

Legal Protection Of Part-Time Workers Under Law No. 6 Of 2023: A Study Of Kembar Cafe In Medan

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ABSTRACT

This study aims to analyze the legal protection of part-time workers' rights under Law No. 6 of 2023 and to examine its implementation regarding part-time workers at Kembar Cafe in Medan. This study employs an empirical legal research method using both a statutory and a sociological approach. The research data consists of primary data obtained through observations and interviews with eight part-time workers and Kembar Cafe management, as well as secondary data derived from laws and regulations, books, and relevant literature. The results show that, in theory, part-time workers are entitled to legal protection regarding rights arising from the employment relationship, including the right to wages, working hours and rest periods, social security, occupational safety and health, holiday allowances, and rights related to termination of employment. However, the implementation of these protections at Kembar Cafe has not been fully realized. Part-time workers generally work on Saturdays and Sundays for a wage of Rp15,000.00 per hour, paid on a daily basis. The research findings also indicate that workers have not received holiday allowances or social security benefits. These conditions reveal a gap between legal protection provisions and their implementation in the employment relationships of part-time workers.

Keywords: Workers' rights, labor, Kembar Cafe, legal protection, and part-time workers.

INTRODUCTION

Developments in the world of labor have given rise to various forms of employment relationships, one of which is part-time. ¹ work Part-time workers have more limited working hours compared to full-time workers and are widely employed in business sectors that adjust labor needs to operational activities, including the cafe industry. ² Part-time workers may be assigned as servers, baristas, cashiers, or to other operational roles. Although their working hours are limited, part-time workers remain in an employment relationship that entails rights

¹ Lalu Adi Adha, "Digitalisasi Industri Dan Pengaruhnya Terhadap Ketenagakerjaan Dan Hubungan Kerja Di Indonesia," *Journal Kompilasi Hukum* 5, no. 2 (2020): 267–98.

² Sidho Priyo Utomo, "ANALISIS PENYERAPAN TENAGA KERJA PARUH WAKTU PADA USAHA COFFEE SHOP DI KOTA MAKASSAR= Analysis of Part-Time Employment Absorption in Coffee Shops in Makassar City" (Universitas Hasanuddin, 2025).

and obligations. Therefore, the flexibility of working hours should not deprive workers of their right to legal protection.³

Legal protection is necessary to ensure the fulfillment of workers' rights and to prevent actions that harm workers within the employment relationship.⁴ These rights include, among others, wages, working hours and rest periods, occupational safety and health, social security, benefits, and rights arising upon the termination of the employment relationship.⁵ The guarantee of workers' rights also has a constitutional basis in Article 27(2) and Article 28D(2) of the 1945 Constitution of the Republic of Indonesia, which guarantee the right to work and a decent standard of living, as well as fair and decent compensation and treatment in employment relationships.⁶

In the field of labor, Law No. 6 of 2023 on the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation as Law amends a number of provisions of Law No. 13 of 2003 on Labor, including those regarding employment relationships, working hours, wages, and termination of employment. However, part-time workers are not yet covered by specific provisions that comprehensively regulate all their rights and obligations. Therefore, the protection of part-time workers must be considered in light of the relationship between Law No. 6 of 2023 and its implementing regulations. Regarding wages, Government Regulation No. 36 of 2021 on Wages regulates wages based on units of time, including hourly wages, which were subsequently amended by Government Regulation No. 51 of 2023 and Government Regulation No. 49 of 2025.⁷ This protocol also covers the right to working hours and rest periods, occupational safety and health, social security, holiday allowances, and rights related to the termination of employment.

This issue is relevant to the conditions of part-time workers at Kembar Cafe in Medan. The use of part-time workers helps align labor needs with the cafe's operational activities, but this flexibility must still be accompanied by the fulfillment of workers' rights in accordance with legal provisions. Therefore, the implementation of rights regarding wages, working hours and

³ Atmari Atmari and Sudjai Sudjai, "Reformulasi Perlindungan Hukum Pekerja Perempuan Dalam Hubungan Kerja Fleksibel Berbasis Keadilan Gender," *Saraq Opat: Jurnal Administrasi Publik* 5, no. 2 (2023).

⁴ Steffy Gihon Sunarko et al., "Perlindungan Hukum Pekerja Atas Pemutusan Hubungan Kerja Akibat Efisiensi Menurut Undang-Undang Cipta Kerja," *Law and Humanity* 4, no. 2 (2026): 120–32.

⁵ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 2014).hlm.12

⁶ *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, Pasal 27 Ayat (2) Dan Pasal 28D Ayat (2)*, n.d.

⁷ Arifuddin Muda Harahap dan Mar'ie Mahfudz Harahap, *Kebijakan Hukum Ketenagakerjaan Pada Undang-Undang Nomor 6 Tahun 2023 Tentang Cipta Kerja* (Bandung: Media Sains Indonesia, 2025).

rest periods, occupational safety and health, social security, holiday allowances, and other workers' rights needs to be empirically examined.⁸

Research on part-time workers has been conducted by Cornelia Indira Kusuma Bahari and Emmilia Rusdiana through their study titled "Legal Protection for Part-Time Workers to Obtain Annual Leave Rights." This normative legal study focuses on the right to annual leave and emphasizes the need for clearer regulations for part-time workers.⁹ Furthermore, Moh. Nabil Jibrán, Nuridin, and Kus Rizkianto, through their study titled "Protection of Workers' Rights and Obligations as Seen in Law No. 6 of 2023 on Job Creation," examined the protection of workers' rights regarding employment relationships, working hours, wages, and compensation using a normative approach; however, their study did not specifically address part-time workers or the implementation of these protections in the workplace.¹⁰ Meanwhile, Dewa Gede Doni Anggara Praditia, I Nyoman Putu Budiarta, and Ni Komang Anini Styawati examined the protection of outsourced workers following the enactment of Law No. 6 of 2023. using a normative approach; thus, the focus of their study differs from that of part-time workers.¹¹

Based on previous research, there remains a research gap in that there are still few studies that empirically link the provisions of Law No. 6 of 2023 with the implementation of various rights of part-time workers in the café industry. Previous studies have tended to focus on specific rights, such as annual leave, general worker protection, or contract workers, and have employed a normative approach. This study addresses this gap by examining the actual conditions of part-time workers at Kembar Cafe in Medan through an empirical approach and linking them to applicable legal provisions..

The novelty of this study lies in its empirical examination of the implementation of various rights of part-time workers within a single employment relationship in the café industry, including wages, working hours and rest periods, occupational safety and health, social security, holiday bonuses, and rights related to the termination of employment. This study compares the provisions that should apply with the conditions observed in practice, thereby identifying the

⁸ UU No. 6 Tahun 2023 Tentang Ketenagakerjaan., n.d.

⁹ Cornelia Indira Kusuma Bahari and Emmilia Rusdiana, "Perlindungan Hukum Bagi Pekerja Paruh Waktu Untuk Mendapatkan Hak Cuti Tahunan," *Novum: Jurnal Hukum* 9, no. 03 (2022): 130–43.

¹⁰ Moh Nabil Jibrán and Kus Rizkianto, "Perlindungan Hak Dan Kewajiban Pekerja Dilihat Dari Undang-Undang Nomor 6 Tahun 2023 Tentang Cipta Kerja," *Jurnal Studi Islam Indonesia (JSII)* 2, no. 1 (2024): 87–102.

¹¹ Dewa Gede Doni Anggara Pramudia, I Nyoman Putu Budiarta, and Ni Komang Anini Styawati, "Perlindungan Hukum Terhadap Pekerja Alih Daya Pasca Berlakunya Undang-Undang Nomor 6 Tahun 2023," *KERTHA WICAKSANA* 20, no. 1 (2026): 1–9.

actual implementation and gaps in legal protection for part-time workers. On that basis, this study is titled “Legal Protection for Part-Time Workers Under Law No. 6 of 2023: A Case Study of Kembar Cafe in Medan.” Based on the introduction, the research question for this study is:

1. How are the legal protections for the rights of part-time workers regulated under Law No. 6 of 2023?
2. How is the legal protection of part-time workers’ rights implemented at Kembar Cafe in Medan?

METHODS

d to examine legal provisions and their application in the practical labor relations of part-time workers at Kembar Cafe in Medan.¹² The study is descriptive-analytical in nature, meaning it describes factual conditions and then analyzes them based on relevant laws and regulations..¹³ The approach used include a legal and a sociological approach. The legal approach involves examining Law No. 6 of 2023, Law No. 13 of 2003 on Manpower and its amendments, as well as provisions regarding wages, working hours and rest periods, occupational safety and health, social security, and holiday allowances.¹⁴ The sociological approach was used to examine the application of these provisions in real-world conditions at Kembar Cafe, thereby determining the alignment between “das sein” and “das sollen”. The research data consisted of primary and secondary data. Primary data was obtained directly through observation and interviews with part-time workers and Kembar Cafe management,¹⁵ while secondary data was obtained from books, scientific journals, laws and regulations, and related literature. Interviews were conducted to gather information regarding employment relationships, working hours, rest periods, wages, occupational safety and health, social security, and the fulfillment of other workers’ rights,¹⁶ Wawancara dilakukan untuk memperoleh informasi mengenai hubungan kerja, jam kerja, waktu istirahat, upah, keselamatan dan kesehatan kerja, jaminan sosial, serta pemenuhan hak pekerja lainnya,¹⁷ specifically concerning part-time workers P-01–P-08 at Kembar

¹² Abdul Kadir Muhammad, *Hukum Dan Penelitian Hukum* (Bandung: Citra Aditya Bakti, n.d.).hlm.37

¹³ Soekanto, *Pengantar Penelitian Hukum*.hlm.10

¹⁴ Peter Marzuki, *Penelitian Hukum*, 4th ed. (Jakarta: Kencana, 2014).

¹⁵ *Metode Penelitian Hukum* (Mataram: Mataram: Mataram University Press, 2022).hlm.101

¹⁶ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, Dan R&D* (Bandung: Alfabeta, 2019).hlm.225

¹⁷ Deddy Mulyana, *Metodologi Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2003).hlm.180

Cafe, Jalan Sakti Lubis No. 40, Medan.¹⁸ Direct observations were conducted to assess the conditions and practices of employment relationships at the research site. All data were then analyzed by comparing legal provisions with actual practices regarding the fulfillment of part-time workers' rights to assess the implementation of legal protections. The research focused on legal protections for the rights of part-time workers under Law No. 6 of 2023, covering employment relationships, wages, working hours and rest periods, occupational safety and health, social security, and holiday allowances.¹⁹

RESULTS AND DISCUSSION

Legal Protection Provisions for the Rights of Part-Time Workers Under Law No. 6 of 2023

Legal protection is a crucial aspect of the employment relationship because workers have rights that must be respected and fulfilled by employers.²⁰ These guarantees are based on Article 27(2) and Article 28D(2) of the 1945 Constitution of the Republic of Indonesia, which guarantee the right to work, a decent standard of living, compensation, and fair treatment. In the context of part-time workers, legal protection encompasses rights arising from the employment relationship, including job security, wages, working hours and rest periods, occupational safety and health, as well as other related to the employment relationship.²¹ These provisions must also be read in conjunction with Government Regulation No. 35 of 2021, which governs working hours, rest periods, overtime, and termination of employment.

Part-time workers are employees who work fewer hours than full-time workers; however, this difference does not negate their status as workers entitled to legal protection. Government Regulation No. 35 of 2021 establishes standard working hours of 7 hours per day and 40 hours per week for a six-day workweek, or 8 hours per day and 40 hours per week for a five-day workweek. These provisions serve as the basis for determining the work schedules of part-time workers while taking into account the company's operational characteristics and needs.

¹⁸ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026. (n.d.).hlm.5

¹⁹ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

²⁰ Arifuddin Muda Harahap, *Pengantar Hukum Ketenagakerjaan* (Malang: Literasi Nusantara, 2020).hlm97-122.

²¹ Rizal Panjaitan and Syofiaty Lubis, "Juridical Analysis of the Draft Law on Protection and Legal Certainty (RUU PPRT) for Female Domestic Helpers in Medan City," *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)* 6, no. 3 (2023): 1932–46.

1. The right to wages. Wages are a fundamental right of workers as compensation for work performed and must be paid in accordance with legal provisions.²² For part-time workers, payment may be based on units of time, taking into account the provisions for hourly wages. The amount, payment frequency, payment schedule, and compliance of wages with applicable regulations are critical aspects in assessing the fulfillment of this right. Thus, part-time status cannot be used as a justification for disregarding a worker's right to payment in accordance with labor regulations.
2. The right to working hours and rest periods. Work schedules must be established to ensure workers have certainty regarding their workdays, working hours, and rest periods. General provisions regarding working hours and rest periods are set forth in Government Regulation No. 35 of 2021, including a requirement for a rest period of at least 30 minutes after working continuously for 4 hours.²³ In the employment relationship at Kembar Cafe, these aspects can be seen in the work schedule, shift assignments, start and end times of work, and the rest periods provided. These arrangements are important because the cafe's operational needs may necessitate schedule changes or extended work hours, which must still respect workers' rights.
3. Right to Religious Holiday Allowance. The provision of religious holiday allowances for workers must be assessed based on applicable labor regulations as well as the workers' conditions and length of service. Part-time status does not automatically negate a worker's right to the allowance if legal requirements are met. Therefore, this study analyzes the provision of religious holiday allowances based on the employment status and length of service of part-time workers at Kembar Cafe.
4. The Right to Occupational Safety and Health. Workers have the right to a safe work environment that does not endanger their safety or health. In cafe work, risks can arise from the use of coffee machines, hot and electrical equipment, sharp objects, slippery floors, and the lifting and moving of goods. Protection against these risks can be seen in workplace conditions, equipment safety, environmental cleanliness, the provision of safety instructions, and the employer's actions in the event of a workplace accident.

²² Peraturan Pemerintah Nomor 49 Tahun 2025 Tentang Perubahan Kedua Atas Peraturan Pemerintah Nomor 36 Tahun 2021 Tentang Pengupahan., n.d.

²³ Cipta Kerja, "Peraturan Pemerintah (PP) Nomor 35 Tahun 2021 Tentang Perjanjian Kerja Waktu Tertentu, Alih Daya, Waktu Kerja Dan Waktu Istirahat, Dan Pemutusan Hubungan Kerja," no. 086142 (2003).

5. The right to fair treatment. Part-time workers remain part of the employment relationship; therefore, differences in the number of working hours compared to full-time workers do not constitute grounds for arbitrarily reducing their rights. Employers remain obligated to fulfill workers' rights in accordance with the agreed-upon duties and employment relationship, including wages, working hours and rest periods, as well as occupational safety and health.
6. Rights upon termination of the employment relationship. The termination of an employment relationship whether due to dismissal or the expiration of a contract still gives rise to rights and obligations that must be fulfilled in accordance with legal provisions. Government Regulation No. 35 of 2021 serves as one of the bases for assessing the grounds and procedures for terminating an employment relationship, as well as the fulfillment of workers' rights. In this study, the assessment covers the reasons for the termination of the employment relationship, notice to the worker, agreement between the parties, and the fulfillment of rights arising upon the termination of the employment relationship.

Thus, legal protection for part-time workers is determined not only by the number of working hours but also by the certainty of the employment relationship and the fulfillment of the rights inherent in that relationship. Current wage regulations are based on Government Regulation No. 36 of 2021 on Wages, as amended by Government Regulation No. 51 of 2023 and Government Regulation No. 49 of 2025, which takes effect on December 17, 2025. These provisions collectively serve as the basis for assessing whether the rights of part-time workers at Kembar Cafe have been upheld in accordance with applicable law.

Implementation of Legal Protection for the Rights of Part-Time Workers at Kembar Cafe in Medan

The implementation of legal protections for part-time workers at Kembar Cafe in Medan was analyzed by comparing legal provisions ("*law in book*") with actual labor practices ("*law in action*"). Data was collected through observations and interviews with eight part-time workers and management, covering job types, workdays and hours, wage payment systems, and the fulfillment of workers' rights.²⁴

1. Empirical Conditions of Part-Time Workers

²⁴ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

The eight informants were coded P-01 through P-08 to protect their identities. The research findings show that P-01 through P-05 worked as *wedding* servers on Saturdays and Sundays from 11:00 a.m. to 4:00 p.m., while P-06 through P-08 worked as cafe waiters on the same days from 5:00 p.m. to 9:00 p.m. All workers received a wage of Rp15,000 per hour, paid on a daily basis.

No.	Informant	Job	Work Days/Hours	Pay System	Hourly Wage
1	P-01–P-05	Wedding Attendant	Saturday–Sunday, 11:00 a.m.–4:00 p.m.	Daily	Rp15.000
2	P-06–P-08	<i>Waiters</i> kafe	Saturday–Sunday, 5:00 PM–9:00 PM	Daily	Rp15.000

*Source: Results of interviews and observations of part-time workers at Kembar Cafe, 2026.*²⁵

The consistency in these work patterns indicates that part-time job at Kembar Cafe have relatively fixed schedules.²⁶ However, this alone is not sufficient to conclude that all workers' rights are being fulfilled. The certainty of protection must still be assessed in terms of the employment relationship, rest periods, wages, occupational safety and health, social security, year-end bonuses, and other rights.

2. Implementation of the Employment Relationship

Interview results show that part-time workers perform duties as waitstaff based on Kembar Cafe's instructions and operational needs. They work during predetermined hours and receive wages after completing their work. These conditions indicate the existence of an

²⁵ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

²⁶ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

employment relationship that must be assessed based on the elements of work, direction, and wages—not merely based on the designation as “part-time workers.”²⁷

Aspects	Empirical Conditions
Type of Work	<i>Wedding</i> servers and cafe waiters
Workdays	Saturday–Sunday
Working Hours	11:00 a.m.–4:00 p.m. and 5:00 p.m.–9:00 p.m. WIB
Payment	Daily
Wage Rate	Rp15,000/hour
Employment Agreement	Wages are paid upon completion of work

Source: Results of interviews and observations, 2026.

The division of tasks and work schedules have provided an overview of how the work is carried out. However, the certainty of an employment relationship is determined not only by the clarity of tasks and schedules, but also by clarity regarding wages, rest periods, workplace safety, and the rights and obligations of the parties involved.²⁸

3. Implementation of Work Hours and Break Times

Part-time workers at Kembar Cafe work on Saturdays and Sundays under two shift schedules: 11:00 a.m.–4:00 p.m. for *wedding* services and 5:00 p.m.–9:00 p.m. for cafe services.³⁰ These arrangements must be considered in conjunction with regulations regarding working hours and rest periods, as time spent at the workplace does not always

²⁷ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

²⁸ Hasil wawancara dengan P-01–P-08, pekerja paruh waktu Kembar Cafe, Medan, 2026.

equate to effective working hours. Therefore, the fulfillment of workers' rights is assessed based on the number of effective working hours, the clarity of the schedule, and the provision of adequate rest periods. These arrangements are particularly important when schedule changes or additional hours occur due to the cafe's operational needs.

4. Wage Payment Practices

Kembar Cafe pays part-time workers Rp15,000 per hour, with payments made daily. Workers are aware of this system, which demonstrates a relatively clear payment pattern. However, the fulfillment of the right to wages cannot be assessed solely based on the existence of payments; it must also consider the basis for calculation, the number of effective working hours, the timing of payments, and compliance with applicable wage regulations. Regulations regarding hourly wages for part-time workers must serve as the basis for evaluating this practice.²⁹ Thus, the status of being a part-time worker does not eliminate the employer's obligation to provide certainty regarding the amount, method of calculation, and timing of payment.

5. Implementation of Occupational Safety and Health

Part-time workers still have the right to occupational safety and health. In cafe operations, risks can arise from the use of hot and electrical equipment, sharp objects, slippery floors, and activities involving lifting or moving items. Therefore, protection should not be differentiated based on part-time status. This protection is evident in the safety of the workplace and equipment, a clean environment, the provision of safety instructions, and the response to workplace accidents. Preventive measures are necessary so that workers understand the risks of their jobs and can perform their duties safely.

²⁹ Peraturan Pemerintah Nomor 36 Tahun 2021 Tentang Pengupahan, Pasal 15–16, Mengenai Upah Berdasarkan Satuan Waktu per Jam Bagi Pekerja Paruh Waktu., n.d.

6. Implementation of the Right to Social Security and Religious Holiday Allowances

In addition to wages, working hours, and workplace safety, worker protection includes the right to social security and Religious Holiday Allowance in accordance with applicable regulations.³² Based on the interview results, part-time workers at Kembar Cafe have not received social security benefits or religious holiday allowances. This finding must be considered in light of each worker's status and length of service, as the fulfillment of these two rights does not depend solely on their status as part-time workers. Thus, the failure to fulfill these rights is a critical factor in assessing whether Kembar Cafe's labor practices comply with applicable legal provisions.

Analisis Berdasarkan Teori Perlindungan Hukum
Philipus M. Hadjon

7. Analysis Based on Philipus M. Hadjon's Theory of Legal Protection

According to Philipus M. Hadjon's theory, legal protection consists of preventive and repressive protection. In the context of this study, preventive protection is evident in the clarity regarding the nature of the work, working days and hours, and the wage payment system. However, this protection cannot be fully assessed if information regarding rest periods, workplace safety, social security, year-end bonuses, and dispute resolution mechanisms is not clearly understood or fulfilled by the workers.

Meanwhile, repressive protection relates to dispute resolution mechanisms when conflicts arise or workers' rights are not fulfilled. In the employment relationship at Kembar Cafe, this aspect can be seen in the opportunities available to workers to submit complaints to management and the methods for resolving them. Thus, legal protection is determined not only by the presence or absence of disputes but also by the availability of mechanisms that workers can use when facing issues regarding their rights.

Analisis Kesenjangan antara
Perlindungan Normatif dan Pelaksanaan di Kembar Café.

8. Analysis of the Gap Between Normative Protection and Implementation at Kembar Café

The research findings indicate that legal protection for part-time workers at Kembar Café has not fully aligned between normative aspects and actual practice. Normatively, workers who perform work based on the principle of involving the existence of work, instructions, and a fixed wage are in an employment relationship that gives rise to rights and obligations for both parties. Thus, the status of being a part-time worker cannot be used as

the sole justification for limiting workers' rights. The research findings show that the employment pattern at Kembar Cafe possesses several clear elements, namely the existence of work as wedding attendants and waiters, the scheduling of work hours on Saturdays and Sundays, the provision of instructions regarding job performance, and the payment of wages upon completion of work. These conditions indicate that an employment relationship is, in fact, existed, even though its form and structure are relatively simple.

Discrepancies begin to emerge when this protection is analyzed more broadly, not merely based on the existence of work and wage payments. Regarding working hours, workers P-01 through P-05 worked five hours during wedding services, while P-06 through P-08 worked four hours as café waiters. This pattern indicates that working hours were determined in a relatively regular manner. However, the arrangement of working hours does not in and of itself ensure that all workers' rights are fulfilled, as legal protections also pertain to certainty regarding rest periods and conditions in the event of changes or additions to working hours. Therefore, the recording of working hours and clarity regarding rest periods are crucial to prevent misunderstandings between workers and employers.

Regarding wages, all informants received Rp15,000 per hour under a daily payment system. This arrangement provides relatively clear wage payment timing and indicates that workers are compensated for the work they perform. However, wage protection is not limited to whether workers receive payment but also involves how the calculation is determined and whether the amount received complies with applicable wage regulations. Therefore, the use of an hourly wage system must be accompanied by clear records of working hours so that wage amounts can be verified and do not create uncertainty for workers. This finding shows that wage transparency is a crucial aspect of legal protections for part-time workers.

A more pronounced gap exists regarding the provision of social security benefits and the Holiday Allowance (THR). Based on interview results, part-time workers at Kembar Cafe have not received social security benefits or the Holiday Allowance. This finding cannot be directly generalized to all workers, as the fulfillment of these rights must still take into account each worker's status and length of service. However, these findings indicate that certain aspects of protection have not been fully understood or implemented within the employment relationship. Thus, part-time status should be viewed as a characteristic of working hours, not as a basis for disregarding rights inherent in the employment relationship, provided that legal requirements are met.

When analyzed using Philipus M. Hadjon's theory of legal protection, these conditions indicate that preventive protection at Kembar Cafe is evident in the division of labor, work schedules, and wage payment mechanisms. However, preventive protection cannot be considered comprehensive if workers have not received adequate clarity regarding social security, year-end bonuses, workplace safety, rest periods, and complaint resolution mechanisms. Meanwhile, repressive protection is not only necessary when a dispute has already arisen but also requires clear mechanisms so that workers know to whom complaints should be submitted and how they will be resolved. Thus, effective legal protection is not achieved merely through the existence of regulations but also through practical protection, the provision of information, and the availability of resolution mechanisms that workers can utilize.

Consequently, the research findings indicate that the primary issue facing part-time workers at Kembar Cafe does not lie solely in the existence of an employment relationship, but rather in the uneven fulfillment of rights across all aspects of the employment relationship. This situation highlights a gap between "law in books"—which provides a framework for worker protection—and "law in action," which reveals the implementation of such protections remains incomplete. Therefore, efforts to strengthen protections for part-time workers should focus on clarifying the employment relationship, ensuring wage transparency, fulfilling occupational safety standards, providing social security, paying year-end bonuses (THR) in accordance with applicable requirements, and establishing accessible complaint mechanisms for workers.

Overall, the study shows that Kembar Cafe has fairly clear work arrangements regarding job types, workdays and hours, and the wage payment system. However, compliance with legal protections has not yet covered all workers' rights equally, particularly regarding social security and the year-end bonus (THR). This situation highlights a discrepancy between normative regulations and the practical implementation of workers' rights, indicating that protection for part-time workers must be assessed not only based on the existence of an employment relationship but also on the fulfillment of all rights inherent in that relationship.

CONCLUSION

Based on the research findings and discussion outlined above, the following two conclusions can be drawn. First, the legal protections for part-time workers under Law No. 6 of 2023 do not, in principle, deprive workers of their rights simply because of their status as part-time

workers. These protections stem from labor regulations governing employment relationships and workers' rights and are further detailed in implementing regulations. Relevant rights include the certainty of the employment relationship, wages, working hours and rest periods, occupational safety and health, holiday allowances, and rights arising upon the termination of the employment relationship. Regarding wages, part-time workers are entitled to wages calculated on a time-based basis in accordance with applicable regulations. Thus, limited working hours cannot be used as a basis to deny workers' rights, although the implementation must still be adapted to the characteristics of the employment relationship and the legal requirements for each specific right.

Second, the implementation of legal protections for part-time workers at Kembar Cafe in Medan has not yet fully complied with applicable legal protection provisions. Research findings on eight workers indicate that part-time workers are employed on Saturdays and Sundays specifically as wedding servers from 11:00 AM to 4:00 PM and as café waiters at from 5:00 PM to 9:00 PM—with an hourly wage of Rp15,000.00 paid on a daily basis. While work arrangements and wage payments are in place, there are still instances of unfulfilled rights, such as the lack of social security benefits and holiday allowances. Consequently, there is a gap between the legal protections workers are entitled to and their actual implementation in the employment relationship at Kembar Cafe. These findings indicate that protection for part-time workers is not sufficient merely through the existence of employment and wage payments; it must be accompanied by the fulfillment of other rights inherent in the employment relationship.

LIMITATION

This study has several limitations that should be taken into account when interpreting the findings. First, the study is limited to an examination of legal protections for the rights of part-time workers in employment relationships under Law No. 6 of 2023 and its implementing regulations. The rights examined include employment relationships, wages, working hours and rest periods, occupational safety and health, social security, holiday allowances, and rights related to the termination of employment. The study does not specifically address taxation, labor unions, industrial disputes resolved through litigation, or aspects of human resource management beyond the fulfillment of labor rights.

Second, the empirical scope of the study is limited to part-time workers at Kembar Cafe in Medan. Primary data were collected through interviews with eight part-time workers and management, as well as observations of employment practices. The limited number of informants and the specific research location mean that the findings describe the conditions of employment at the study site and are not intended to be directly generalized to all part-time workers in the cafe industry or other business sectors.

Third, this study employs a juridical-empirical approach by comparing applicable legal provisions with the actual fulfillment of workers' rights at Kembar Cafe. Consequently, the study focuses more on the alignment between "*das sollen*" and "*das sein*" rather than statistically measuring the employer's compliance rate. Findings regarding the lack of social security coverage and holiday allowances were also analyzed by taking into account the status and length of service of each worker; thus, conclusions cannot be uniformly applied to all workers' circumstances.

Fourth, this study is based on the conditions and information obtained during data collection in 2026. Changes in legislation, company policies, labor relations, or workers' status after the study period may affect the relevance of some of the findings. Thus, the research results represent the empirical conditions and legal framework during the study period and serve as a basis for identifying gaps in the legal protection of part-time workers at Kembar Cafe.

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