah & Mochamad Ridho Fergiwani, 2022) said that social solidarity is a social process that can unite society, and its members can see themselves as part of the group. In his theory, Durkheim explained mechanical solidarity as solidarity based on equality. In this type of solidarity, the members are bound in a form of solidarity with a strong collective consciousness. However, it needs to remember that one of the elements that influence the development of the public sphere is cultural factors. As stated by (Habermas, 1991), several factors inhibiting the life of the public sphere are unequal access to the use of media and information, strong government control, the dominance of certain groups, the lack of courage to speak openly, and political polarization which is an obstacle to the emergence of constructive dialogue. Some of them are in accordance with several cultures of Indonesian society, such as respect for authority and hierarchy, social norms, not having the courage to ask questions, and not having the courage to go against the flow. Furthermore, a culture of fatalism affects many workers in Indonesia, making them even more reluctant to speak out. Fatalism is a philosophical view that a person is controlled by fate and cannot change it. It can also be

interpreted as the belief that fate determines events, which is impersonal and cannot be altered by humans. The existence of ojol driver associations has emerged in various regions. Community as social capital as defined by (Fukuyama, 1998) can turn into a movement or collective action in fighting for decent work rights for the welfare of ojol drivers. Research results (Kaine & Josserand, 2019; Minter, 2017) conclude that platform worker organizations can be used to bridge the problem of creating decent jobs for ojol drivers. As stated (Albornoz & Chavez, 2024), the absence of the right to voice and collective representation is unreasonable and is often found on various platforms.

3.5. Discussion

As explained above, the problems of limited employment opportunities, the GIG economic model, the best derivative of capitalism, legal emptiness, and unequal positions are underlying the situation of ojol drivers in Indonesia. For example, limited job opportunities mean that ojol drivers need help to accept the situation. The greedy culture of capitalism and the minimal role of the Government or established worker unions in providing protection have made the working conditions of ojol drivers increasingly vulnerable.

One indicator of decent work is the existence of social dialogue. Normatively, social dialogue can only occur if entrepreneurs and workers have an equal position. One of the characteristics of the GIG economy is the need for trade unions or worker representatives to negotiate decent work standards. Several research results convey the critical role of organizations or communities in fighting for the protection of workers in the platform economy (Graham et al., 2017; Kaine & Josserand, 2019; Minter, 2017; Stopforth, 2023; Wood et al., 2019). Considering the various limitations and constraints that exist, it isn't easy to hope for the role of the Government considering the various limiting factors. As found by (Graham et al., 2017) there needs to be more political will to seek protection in this sector.

Based on various alternative solutions found. First, prior testing of the status classification of ojol drivers is an issue that needs to be tested, and the Ministry of Manpower can take this initiative. After testing, clarity on the status of ojol drivers will be obtained, and on this basis, it will be easy to formulate related legal provisions. Second, as stated (Stewart & Stanford, 2017), the Ministry of Manpower, in the interests of protecting GIG workers, can expand the definition of work as stated in Law 13 of 2003, there are elements of work, orders, and wages. In fact, according to (Tronsor, 2018), employment-related laws can be changed to recognize the status of workers in this sector. Third, provisions regarding decent work in the digital industry, where the obligations of the applicator company and collective bargaining clauses are regulated, should be formulated. Fourth, revive the public sphere as expressed (Habermas, 1991) by, among other things, bringing out the role of the motorbike taxi driver community or the role of established trade unions, forming an institution to monitor the practices of this model of business whose aim is to create justice for the workers within it.

Regarding the role of the community (Stuart et al., 2022) found that in most countries, strikes, log-offs, and demonstrations are part of the form of protest. Platform worker protests show a strong tendency towards demands for justice stemming from independently formed worker organizations. In this regard, (Xu & Liu, 2021) stated that new worker organizations could be formed in this sector under the guidance of traditional or established trade unions. The existence of an ojol drivers community can emerge and be affiliated with established labor unions (Pérez et al., 2022). Fifth, related to social security, according to (Xu & Liu, 2021), it is necessary to build a portable social security system that covers all workers regardless of their employment status.

4. Conclusions and Suggestions

Further research is recommended to comprehensively examine the impact of this economic model on workers' protection from the aspects of structure, culture, and social process. Another research recommendation is to examine the existence of the ojol workers' community from various perspectives that underlie the emergence of various ojol driver communities in multiple regions and the strategies that can be implemented to bring out the role of these communities in creating decent jobs for ojol workers.

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