

Towards a Hybrid Employment Model for Indonesia's Maritime Gig Workforce: Legal Gaps and Global Best Practices

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Abstract

The gig work phenomenon in Indonesia's maritime sector presents significant labour law challenges. Seasonal fishermen, on-demand dockworkers, marine tourism workers, short-term contract sailors, and maritime digital platform workers operate outside the framework of formal employment relationships as stipulated in the Manpower Act. They do not meet the classic elements of employment, wages, and orders, making legal protection and social security difficult to achieve. As a result, this group of workers is vulnerable to economic exploitation, workplace accidents, and income uncertainty. The weakness of voluntary social protection schemes and limited labour supervision in the maritime sector exacerbates these problems.

This article uses a normative juridical method with a comparative approach. The analysis examines Indonesia's existing labour law framework against international best practices, particularly the EU Directive on Platform Work, which introduces the principle of presumption of employment, and Japan's freelance protected worker model, which provides basic protection without converting workers to full-time employees. Other maritime countries, such as Norway and Denmark, are also compared, having successfully integrated seasonal fisheries workers into social protection regimes.

The research findings indicate that Indonesian labour law is not yet fully prepared to regulate maritime gig work, but it has the potential to transition to a hybrid employment model. Legal reforms are needed through: (1) recognizing a new category of workers in the form of "hybrid workers" or "protected independent workers"; (2) expanding the definition of employment relationships to include economic control and income dependence; (3) minimum social protection obligations involving the roles of the state, companies/platforms, and workers; and (4) integrating labour regulations with maritime law and digital platforms. With these adjustments, Indonesia can create a more adaptive labour law system, protecting gig workers in the maritime sector without sacrificing work flexibility.

Keywords: maritime gig workforce, hybrid employment, labour law, social security.

1. Introduction

Profound transformations in the global labour structure have emerged alongside the rise of the gig economy, a hallmark of modern work. This system emphasizes flexibility, short-term contracts, and

project-based engagements, primarily mediated by digital platforms (Chaisse & Banik, 2024). Driven by digitalization, automation, and borderless connectivity, the gig economy enables companies to access a global workforce while workers pursue flexible income opportunities (Wibowo & Susanto, 2025). However, this evolution challenges existing labour laws, which were designed for stable and long-term employment, leaving many workers outside formal protection frameworks.

The maritime sector, long perceived as traditional and hierarchical, is now increasingly shaped by these dynamics. Changes in production, logistics, and services have introduced new flexible work models based on temporary or on-demand arrangements. Maritime labour today includes not only permanent seafarers but also seasonal fishermen, on-demand dockworkers, short-term sailors, and freelancers in marine tourism (Zamzami & Iwabuchi, 2020). Digital platforms such as *FishOn* and *Aruna* further transform how maritime work is organized, linking fishers, buyers, and charter operators without formal employment relationships (Sagita & Sundrijo, 2025). This shift generates economic opportunities yet exposes workers to unstable income, limited safety guarantees, and legal ambiguity.

In Indonesia, these developments are particularly visible. Seasonal fishermen typically operate through informal contracts or profit-sharing systems, depending on catch conditions and market demand (Rainah & Banjaransari, 2022). Dockworkers (*Tenaga Kerja Bongkar Muat - TKBM*) are employed only when ships arrive, lacking regular income and access to labour insurance (Suparman et al., 2024). Freelance dive instructors or boat operators depend on digital bookings, facing income fluctuations tied to tourism trends (Rosdiana et al., 2025). Likewise, short-term contract sailors who work on domestic or foreign vessels confront cross-jurisdictional risks and uncertain legal status (Barlian et al., 2025). These groups share common characteristics, including flexible work arrangements, reliance on intermediaries or digital platforms, and a lack of formal recognition within the existing labour law framework.

The result is a structural protection gap. Most maritime gig workers are classified as independent contractors or business partners, excluding them from labour rights such as minimum wage, occupational safety, and social insurance (Mochtar et al., 2023). Studies indicate that around 60% of Indonesian gig workers lack social security coverage, 70% earn below minimum wage, and only 20% possess written contracts, while 85% call for clearer regulation (Albab et al., 2023a). This data reflects a broader policy failure to integrate gig-based maritime work into national labour and social protection systems.

Previous Indonesian research has focused mainly on platform-based land transport workers, such as online motorcycle taxi drivers and couriers (Latri et al., 2024). While valuable, these studies fail to address the unique risks faced in maritime gig work, particularly its reliance on natural conditions, seasonal fluctuations, and complex cross-border legal contexts (Lesmana & Samudra, 2025). Furthermore, voluntary participation in Social Security Agency (*Badan Penyelenggara Jaminan Sosial – BPJS*) schemes for self-employed workers fails to provide comprehensive coverage or collective protection (Stevania & Hoesin, 2024). Thus, the legal framework remains inadequate to safeguard the growing number of non-standard maritime workers.

At the global level, several jurisdictions have begun to address this challenge. The European Union's Directive on Platform Work introduces the principle of presumption of employment, ensuring platform accountability for social contributions and algorithmic transparency (Fredman et al., 2025). Japan has established the Freelance Protected Worker category, granting independent workers contractual fairness, timely payment, and protection against abuse (Iwatsuki, 2024). Similarly, Norway and Denmark include seasonal fishers and short-term seafarers within national social security systems, guaranteeing accident insurance and basic pensions without restricting flexibility (Hotvedt et al., 2020). These models show that flexible forms of work can exist alongside adequate social protection, a balance that Indonesia has not yet been able to attain.

This research therefore seeks to analyze the weaknesses of Indonesia's labour regulations in addressing maritime gig work, examine hybrid employment frameworks in other countries, and propose adaptive reforms for the Indonesian context. The academic contribution of this study is to broaden the discussion of labour law by incorporating both the maritime and digital sectors, which have seldom been explored in conjunction. From a policy perspective, it provides a normative foundation for new hybrid regulations that align flexibility with fairness, ensuring minimum protections for workers regardless of contractual form.

Ultimately, Indonesia's legal system must evolve to recognize hybrid or "protected independent" workers, expand the definition of employment to reflect economic dependency, and mandate minimum social protection shared among the state, platforms, and workers. Harmonizing labour, maritime, and digital platform regulations would ensure that Indonesia's maritime gig workers are no longer invisible in law. By drawing lessons from the experiences of the EU, Japan, Norway, and Denmark, Indonesia has the potential to develop an adaptive legal model that promotes both innovation and fairness within its maritime economy, ensuring that work flexibility is maintained while human security remains protected.

2. Research method

This study uses a normative or doctrinal legal research approach, focusing on the analysis of positive legal norms in Indonesia, especially those that regulate employment and the maritime sector. This approach was selected because the issues examined are legal in nature, involving the status of maritime workers engaged in gig-based employment, informal labour relations, and the absence of integrated legal and social protection. The main goal is to identify gaps in existing labour regulations and to evaluate how far these norms respond to the realities of modern maritime work. Through this normative method, the research interprets laws, implementing regulations, and legal doctrines while comparing them with international practices to develop recommendations for legal reform.

A comparative approach complements this normative analysis by examining how other countries manage similar challenges. The study looks at the European Union, Japan, Norway, and Denmark, which have developed legal frameworks that better protect gig and hybrid workers. In the European

Union, the Directive on Platform Work introduces the principle of presumption of employment, promotes transparency in algorithmic management, and obliges platforms to contribute to social protection (Fredman et al., 2025). Japan recognizes freelance protected workers who, although not permanent employees, are entitled to basic safeguards against unfair contracts, delayed payments, and unsafe working conditions (Iwatsuki, 2024). Norway and Denmark provide examples of inclusive social protection systems in which seasonal and maritime workers remain registered in national insurance schemes, receiving accident and pension benefits while retaining flexibility (Hotvedt et al., 2020). These comparative findings serve as a valuable reference for Indonesia to design a balanced regulatory model that ensures protection without undermining work adaptability.

The research is based on both primary and secondary legal materials. Primary materials include Indonesian labour laws such as Law No. 13 of 2003 on Manpower, Law No. 6 of 2023 on Job Creation, and Law No. 24 of 2011 on the Social Security Administering Body, along with the International Labour Organization (ILO) Maritime Labour Convention of 2006. These serve as the legal foundation for understanding employment relationships, social security obligations, and the role of the state and employers in worker protection. Secondary materials include academic journals, ILO reports, and comparative legal studies from the European Union, Japan, and Scandinavia, which provide theoretical, empirical, and policy insights.

Analytically, this research applies three strategies: descriptive-analytical, comparative, and evaluative-normative. The descriptive analysis outlines the condition of Indonesian labour law, especially regarding maritime workers in flexible or platform-based arrangements. The comparative analysis identifies similarities and differences between Indonesian and foreign regulations and highlights best practices that may be adapted. The evaluative-normative analysis formulates legal recommendations to make Indonesian labour law more adaptive, inclusive, and responsive to the realities of gig-based maritime work.

Through this combined approach, the study contributes to a deeper understanding of Indonesian labour law within the context of digital and maritime economies. The research findings are expected to support the creation of a legal framework that promotes fairness, ensures social protection, and maintains the flexibility necessary for the growth of Indonesia's maritime workforce.

3. Results and Discussion

3.1. Maritime Gig Work in Indonesia: Legal and Socioeconomic Realities

Indonesia's maritime gig work illustrates a significant transformation in the structure of maritime labour. Workers are no longer tied to long-term employment with a single company but increasingly engage in flexible, short-term, or project-based arrangements. These forms of work appear across nearly all maritime subsectors, from traditional fishermen and Dockworkers to marine tourism operators and digital platform participants, showing that flexibility has become a dominant feature of the sector.

Seasonal fishermen represent one of the oldest and most visible types of maritime gig work. They operate primarily under profit-sharing or informal arrangements with fish collectors or cooperatives, without formal contracts or stable income. Their earnings depend on weather conditions, seasonal demand, and fluctuating market prices (Cahaya, 2022). No social protection, such as accident or health insurance, is available to these workers, leaving them to bear all financial risks. Dockworkers or *Tenaga Kerja Bongkar Muat (TKBM)* face similar vulnerability. They are hired on demand only when loading or unloading occurs, resulting in irregular work hours and limited safety coverage (Danial et al., 2024). Participation in the national social security system is voluntary and does not adequately cover occupational risks associated with heavy manual labour (Zamzami & Iwabuchi, 2020). Flexibility provides autonomy but shifts financial and safety risks entirely onto workers.

Marine tourism workers, including boat operators and freelance dive instructors, also operate independently. They accept jobs through local agencies or digital platforms, making their income highly dependent on tourist demand (Sagita & Sundrijo, 2025). Without formal employment status, these workers lack mandatory insurance and legal protection against accidents or equipment loss. Short-term contract seafarers experience similar instability. Hired for limited voyages, they lose income during operational delays or adverse weather and have limited legal recourse (Rainah & Banjaransari, 2022). Those working on foreign vessels face additional challenges due to differences in legal jurisdictions and contract terms, complicating access to social protection.

Digital platforms add another layer of uncertainty. Services such as *FishOn* and *Aruna* connect fishermen with buyers and promise efficiency but classify workers as independent partners rather than employees (Suparman et al., 2024). This classification excludes them from minimum wage guarantees, insurance coverage, and job security. Income is determined by platform algorithms and fluctuating market demand, creating patterns similar to those experienced by seasonal fishermen, *TKBM*, and marine tourism workers.

Several characteristics are common across these forms of maritime gig work. Workers operate independently without formal recognition under existing labour laws, making them ineligible for minimum wage, leave entitlements, or termination protections (International Labour Organization, 2023). Income is unstable and influenced by external factors such as weather and market conditions (International Labour Conference, 2025). Social protection coverage is minimal and mostly voluntary, with limited participation in schemes such as *BPJS Ketenagakerjaan* and *BPJS Kesehatan*. Occupational risks are high, and unclear legal status exposes workers to unfair practices, including unilateral changes to profit sharing or platform commissions (Guinea et al., 2024).

The legal consequences are significant. Maritime gig workers in Indonesia are largely excluded from labour rights, social protection, and occupational safety (Rosdiana et al., 2025). Disputes with agents or platforms are difficult to resolve due to the absence of enforceable contracts. Income volatility and lack of safety coverage increase economic and social vulnerability, affecting quality of life and long-term work capacity (Barlian et al., 2025).

This situation presents a critical challenge for Indonesian labour law, which focuses on formal employment relationships. The rise of maritime gig work exposes a regulatory gap where flexibility exists but protection is limited. Addressing this requires legal reforms that recognize hybrid or dependent self-employed categories (Fransisco et al., 2025). Such a framework would provide basic guarantees of income stability, health and safety coverage, and social security access while maintaining work flexibility (Coccoli, 2017).

Maritime gig workers, from seasonal fishermen to platform-based participants, constitute an essential yet underprotected workforce. Recognizing them as legitimate workers entitled to social protection is not only a legal necessity but also a moral imperative for sustainable and inclusive development.

3.2. Weaknesses of Indonesian Labour Law

Indonesia's maritime gig work reveals a major shift in labour structure, where workers increasingly engage in flexible, short-term, or project-based employment instead of traditional long-term contracts. Classic employment elements in Indonesian law, which require work performed under an employer's instruction, fixed wages, and formal employment, do not capture the reality of maritime gig work (Mochtar et al., 2023). Seasonal fishermen, for example, rely on profit sharing, with earnings dependent on catch, weather, and market conditions (Cahaya, 2022). Dockworkers work on demand during loading and unloading, often without formal contracts or regular hours (Danial et al., 2024). Marine tourism workers, including boat operators and freelance dive instructors, take jobs through agencies or digital platforms, making income unpredictable and dependent on market demand (Zamzami & Iwabuchi, 2020). Short-term contract seafarers face uncertainty due to limited contracts, operational delays, and, for foreign vessels, complex legal jurisdictions (Sagita & Sundrijo, 2025). Platform workers on *FishOn* or *Aruna* operate as independent contractors, lacking formal recognition, social security, or minimum wage guarantees, while relying on algorithms to access work (Rainah & Banjarsari, 2022).

All these groups share common characteristics. Their income depends on companies, agents, or platforms. They lack formal employment status. Income is highly volatile. Social protection is limited and voluntary through *BPJS*. Occupational risks are significant. The lack of formal recognition excludes them from labour rights such as leave, minimum wage, termination protection, and mandatory occupational safety. Voluntary social protection schemes do not adequately cover accidents, maritime hazards, or income instability (Suparman et al., 2024). Weak oversight by labour authorities worsens vulnerabilities, as seasonal, on-demand, and platform-based workers are difficult to monitor. Limited integration between labour law and maritime law means workers fall into regulatory gaps where occupational safety, contracts, and social protection are inconsistently applied, especially for those on foreign vessels or working via platforms (Rosdiana et al., 2025).

These systemic gaps indicate that current Indonesian law is not adapted to modern maritime labour realities. Critical issues include the irrelevance of classic employment elements, absence of a hybrid

worker category, reliance on voluntary social protection, limited labour supervision, and fragmented legal coverage. Maritime gig workers face economic and social vulnerability despite providing essential labour in fisheries, ports, tourism, and digital maritime services.

Legal reforms are needed. Labour law should recognize hybrid workers who do not meet traditional employment criteria but deserve minimum rights (Pardede, 2022). Social protection must become mandatory with automatic registration and contributions proportional to earnings. Labour supervision can be strengthened using digital registration systems to track seasonal, contract, and platform-based workers, ensuring compliance (Mélyptaki et al., 2021). Integrating labour and maritime law is essential to simultaneously regulate worker safety, contracts, and social protection, covering domestic and foreign employment contexts.

Applying these reforms would create an adaptive regulatory framework that maintains work flexibility while ensuring legal recognition, income security, and occupational safety (Albab et al., 2023b). International experiences from the European Union, Japan, Norway, and Denmark demonstrate that hybrid employment frameworks can protect gig workers without eliminating flexibility. Applying such principles in Indonesia would enable sustainable maritime sector development, balancing innovation and economic efficiency with social justice and workers' welfare. Closing legal gaps would allow the maritime sector to offer dynamic employment opportunities while providing reliable protection for those who sustain it.

3.3. Comparative Practices: European Union, Japan, Norway, and Denmark

In addressing the legal and social challenges facing maritime gig workers in Indonesia, international practice offers important lessons that can be adapted to local contexts. In the European Union, particularly through the EU Directive on Platform Work, member states introduced the principle of presumption of employment, which stipulates that digital platform workers should be considered formal workers if their employment relationship meets specific criteria, even if the contract or employment relationship is not explicit (Fredman et al., 2025). This principle protects workers from exploitative practices, such as unilateral wage determination by platforms or uncertainty about employment status (Shapiro, 2025). Furthermore, the directive mandates platforms to maintain transparency regarding the algorithms determining workers' access to work, schedules, and prices (Foeth, 2025). This transparency is crucial because platform algorithms often play a key role in distributing work and income, leaving workers vulnerable without oversight. The EU Directive also emphasizes social contribution obligations, requiring platforms to contribute to workers' social security contributions (European Parliament, 2024). This provision reduces the risk of workers lacking adequate social protection. The relevance of this practice for Indonesia is clear, as many maritime workers now rely on digital platforms for employment, whether they are fishermen selling their catch through apps like *FishOn* or *Aruna*, or marine tourism operators. Implementing the presumption of employment and mandatory algorithmic transparency can close legal loopholes that have led to worker status uncertainty and income risks. In contrast, mandatory social contributions can ensure maritime gig workers receive minimum social security.

Developing the Freelance Protected Worker concept in Japan provides a different yet relevant approach. This system recognizes freelance workers as legal entities entitled to basic protections, including against unilateral contract practices, late payments, and the inherent risks of gig work (Iwatsuki, 2024). Japan stipulates that even if workers are not bound by a permanent contract or under direct supervision, they still have the right to fair compensation, timely payment, and legal protection against unreasonable employment risks (Yoko, 2024). This approach demonstrates that legal recognition of gig workers does not require transforming them into permanent employees; it simply requires providing minimum rights that safeguard their well-being and regulate the obligations of the employment provider (Akasaki et al., 2025). This model is highly relevant to Indonesia, particularly for seasonal fishermen and marine tourism workers. Fishermen working on a profit-sharing basis or freelance boat operators often face the risk of payment delays or informal contract disputes. By implementing the Freelance Protected Worker principle, Indonesia can regulate legal protection for maritime gig workers without eliminating the contractual flexibility that is a key characteristic of their work. This will reduce economic vulnerability, increase income security, and minimize exploitative practices.

Norway and Denmark offer another perspective through their social security and seasonal worker protection systems in the maritime and fisheries sectors. In both countries, seasonal and short-term contract workers remain enrolled in the national social security system, providing them with minimum protection, including maritime accident insurance, health insurance, and a basic pension (Hotvedt et al., 2020). This system ensures that even if workers are not under a permanent contract or work only during a specific season, they still have access to essential social protection (Rasnača & Bogoeski, 2023). The implementation of this system is automatic and mandatory, so workers do not need to enroll voluntarily (The Norwegian Tax Administration, 2021). This practice is highly relevant for Indonesia, given that seasonal fishermen on the Indonesian coast face high risks from both natural factors and income uncertainty. By adopting a similar scheme, the Indonesian government can guarantee minimum social protection for seasonal workers, reduce the risk of accidents and poverty due to income fluctuations, and strengthen economic well-being in the maritime sector, which is highly dependent on seasonality and natural conditions.

The experiences of the European Union, Japan, Norway, and Denmark show that it is possible to balance work flexibility with legal and social protections for gig workers in multiple ways. The Japanese model focuses on contractual protection, timely payment, and legal security for freelancers, while Scandinavia emphasizes mandatory minimum social protection for seasonal workers. With its extensive maritime territory, coastal freelancers, and the rise of digital platforms, Indonesia can adapt these practices. For example, EU principles can be applied to maritime digital platforms, the Japanese model can be adopted to regulate the contractual relationships of seasonal fishermen and marine tourism workers, and the Scandinavian social security system can be applied to short-term contract seafarers and seasonal fishermen. Integrating these three approaches will create a holistic protection framework, where gig workers enjoy legal certainty, status recognition, minimum social protection, and effective oversight without compromising contract flexibility and temporary work patterns.

Furthermore, adaptations must also be made to the Indonesian legal context when applying these international practices. The national labour law system needs to be expanded to recognize hybrid or gig workers as legal entities entitled to minimum protections, including the right to safety, fair wages, and access to social security. Maritime digital platforms operating in Indonesia should be required to be transparent in their algorithms, make social contributions, and enforce minimum payment standards. Furthermore, the social security system should include seasonal workers, short-term contract workers, and freelancers located on remote coasts, with an automatic enrollment mechanism guaranteeing mandatory participation. In this regard, lessons from Scandinavia are particularly relevant, demonstrating that social protection need not depend on permanent status or full-time work; simply guaranteeing minimum access for gig workers can minimize socio-economic risks.

Implementing these comparative practices also requires strengthening supervisory capacity. Labour inspection in Indonesia is currently limited, particularly in the informal maritime sector, leaving many gig workers in a legal gray area. By adopting international principles, oversight can focus on platforms' compliance with transparency, payment, and social contribution obligations and adherence to minimum safety and social protection standards. This will create a balance between work flexibility and legal certainty, while increasing the professionalization of the maritime sector, reducing exploitative practices, and strengthening protections for workers in remote locations or on temporary work patterns.

Conceptually, these three comparative models demonstrate that gig worker protection does not require transforming flexible employment into permanent contracts. The basic principles that can be adopted are: recognition of workers' legal status, income security and contractual protection, platform transparency, mandatory social contributions, and integration of seasonal workers into the social security system. Adapting these principles to the Indonesian maritime context allows for creating a hybrid legal framework that balances the needs of a dynamic maritime sector with adequate worker protection. For example, seasonal fishermen could be automatically included in the national social security program, while digital platform workers would receive contract certainty and protection from the risk of delayed payments. Freelance boat operators and dive guides could have legal protection against unilateral contracts, while platform algorithms must be transparent in determining job access and pricing. This approach allows maritime gig workers to work flexibly while remaining socially and economically secure.

In the long term, adopting international practices could promote a more inclusive and sustainable maritime sector. Workers with legal certainty and social protection are more likely to be productive and motivated. In contrast, platforms and agents that comply with transparency and social contribution obligations will enhance public trust and market stability. In other words, legal protection benefits workers and creates fairer and more transparent market conditions. This approach reduces the risk of legal conflicts, wage disputes, and economic injustice while promoting the professionalization and standardization of work practices in Indonesia's maritime sector.

Overall, comparative practices in the European Union, Japan, Norway, and Denmark offer strategic lessons for Indonesia. The principles of legal recognition (presumption of employment), contractual protections for freelance workers, platform transparency, mandatory social contributions, and minimum social security for seasonal workers can be adapted to build a hybrid maritime legal framework tailored to local conditions. Implementing these principles allows the Indonesian maritime sector to remain flexible and innovative, while gig workers receive legal protection, income security, and social security. Therefore, adapting this international practice is not only normatively relevant but also strategic in supporting inclusive, equitable, and sustainable maritime growth, while addressing legal gaps that have historically left maritime gig workers vulnerable and unprotected.

3.4. Legal Reform Directions for Indonesia

Indonesian labour law reform is needed to address the complexities of the maritime sector, which is increasingly influenced by the gig economy, where freelancers operate in flexible conditions while remaining dependent on specific platforms, agents, or economic entities (Tobing, 2024). One key area of reform is the recognition of a new category of workers: hybrid workers, or protected independent workers (Nur et al., 2023). This recognition is essential because maritime gig workers frequently do not fulfill the traditional criteria of an employment relationship, which include performing work, receiving wages, and following orders, and as a result, they cannot be classified as formal employees (Suryadi & Nasution, 2024). With the hybrid category, permanent workers are recognized as legal subjects with minimal rights, without having to be converted to permanent employees (Rhogust & Sekayu, 2023). Applying this concept can draw inspiration from practices in Japan and the European Union, where freelancers who meet specific criteria receive basic protections, payment certainty, and the right to occupational safety. In Indonesia, hybrid recognition could include seasonal fishermen, short-term contract sailors, marine tourism operators, and maritime digital platform workers, providing explicit legal protections and reducing the risk of economic and social vulnerability.

The second area of reform is to broaden the definition of an employment relationship to include elements of economic control and income dependence (Hassan Al-Obaidi et al., 2024). Employment relationships under Indonesian law are still focused on direct orders from employers, thus excluding maritime gig workers who work flexibly. However, even without formal orders, gig workers remain economically dependent on platforms or companies for income, so the income dependency principle can indicate an employment relationship (Zelma, 2024). By incorporating this element into the legal definition, gig workers who rely on digital platforms for daily or seasonal income can be recognized as workers with minimum rights, including social security, accident compensation, and contractual legal protection (Shevchuk et al., 2024). This approach aligns with international practice, such as the European Union's principle of presumption of employment, which recognizes worker status even if a formal relationship is unclear, as long as economic dependence and actual work engagement exist.

The third direction of reform involves minimum social protection obligations, involving the state, companies/platforms, and workers (Joshi et al., 2024). Social protection cannot be solely voluntary, as is currently the case through the *BPJS Bukan Penerima Upah - BPU* (Social Security for Non-Wage

Recipient), as its coverage is limited and does not cover all gig maritime workers. Within the reform framework, the state has a primary role in setting minimum standards, overseeing implementation, and providing mandatory mechanisms for workers who are hard to reach or located in remote areas (Yunita, 2023). Companies and platforms are responsible for contributing proportionally to workers' social security, ensuring payment of premiums or contributions, and ensuring compliance with safety standards and minimum wages (Vallas & Schor, 2020). Workers themselves play a role in accessing these rights, but are not burdened with the obligation to initiate protection voluntarily (Alfarizi et al., 2025). This model is similar to the mandatory social security systems in Norway and Denmark, where seasonal workers remain registered in the national system and receive minimum protection even though their contracts are temporary. Implementing such social protection mechanisms will reduce workers' economic risks, reduce vulnerability to accidents or health problems, and increase income stability while professionalizing the maritime sector.

The fourth direction is the integration of labour regulations with maritime law and digital platform regulation. Labour and maritime law operate in parallel without synergy, leaving maritime gig workers facing significant legal gaps. This integration is crucial to ensure that maritime safety, freelance workers' rights, temporary contracts, and digital platform oversight are simultaneously regulated. In practice, this means that labour law must align with maritime regulations regarding ship safety and maritime activities, while maritime law must consider social protection, contracts, and worker status. Digital platforms, as providers of employment, must comply with regulations that guarantee algorithm transparency, payment certainty, and social contributions for workers (Alauddin et al., 2025). With this integration, maritime gig workers can be comprehensively protected, from physical safety and income security to social rights, without eliminating the work flexibility that is a key characteristic of the gig economy.

Recognizing the hybrid worker category and expanding the definition of employment relationships allows Indonesian law to close the normative gap that currently causes uncertainty regarding the status of maritime gig workers. In the context of digital platforms, this recognition ensures that algorithms or job distribution systems cannot be used to evade legal obligations (Klaus et al., 2023). Workers retain minimum rights protected by the state, and platforms are legally obligated to contribute to social protection, pay fair wages, and ensure compliance with safety standards. In this way, work flexibility is maintained while minimizing economic and social risks for workers (Schor et al., 2020). This approach also encourages the professionalization of the maritime sector, as clear legal standards will compel platforms, agents, and companies to comply with regulations that ensure worker well-being.

Social protection obligations involving the state, platforms, and workers also support the economic sustainability of the maritime sector. With minimum social security, maritime gig workers are incentivized to continue working productively and safely, while platforms can operate within a stable and legally predictable system (Muhyiddin et al., 2024). This also facilitates more effective oversight, as authorities can assess compliance based on established minimum standards and required

contributions to the social security system (Blázquez et al., 2024). In the long term, this arrangement will balance the maritime sector's need for flexibility, the platform economy's interests, and social protection for workers, allowing the entire maritime ecosystem to develop inclusively and sustainably.

Integrating labour law with maritime law and regulating digital platforms is not merely a technical matter but also requires a policy framework that adapts to the dynamics of freelance work (Barlian et al., 2025). Maritime gig workers face risks of income fluctuations, injury, and health problems traditionally addressed by formal contracts and company protections (Cahaya, 2022). Regulatory integration can expand legal protection to cover all freelance workers without compromising flexibility. This also provides certainty for investors and digital platforms, as they operate within a clear and transparent legal framework, reducing the risk of legal disputes and non-compliance (Najiha & Herman, 2023). If implemented comprehensively, this approach would serve as an innovative model for countries with large maritime sectors and dispersed gig workers, such as Indonesia.

Overall, the direction of labour law reform, which includes recognizing hybrid workers, broadening the definition of employment relationships, social protection obligations, and integrating regulations with maritime law and digital platforms, can create an adaptive and inclusive legal system. Maritime gig workers will receive adequate legal and social protection while maintaining the work flexibility characteristic of the gig economy. Implementing these reforms can also increase the professionalization and transparency of the maritime sector, reduce the risk of exploitation, and support sustainable economic growth. Thus, Indonesia can develop a legal framework that bridges innovation in digital maritime employment with the principles of social protection and legal justice, while simultaneously making the maritime sector a model for implementing adaptive, inclusive, and sustainable hybrid employment.

4. Conclusion and Recommendations

Indonesia's maritime gig work phenomenon reflects a global labour transformation that emphasizes flexibility, short-term contracts, and reliance on digital platforms. Maritime workers such as seasonal fishermen, on-demand dockworkers, freelance marine tourism operators, short-term contract sailors, and digital platform workers face significant legal challenges because their work patterns do not conform to the classic elements of an employment relationship: work, wages, and orders. The absence of a hybrid legal category prevents them from being recognized as formal workers. At the same time, voluntary social protection, limited labour inspection, and inadequate integration of labour law with maritime law are also provided. These conditions create economic vulnerability, occupational safety risks, and uncertainty about labour rights.

International comparative analysis reveals existing practices that can serve as references. The European Union, through the EU Directive on Platform Work, applies the principle of presumption of employment, algorithm transparency obligations, and platform social contributions to protect gig workers. Japan introduced the Freelance Protected Worker category, which ensures contractual

protection and timely payment for freelance workers. Norway and Denmark integrate seasonal and contract workers into their national social security systems, providing minimum protection through accident insurance and a basic pension. These practices demonstrate that gig workers can remain flexible while receiving adequate legal and social protection.

Based on this analysis, the direction of Indonesian labour law reform should encompass four main aspects. First, a new category of workers, namely hybrid workers or protected independent workers, must be recognized to guarantee the minimum rights of maritime gig workers. Second, the definition of employment relationships should be expanded to include elements of economic control and income dependence so that gig workers dependent on platforms remain legally recognized. Third, the implementation of minimum social protection obligations involving the state, platforms/agents, and workers, so the scope of protection is broader and not voluntary. Fourth, the integration of labour law with maritime law and digital platform regulation to ensure comprehensive protection, including occupational safety, contractual certainty, and platform oversight.

Furthermore, labour inspections need to be strengthened through digital technology to record gig workers, monitor platform compliance, and ensure social protection is implemented. Training and workers' rights outreach are also needed to increase legal awareness and compliance. Finally, selectively adapting international practices can guide Indonesia in developing an adaptive, inclusive, and sustainable hybrid employment framework, making the maritime sector a model for gig worker protection that balances flexibility and legal certainty.

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