
Four-Day Workweek in Indonesia's Big Cities: Urgency and Legal Framework for Flexible Work in Labour Law Reform

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Abstract

This article offers normative input for Indonesia's ongoing labour-law reform agenda by proposing a legal framework to govern a four-day workweek as part of broader flexible-work regulation. Indonesian working-time norms remain largely anchored in a 40-hour standard, while contemporary work arrangements, particularly hybrid (hibrida) and remote (jarak jauh) work, have heightened risks of working-time spillover, hidden overtime, and blurred boundaries between work and rest. Within this reform context, the study assesses the legal urgency and basis for regulating a four-day workweek and formulates a fair and safe implementation model through a proposal to establish a Flexible Work Chapter within a revised/new Labour Law and its implementing regulations. Using a normative-prescriptive legal method, the research applies statutory, conceptual, and comparative approaches, supported by desk-based evidence from published evaluations of four-day workweek trials in the UK and Iceland and scholarship on the European right to disconnect. The findings indicate that a four-day workweek may be operationalized through two legal models, compressed workweeks (40 hours/4 days) and reduced-hour workweeks (32–36 hours/4 days), each carrying distinct legal implications and risks, particularly in sectors and urban contexts where working-time control is difficult. Accordingly, safeguards are required, including wage protection, clear overtime limits and approval, transparent working-time recording (including for hybrid/remote arrangements), strengthened Occupational Safety and Health (OSH) and fatigue-risk management, and a right to disconnect framework. The article concludes that a Flexible Work Chapter is necessary to ensure flexibility remains consistent with worker-protection principles and legal certainty in working-time governance.

Keywords: four-day workweek, flexible work, working time, hybrid work, labour law.

1. Introduction

Constitutional Court Decision No. 91/PUU-XVIII/2020, which declared the Job Creation Law conditionally unconstitutional and required legislative correction, provides momentum to reassess working-time arrangements within Indonesia's labour law reform agenda (Mahkamah Konstitusi Republik Indonesia, 2021). In Indonesia's major cities, working-time protection cannot be separated from urban realities. Long commuting times and recurring urban disruptions reduce effective recovery even when formal working hours remain unchanged. Jakarta's 2025 congestion profile reports an average travel time of 26 minutes 19 seconds for a 10 km trip and 125 hours lost annually due to peak-hour congestion (TomTom, 2025), while the National Disaster Management Agency recorded 1,420 flood events in 2024 (BNPB, 2025). These conditions show that the question of working time is not only about hours at the workplace, but also about whether workers have meaningful time for rest and recovery.

The issue becomes more complex with the expansion of hybrid and remote work. Flexible and output-oriented arrangements may improve autonomy and support job satisfaction and work-life balance (Florisse & Koster, 2024; Ateeq, 2022), but they may also weaken the boundary between working time and rest time when digital communication and task completion continue beyond normal hours (Ratti & García-Muñoz, 2024; Eurofound, 2023). In this article, such conditions are understood as creating risks of disguised overtime and unrecorded extensions of work, especially in arrangements that rely heavily on targets, deadlines, or constant availability. These risks are not merely theoretical in Indonesia. Studies on irregular and target-based work patterns in the journalism sector, for example, show the difficulty of applying conventional working-time protections where workload and time accountability are weak (Nasution et al., 2022). In this context, a four-day workweek may offer one possible response by reducing commuting frequency and supporting recovery. Comparative evidence suggests that reduced working time can coexist with stable performance and improved wellbeing (Haraldsson & Kellam, 2021; Lewis et al., 2023). However, without explicit legal design, a four-day workweek may simply become compressed hours or informal work on nominal days off, thereby undermining rest rights under Indonesia's 40-hour standard (Republik Indonesia, 2023, Pasal 77).

This article evaluates the four-day workweek through the labour law protective function and a working-time governance perspective. The protective function requires enforceable safeguards for workers' health, rest, and income security, while working-time governance emphasizes legal certainty, accountability in the recording of time, and a fair allocation of risk between employers and workers. From this perspective, flexibility is acceptable only when it remains consistent with decent work objectives and does not result in unpaid overtime, wage erosion, or uncontrolled digital availability. Accordingly, the analysis focuses on three issues: (i) the compatibility of compressed and reduced-hours four-day workweek models with Indonesia's 40-hour working-time framework; (ii) the adequacy of safeguards relating to consent, wage protection, overtime control, working-time recording, rest rights, and OSH or fatigue management; and (iii) the

regulatory design needed to accommodate flexible work without weakening baseline labour protections.

Building on this framework, the study addresses three questions: (1) why a four-day workweek has become legally urgent in Indonesia's major cities; (2) what legal basis is available for its regulation through statutory reform and implementing rules; and (3) what kind of fair and safe regulatory model should govern its implementation. In response, this article proposes a Flexible Work Chapter within a revised or new Labour Law, supported by implementing regulations on working-time recording, overtime control, fatigue and OSH risk management, and the right to disconnect. Such a framework is intended to ensure that flexibility develops within clear legal limits and does not erode workers' rights to rest, recovery, and fair working-time protection.

2. Research Method

This study is a normative juridical legal research with a prescriptive orientation. It is intended to formulate a regulatory design for a four-day workweek in Indonesia's major cities, grounded in worker protection, legal certainty, and workable industrial relations. The study employs three approaches. First, a statutory approach is used to examine legal rules on working time, rest periods, overtime, labour inspection, and occupational safety and health (OSH), including the extent to which the current framework addresses hybrid and remote work. Second, a conceptual approach is applied to analyse flexible and output-based work arrangements and the protection issues they raise for working-time regulation. Third, a comparative approach is used to identify regulatory lessons from foreign experiences and legal instruments relevant to working-time reduction and boundary protection in digital work arrangements.

The comparative materials were selected based on two considerations: the availability of well-documented four-day workweek or working-time reduction experiences, and the presence of legal or policy instruments that specifically address work-rest boundaries in hybrid or remote work. On that basis, the study refers in particular to the Iceland and UK four-day workweek experiences and to the European right to disconnect framework (Haraldsson & Kellam, 2021; Lewis et al., 2023; European Law Institute, 2023; Eurofound, 2023). These comparative references are not treated as models to be adopted directly. Rather, they are used as sources of regulatory lessons whose relevance must be tested against Indonesian conditions.

Transferability to Indonesia is assessed through contextual criteria, including compatibility with the national 40-hour working-time standard and overtime regime, the feasibility of enforcement through labour inspection and working-time recording, sectoral conditions such as SMEs, the informal economy, and continuous services, as well as OSH, fatigue, and work-intensity risks. In this way, the comparative approach supports a contextual rather than transplant-oriented analysis.

The legal materials used in this study consist of primary, secondary, and tertiary sources. Primary legal materials include the 1945 Constitution, labour legislation, and implementing regulations concerning working time, rest periods, overtime, labour inspection, and OSH. Secondary materials include scholarly works and policy reports on flexible work, hybrid and remote work, the four-day workweek, and the right to disconnect, as well as supporting urban indicators relevant to working-time protection, including congestion and flooding data (TomTom, 2025; BNPB, 2025). Tertiary materials are used where necessary to support conceptual clarification.

Data were collected through library research and analysed qualitatively and normatively. The analysis was directed at assessing the adequacy and coherence of the existing legal framework and at formulating regulatory design parameters for a four-day workweek in Indonesia. These parameters include wage protection, overtime control, working-time recording, fatigue-related OSH obligations, and safeguards to maintain clear boundaries between working time and rest time. The results of this analysis are then translated into operational recommendations, including the proposed Flexible Work Chapter and its principal safeguard mechanisms.

2.1. Limitations of the Study

This study is a normative legal research and therefore has several limitations. First, it does not include primary empirical data from Indonesian companies or workers, such as surveys, interviews, or workplace-level measurements of productivity, wellbeing, and compliance. As a result, the analysis cannot directly verify how a four-day workweek is currently understood, negotiated, or implemented in Indonesian workplaces.

Second, the study relies mainly on comparative international evidence and publicly available secondary sources rather than domestic pilot data. This limits its ability to predict implementation outcomes across Indonesian sectors with certainty. Accordingly, the article should be understood as offering a normative regulatory design rather than making a final empirical claim about the effectiveness of a four-day workweek in Indonesia.

Third, implementation conditions are likely to vary significantly across sectors and workplaces. Feasibility and risks may differ in the informal economy, in SMEs with limited staffing and administrative buffers, and in continuous services such as healthcare, transportation, and customer-facing operations that require uninterrupted coverage. Differences in organisational capacity, time-recording systems, and compliance practices may also affect how far the proposed safeguards can operate effectively in practice.

These limitations indicate the need for future empirical and sector-specific studies to complement the proposed regulatory design, particularly research on workplace implementation, working-time control, sectoral feasibility, and the practical effectiveness of safeguards such as overtime recording, fatigue-risk management, and the right to disconnect.

3. Results and Discussion

3.1. Indonesia's Working Time Norms and Protection Gaps in Flexible Work

Indonesian labour law sets normal working time at 40 hours per week, implemented as 7 hours per day for 6 working days or 8 hours per day for 5 working days (Republik Indonesia, 2023, Pasal 77 ayat (2)). This baseline determines minimum rest entitlements and serves as the legal starting point for overtime regulation. Overtime is treated as a limited exception rather than a routine extension of work, and implementing regulations cap it at 4 hours per day and 18 hours per week (Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021, Pasal 26 ayat (1)). Working-time limits also serve a protective function in relation to workers' health. A joint WHO-ILO release reports that working 55 hours or more per week is associated with higher risks of stroke and death from ischaemic heart disease compared with working 35–40 hours per week (World Health Organization, 2021; International Labour Organization, 2021).

However, protection gaps emerge when this conventional baseline is applied to flexible work arrangements, especially hybrid and remote work. Flexibility of time and place may weaken the boundary between working time and rest time when digital communication and task completion continue beyond normal hours. In the Indonesian context, legal studies on work from home have emphasised the need for certainty regarding working hours, overtime mechanisms, and wage protection so that flexibility does not lead to uncontrolled expansion of work (Nuriskia, 2022). European findings similarly warn that telework may foster an always-on culture, extend working hours, and reduce recovery when limits are unclear or poorly enforced, thereby reinforcing the importance of time limits, reliable recording, and employer accountability (Eurofound, 2022). The ILO likewise emphasises enforceable working-time and rest-time rules for work from home in order to prevent fatigue and maintain decent working conditions (International Labour Office, 2021).

Protection gaps are also visible in sectors characterised by irregular, assignment-based, or event-driven work patterns, where working hours fluctuate and overtime becomes harder to calculate and supervise. A study on journalism in Indonesia shows that standard rules on working time and rest are often inadequate for journalists' actual work patterns and supports more specific regulation concerning workload accountability and certainty of overtime rights (Nasution et al., 2022). This indicates that the 40-hour benchmark remains an important legal baseline, but it is not sufficient on its own when working arrangements become more flexible, digitally mediated, and target-driven. Under such conditions, worker protection requires clearer normative design, particularly in relation to rest rights, overtime accountability, and enforceable working-time recording and supervision (Republik Indonesia, 2023; Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021).

3.2. Legal Urgency of a Four-day Workweek in Indonesia's Big Cities

Constitutional Court Decision No. 91/PUU-XVIII/2020 confirms that Indonesia remains in a period of labour regulatory reform, making it timely to reassess the legal design of working-

time protection (Mahkamah Konstitusi Republik Indonesia, 2021). In this context, discussion of a four-day workweek should not be seen merely as a global workplace trend, but as part of a broader effort to reconsider whether existing labour rules are adequate for contemporary urban working conditions.

In Indonesia's major cities, the urgency of this issue is closely linked to mobility burdens and recurring urban disruptions that affect workers' recovery capacity. Jakarta's 2025 traffic profile reports an average travel time of 26 minutes 19 seconds for a 10 km trip and 125 hours lost annually due to peak-hour congestion (TomTom, 2025). At the same time, Indonesia recorded 1,420 flood incidents in 2024 (BNPB, 2025), illustrating how environmental disruption can further erode predictability, commuting efficiency, and effective rest time. Supporting this concern, commuter stress in Greater Jakarta has been shown to predict poorer sleep quality and lower self-rated health (Nadia, 2025). In such settings, working-time protection must be understood not only in relation to hours spent at work, but also in relation to the broader urban conditions that shape workers' actual recovery.

From this perspective, a four-day workweek becomes legally relevant because it may reduce commuting frequency and create more meaningful recovery time. International trials suggest that reduced working hours can be compatible with stable organisational performance and improved worker wellbeing (Haraldsson & Kellam, 2021; Lewis et al., 2023). However, these potential benefits cannot be assumed automatically. Without clear legal safeguards, a four-day workweek may instead result in hour compression, informal work on nominal days off, or extended digital availability beyond normal working hours. For this reason, boundary-protection instruments such as the right to disconnect remain relevant, and enforceable working-time design is essential to ensure that flexibility does not weaken workers' rights to rest and recovery (European Law Institute, 2023; Eurofound, 2023; International Labour Office, 2023).

3.3. Comparative Evidence and Policy Lessons: Four-day Workweek Models and Safeguard Instruments

Work-time reduction trials provide evidence-based comparators that allow the four-day workweek to be assessed beyond purely normative claims. Comparative findings suggest that reduced working time can coexist with stable organisational performance and improved worker wellbeing, particularly when it is supported by work redesign, realistic workload adjustment, and clear accountability mechanisms (Haraldsson & Kellam, 2021; Lewis et al., 2023; Fan et al., 2025). These findings are important because they show that the debate is not limited to whether shorter working time is desirable in principle, but also to how it is institutionally designed and managed in practice.

At the same time, comparative evidence also shows that the benefits of a four-day workweek are not automatically or evenly distributed. Compressed models may intensify daily workload, shift pressure into fewer working days, or fail to resolve work-family conflicts for more vulnerable groups of workers, making questions of access, distributional effects, and worker protection

central to regulatory design (Travis, 2010; Kusumaningrum et al., 2025). This suggests that legal regulation should distinguish genuine working-time reduction from mere compression and should not assume that all four-day workweek models produce the same consequences.

Accordingly, comparative lessons support the need for a regulatory framework that differentiates models, requires reliable working-time recording and evaluation standards, and addresses work-intensity and fatigue risks through OSH-oriented safeguards and anti-retaliation protection (Lewis et al., 2023; Haraldsson & Kellam, 2021; Jahal, 2024). In this sense, comparative evidence is useful not as a model for direct legal transplantation, but as a basis for identifying the minimum safeguards needed for context-sensitive regulation in Indonesia.

3.4. Two Four-day Workweek Models from a Legal Perspective and Their Implementation Risks and Labour Protection Implications

From a labour-law perspective, a four-day workweek should be distinguished into two models because each produces different legal consequences for rest rights, overtime status, and accountability in working-time records. The first is the compressed workweek model, in which the same total weekly working hours are redistributed into four working days, for example 40 hours over approximately 10 hours per day. The second is the reduced-hours model, in which work is organised into four working days with a lower total number of weekly hours, so that the reduction in working time is substantive rather than merely redistributive.

This distinction is legally significant because the two models create different protection risks. A compressed workweek may increase daily work intensity, contribute to fatigue, and create greater risks of overtime-related violations if it is implemented without clear limits and reliable recording mechanisms. By contrast, a reduced-hours model raises different questions concerning wage protection, workload adjustment, and the prevention of informal work expansion. For this reason, the legal assessment of a four-day workweek should not treat all models as equivalent, but should differentiate them in terms of their risks, safeguards, and regulatory consequences (Rab, 2024; Smuts & Schoeman, 2025).

3.4.1. Compressed Workweek Model

In a compressed workweek model, the total weekly working hours are maintained but redistributed into four working days, thereby increasing daily working duration to approximately 10 hours. Under Indonesian law, normal working time is set at 7 hours per day for 6 working days or 8 hours per day for 5 working days within the 40-hour weekly framework (Republik Indonesia, 2023, Pasal 77 ayat (2)). As a result, a 10-hour working day may exceed the normal daily limit and shift part of the working time into overtime, which then requires worker consent, overtime compensation, and compliance with the applicable caps of 4 hours per day and 18 hours per week (Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021, Pasal 26 ayat (1)).

From a regulatory perspective, this model is attractive because it preserves weekly labour capacity while reducing one commuting day. In major urban settings, this may support worker recovery by lowering commuting frequency and easing some mobility-related burdens (Rab,

2024; Smuts & Schoeman, 2025; TomTom, 2025). This potential benefit is relevant in light of findings that commuter stress is associated with poorer sleep quality and lower self-rated health (Nadia, 2025). However, because the model concentrates the same number of hours into fewer days, its implementation requires clear safeguards, particularly reliable working-time recording, workload control, and enforceable compliance with overtime rules (Rab, 2024; Smuts & Schoeman, 2025).

3.4.1.1. Labour Protection Risks of Long Daily Working Hours

From a worker-protection perspective, the compression of weekly hours into fewer days increases daily working duration and may heighten fatigue, reduce alertness, and affect occupational safety, particularly in physically or mentally demanding jobs. Evidence on long shifts indicates that extended working hours and overtime may be associated with poorer safety or quality outcomes in certain contexts, which suggests that long-hour schedules should be approached with caution (Griffiths et al., 2014). Safety authorities likewise note that long working hours and demanding schedules may increase fatigue and accident risks, thereby requiring adequate fatigue management measures (OSHA, n.d.).

At the same time, the available evidence is not uniform. A recent systematic review reports mixed effects of compressed workweeks on health, wellbeing, and work outcomes, with the results shaped by factors such as shift length, schedule design, job characteristics, and organisational context (Bernstrøm et al., 2025). This indicates that the effects of compression cannot be assessed in the abstract, but must be evaluated in relation to the type of work performed and the conditions under which the schedule is implemented.

Therefore, a compressed workweek should not be assumed to be inherently safe from a labour-protection perspective. Rather, it should be treated as a higher-risk model that requires clear legal limits and workplace safeguards, particularly in relation to fatigue control, workload management, and the protection of rest time.

3.4.1.2. Normative Safeguards and Minimum Limits for Safe Implementation

If a compressed workweek model is adopted, regulation must establish minimum safeguards to ensure that fewer working days are not effectively “paid for” by longer daily hours that undermine workers’ recovery. First, clear limits on maximum daily working hours and minimum daily and weekly rest periods are required. In this regard, EU law provides a useful comparator through its minimum rest standards and average weekly working-time limit (European Commission, n.d.; Directive 2003/88/EC).

Second, because a compressed schedule may exceed normal daily working-time limits under Indonesian law, its implementation must remain subject to a strict overtime regime. This includes worker consent, mandatory overtime compensation, reliable working-time recording, and compliance with applicable overtime caps (Republik Indonesia, 2023, Pasal 77 ayat (2); Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021, Pasal 26 ayat (1)). Third, regulation should also prevent unrecorded extensions of work through boundary-protection measures such as the

right to disconnect, particularly where work is digitally mediated or continues beyond standard hours (European Law Institute, 2023; Eurofound, 2023).

Accordingly, a compressed workweek is justifiable only when it is accompanied by enforceable limits, adequate rest protection, auditable working-time records, and effective supervision. Without these safeguards, the model risks weakening rather than supporting labour protection.

3.4.2. Reduced Hours Model

In a reduced-hours model, a four-day workweek is combined with a lower total number of weekly working hours, for example 32–36 hours, without extreme daily compression. Compared with a compressed model, this arrangement is more supportive of worker recovery because it reduces both commuting frequency and total work exposure, thereby expanding time for physical and mental rest.

Comparative evidence suggests that reduced working time can coexist with stable organisational performance and improved worker wellbeing when it is accompanied by work reorganisation, such as reducing low-value meetings, improving workflows, and restructuring service processes (Haraldsson & Kellam, 2021; Lewis et al., 2023). Cross-organisational research also indicates that reduced-hours four-day workweek schemes without pay cuts are associated with improvements in burnout, job satisfaction, and mental and physical health, partly through lower fatigue and fewer sleep-related problems (Fan et al., 2025).

From a labour-protection perspective, this model is therefore more closely aligned with the objective of substantive working-time reduction. However, its legal and practical viability still depends on the design of supporting safeguards, particularly in relation to wage protection, workload adjustment, and the prevention of informal work expansion beyond officially reduced-hours.

3.4.2.1. Advantages of the Reduced Hours Model in Big City Contexts

The advantages of a reduced-hours model are likely to be more apparent in major urban settings because this arrangement lowers commuting frequency and expands recovery time that is genuinely free from work. Under severe congestion conditions, the elimination of one commuting day may reduce travel burdens and increase meaningful non-work time (TomTom, 2025). This is particularly relevant in large cities, where time spent commuting can substantially reduce the practical value of formal rest periods.

In addition, a reduction in total weekly working hours provides a more concrete opportunity to reduce chronic fatigue and improve work–life balance, especially in knowledge-based jobs that are vulnerable to work expansion beyond formal working hours. From this perspective, reduced-hours offer not only an adjustment of schedule, but also a more substantive redistribution of time in favour of recovery.

International policy frameworks likewise place working-time reform and work–life balance at the centre of contemporary labour-market development, making the reduced-hours model more consistent with a recovery-oriented and sustainable work narrative (International Labour Office, 2023).

3.4.2.2. Labour Protection Risks in Working Time Reduction

The main vulnerability of a reduced-hours model lies not in the length of the working day, but in the quality of its protection design and implementation. First, wage protection is necessary to ensure that reduced working hours are not followed by unilateral pay cuts or harmful regrading practices. Second, output-based performance indicators must be realistic, measurable, and transparent. Otherwise, reduced-hours may effectively be offset by disproportionate targets that intensify work rather than reduce it.

Third, work intensification may generate concealed overtime and work time leakage, namely informal work performed outside official working hours even when the formal schedule has been reduced. For this reason, the literature emphasises that reduced-hours arrangements must be clearly distinguished from compressed workweeks, because conflating the two often results in compressed workloads and rising work pressure rather than genuine time reduction (Smuts & Schoeman, 2025). Longitudinal findings likewise show that wellbeing effects depend on organisational context and the degree of schedule control, which means that positive outcomes cannot be assumed without proper design and implementation (Mullens & Laurijssen, 2024).

Accordingly, the labour-protection risks of a reduced-hours model arise less from formal scheduling itself than from the possibility that reduced time is undermined in practice by wage erosion, unrealistic targets, or informal extensions of work beyond recorded hours.

3.4.2.3. Normative Safeguards and Minimum Limits for Safe Implementation

To ensure that a reduced-hours model is fair and safe, regulation should establish enforceable minimum safeguards. First, wage protection is necessary so that basic wages are not reduced solely because working hours are shortened under a qualifying scheme. Second, work reorganisation should be treated as a substantive condition of implementation. This includes reducing non-value-added tasks, limiting unnecessary meetings, improving workflows, and reallocating duties so that output is not effectively maintained through harmful work intensification.

Third, reliable working-time recording should be mandatory in order to detect intensification, concealed overtime, and informal work beyond official hours, while also ensuring compliance with national working-time and overtime baselines when legal limits are exceeded (Republik Indonesia, 2023, Pasal 77; Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021). Fourth, to prevent work time leakage through digital communication channels, boundary-protection measures such as the right to disconnect are particularly relevant, especially in hybrid and remote work settings (European Law Institute, 2023; Eurofound, 2023). Fifth, industrial-

relations oversight should be operationalised through collective bargaining or company regulations so that sectoral adaptation, including in 24/7 services or field-based work, remains subject to clear protection limits.

Ultimately, a reduced-hours model is justifiable only when lower total working hours are accompanied by wage protection, auditable records, and effective mechanisms to prevent work intensification and unrecorded extensions of work. Without these safeguards, formal time reduction may not translate into real protection for workers.

3.4.2.4. Potential Economic and Labour Market Implications

The implementation of a four-day workweek may generate heterogeneous economic and labour-market effects across sectors. Evidence from reduced-hours trials suggests that gains in worker wellbeing can coexist with stable organisational performance when work is redesigned and workload is carefully managed (Haraldsson & Kellam, 2021; Lewis et al., 2023; Fan et al., 2025). However, compressed schedules may also increase daily work intensity and fatigue risks, particularly in settings where staffing buffers are limited or service coverage must remain continuous (Bernstrøm et al., 2025; Occupational Safety and Health Administration, n.d.). These findings indicate that the economic and labour implications of a four-day workweek depend not only on the model adopted, but also on sectoral characteristics and organisational capacity.

From an implementation perspective, a four-day workweek is more likely to be feasible in sectors where tasks can be reorganised, output can be planned in measurable ways, and coverage can be maintained through staggered or team-based scheduling. This is more likely in professional, administrative, and other knowledge-based work settings. By contrast, SMEs may face tighter staffing margins, weaker administrative capacity, and greater adjustment costs in reorganising workflows without reducing service continuity. Informal work settings present additional difficulties because time recording, contractual clarity, and the enforcement of normative labour protections are often less stable. Continuous services, including healthcare, transportation, and customer-facing operations, also face structural constraints because uninterrupted service coverage must be maintained even when working time is reduced.

For these reasons, a regulatory framework should not assume a uniform implementation path across all sectors. Instead, it should encourage phased adoption, periodic evaluation, and sector-sensitive adjustment, supported by minimum safeguards such as reliable time recording, wage protection, and OSH-oriented fatigue management. These safeguards are necessary to minimise concealed overtime, work intensification, and unpaid work, and to ensure that flexibility does not develop into boundaryless digital availability or weakened labour protection (Eurofound, 2023; European Law Institute, 2023). Taken together, these considerations support a differentiated and safeguards-based regulatory design rather than a one-size-fits-all mandate.

3.5. Recommendations for a Flexible Work Chapter: Safeguard Instruments and Implementation Mechanisms

This subsection builds on the finding that Indonesia's working-time regulation remains largely anchored in conventional standards, while hybrid and remote work have increased the demand for flexibility and exposed new protection gaps. In particular, flexible arrangements may weaken the boundary between working time and rest time, especially where workload control, overtime supervision, and digital communication limits are unclear or not effectively enforced. Regulatory instruments are therefore needed to accommodate flexibility without weakening enforceable labour-protection standards, and such instruments must be supported by clear supervision and compliance mechanisms.

This need is reinforced by labour policy literature showing that telework may extend working hours and blur rest-time boundaries when limits, rest periods, and workload controls are unclear or weakly enforced (International Labour Office, 2021; Eurofound, 2022). On that basis, the proposed Flexible Work Chapter is intended to provide a regulatory structure that allows flexibility to develop within clear legal limits and with adequate safeguards for worker protection.

3.5.1. Objectives of the Flexible Work Chapter

The proposed Flexible Work Chapter is intended to provide a normative framework that ensures legal certainty for flexible work arrangements, including hybrid work, remote work, and a four-day workweek, without lowering baseline labour protections. Its objectives are fivefold. First, it seeks to recognise the diversity of flexible work arrangements that have developed in practice. Second, it aims to prevent flexibility from creating uncertainty in worker protection, particularly in relation to excessive hour compression, informal overtime, and violations of rest rights. Third, it preserves the protective function of labour law through safeguards relating to wage protection, reasonable working hours, rest rights, overtime compensation, and OSH or fatigue-risk mitigation. Fourth, the Chapter is intended to promote accountable efficiency by encouraging measurable and transparent work design rather than informal extension of working time beyond recorded hours. Fifth, it seeks to ensure that flexible work remains subject to effective oversight and enforceability, including in digitally mediated work arrangements. In this respect, European guidance highlights the importance of boundary-protection instruments such as the right to disconnect in protecting rest time and health within an always-on work culture. Accordingly, the Chapter should include a comparable minimum safeguard and allow its further operationalisation through collective agreements or company regulations (European Law Institute, 2023; Eurofound, 2023).

3.5.2. Recommended Normative Structure

To ensure operational relevance and facilitate adoption in both statutory reform and implementing regulations, the proposed Flexible Work Chapter may be formulated through concise article provisions as follows.

Article 1 Definitions and Scope

1. Flexible work is a work arrangement that provides variation in working time, workplace, and/or work organisation while remaining subject to minimum labour protections.
2. Flexible work includes:
 - a. hybrid work
 - b. remote work
 - c. a four-day workweek
 - d. sectoral variations, including shift or rotation work, continuous services, and measurable project-based arrangements.

Article 2 Recognised Four-day Workweek Models

A four-day workweek may be implemented through:

1. the compressed workweek model, namely 40 hours per week completed in 4 working days; or
2. the reduced-hours workweek model, namely 32 to 36 hours per week completed in 4 working days, with wage protection and clear implementation provisions.

Article 3 Core Protection Principles in Flexible Work

Flexible work must be organised based on the principles of:

1. worker protection and recovery as part of decent work
2. certainty of working time and rest time
3. non-discrimination between flexible and non-flexible workers
4. transparency of workload and targets
5. prevention of hidden overtime and working time leakage

Article 4 Requirements for Implementing Flexible Work

1. Flexible work may only be applied to job types that meet eligibility requirements based on job analysis and work risk analysis.
2. Implementation must be regulated in writing through an employment agreement, company regulations, and/or a collective labour agreement.
3. Employers must apply a pilot period and periodic evaluation at least every 3 to 6 months in the initial implementation stage.

Article 5 Wage Protection and Normative Rights

1. The implementation of flexible work must not serve as a basis for unilateral wage reduction.
2. Workers' normative rights remain fully protected, including leave, social security, and maternity protection.
3. For the reduced-hours model, wage arrangements must comply with minimum wage protection provisions and/or a fair compensation mechanism agreed upon by the parties.

Article 6 Daily and Weekly Working Time Limits

1. The compressed model must comply with normal working time limits and overtime regulation under applicable provisions, given that compression patterns may exceed daily normal working hours as provided in working time provisions (Republik Indonesia, 2023, Pasal 77 ayat (2)).
2. The reduced-hours model must include mechanisms for setting work targets to prevent unreasonable work intensification.
3. These limits are intended to ensure that a four-day workweek does not result in longer daily working hours that weaken rest rights.

Article 7 Overtime and Accountable Proof

1. Overtime may only be performed on a limited basis based on legitimate needs and is subject to overtime limits under implementing provisions (Peraturan Pemerintah Republik Indonesia Nomor 35 Tahun 2021, Pasal 26 ayat (1)).
2. Overtime must be ordered or confirmed in writing, including through the company's official digital system.
3. Overtime compensation must be paid in accordance with applicable provisions.
4. Output-based workloads must not be used as a basis to remove overtime status when actual working time exceeds limits.

Article 8 Transparent Working-Time Recording

1. Employers must provide a working time recording system that workers can access.
2. For hybrid work and remote work, recording must at minimum include start and end working time, rest breaks, and additional working time approved as overtime.
3. The absence of proper recording must not disadvantage workers in proving their working time.

Article 9 Right to Disconnect

1. Workers have the right not to respond to work communications outside working hours, on days off, and during rest time, except in emergency situations defined in a limited manner. This principle aligns with the right to disconnect developed to protect workers' physical and mental health and to ensure effective rest time in the digital work era (European Law Institute, 2023).
2. Employers are prohibited from imposing sanctions or negative assessments solely because workers do not respond to communications outside working hours.
3. Companies must establish digital work communication protocols, including communication time windows, official channels, and urgency standards. Company practice and collective bargaining in several countries show the importance of internal policies to regulate the implementation of the right to disconnect and its impacts on additional work outside working hours (Eurofound, 2023).

Article 10 Occupational Safety and Health and Fatigue-Risk Management

1. The implementation of flexible work must be accompanied by occupational safety and health risk mitigation, including psychosocial risks and work fatigue.
2. For the compressed workweek model, employers must conduct fatigue risk assessment and establish controls, including shift limits, rest breaks, workload arrangements, and the prevention of informal additional work.
3. For the reduced-hours model, supervision focuses on preventing excessive work intensification and unrealistic target burdens.

Article 11 Sectoral Adjustments

1. Sectoral adjustments may be permitted for continuous-service sectors, field-based work, and sectors with shift-based characteristics, provided that:
 - a. minimum protections are fulfilled
 - b. days off and rest time remain guaranteed
 - c. overtime compensation remains clear and provable
2. Sectoral adjustments should be structured through national minimum standards and more technical arrangements at the company level or through collective labour agreements.

Article 12 Supervision and Compliance Mechanisms

1. Companies must establish internal compliance mechanisms, including working time audits, workload evaluation, and periodic reporting.
2. Labour inspectors have the authority to examine compliance with working time recording, overtime, occupational safety and health, and the implementation of the right to disconnect.
3. Trade unions, where present, should be given space to participate in evaluating flexible work policies.

Article 13 Sanctions and Rights Restoration

1. Violations of working time limits, overtime rules, rest rights, or the right to disconnect are subject to administrative sanctions and/or other sanctions under applicable provisions.
2. Workers have the right to seek restoration of rights, including overtime compensation, fulfilment of rest rights, and restoration of relevant losses.
3. In systemic violations, the government may revoke or suspend the company's authorisation to implement flexible work schemes until compliance standards are met.

4. Conclusion and Recommendations**4.1. Conclusion**

This study draws three conclusions regarding the urgency, legal basis, and regulatory design of a four-day workweek within Indonesia's labour law reform. First, the urgency of this issue in major cities arises from worker-protection concerns shaped by urban commuting burdens,

recurring disruption risks such as flooding, and hybrid or remote work patterns that weaken the boundary between working time and rest time. In this context, a four-day workweek should be treated not merely as an internal company policy option, but as a matter of working-time protection that requires legal certainty and enforceable safeguards.

Second, Indonesia's current working-time framework provides baseline standards on working hours, rest, overtime, and occupational safety and health, but it remains largely oriented toward conventional work patterns. As a result, it does not adequately anticipate output-based performance arrangements and digital work communication that may extend working time informally. This regulatory gap creates risks of uneven implementation, legal uncertainty, dispute, and weakened worker protection.

Third, the implementation of a four-day workweek must clearly distinguish between a compressed workweek model, in which 40 hours are completed in four days, and a reduced-hours model, in which approximately 32–36 hours are completed in four days. The two models generate different legal consequences and protection risks, particularly in relation to overtime status, fatigue or work intensity, and monitoring needs. Accordingly, a four-day workweek is justifiable only when minimum safeguards are ensured, including wage protection, clear overtime limits and consent requirements, auditable working-time recording, fatigue-oriented OSH safeguards, and right-to-disconnect protection.

On this basis, the establishment of a Flexible Work Chapter, supported by implementing regulations, offers the most coherent legal route for accommodating flexibility while preserving labour-protection principles and legal certainty in Indonesia's working-time regime.

4.2. Recommendations

Based on these conclusions, recommendations are directed to four stakeholders.

4.2.1. Government

The Ministry of Manpower and lawmakers should adopt a Flexible Work Chapter as an umbrella framework for hybrid work, remote work, and a four-day workweek. Implementing regulations should specify: (i) eligibility criteria based on job analysis and risk assessment; (ii) differentiated legal consequences for compressed and reduced-hours models, including overtime implications and fatigue or OSH controls; (iii) minimum auditable standards for working-time recording and proof of overtime in hybrid and remote work schemes; (iv) evaluation indicators and compliance-audit mechanisms; and (v) minimum right-to-disconnect clauses with narrowly defined exceptions. To avoid sporadic or uneven adoption, the government should also support measurable pilot implementation in selected sectors and job types in major cities and publish periodic evaluation results as a basis for future scaling and enforcement.

4.2.2. Employers or Companies

Employers should treat a four-day workweek as a form of work redesign rather than mere time compression. Workflows should be simplified, including by reducing low-value tasks and unnecessary meetings, so that performance targets do not encourage harmful work intensification. Output-based assessment must be realistic, measurable, and transparent, and it should be supported by auditable time recording and written overtime-consent mechanisms, including in hybrid and remote work arrangements. Employers should also establish clear communication protocols to operationalise the right to disconnect in a consistent and enforceable manner.

4.2.3. Trade Unions and Workers

Trade unions and workers should strengthen protection through written arrangements, whether in the form of collective labour agreements, company regulations, or employment contracts, that clearly regulate eligibility, the chosen work model, working-time and overtime rules, wage protection, recording standards, and right-to-disconnect clauses. Safe complaint mechanisms and periodic evaluation processes without retaliation are also needed to monitor risks such as unreasonable targets, informal overtime, and weakened boundaries between work and rest in hybrid or remote arrangements.

4.2.4. Academics and Researchers

Further sector-based research is needed to test the relevance, feasibility, and prerequisites for implementation across contexts with different characteristics, including sectors with distinctive work patterns such as transportation, media and journalism, and manufacturing. Future studies should also examine work time leakage in hybrid or remote work, the effectiveness of the right to disconnect in the Indonesian context, and the development of evaluation indicators that assess not only productivity, but also occupational health, fatigue risks, compliance with working-time recording, and compliance with overtime norms.

A four-day workweek may be relevant for Indonesia's major cities, but its benefits depend on clear legal design, appropriate model selection, and enforceable protections, particularly in relation to wages, overtime, working-time recording, OSH or fatigue management, and the right to disconnect in hybrid or remote work arrangements. In this regard, a Flexible Work Chapter and its implementing regulations offer the most operational legal route for ensuring that flexibility develops alongside efficiency and worker protection in the modern urban economy. The contribution of this article therefore lies in offering a normative framework and implementation design that distinguishes compressed and reduced-hours models, sets minimum safeguards, and provides practical guidance for compliance, evaluation, and regulatory oversight.

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