

Construction of Legal Relationship Between Intermediary (Plasma) and Women Workers in The Artificial Eyelash Industry

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Abstract

Purbalingga Regency is famous for its artificial eyelash industry and is the second largest in the world after Goangzu, China. The company cooperates with Plasma (intermediary) to work on part of its production to replace overhead costs associated with the use of standard labor and meet fluctuating demand. The purpose of this study is to determine the construction of legal relationships between intermediaries (plasma) as employers and female workers in the false eyelash industry sector in Purbalingga Regency and to determine whether female workers in the industry have received preventive protection due to the formation of legal relationships between employers and workers through intermediaries (plasma). This research uses normative-empirical research methodology. This research focuses more on normative research supported by field data or empirical research. Based on the results of the research, the formation of legal relationships between women workers and the Plasma (company branch) is carried out through piecework agreements, but there are still restrictions that must be followed, such as the requirement that factory workers and employees have the status of casual daily laborers. Female plasma workers who work in the informal industry do not receive social protection as they should. The Social Protection System for all levels of society stipulates that the government must provide social insurance, and this is where the welfare of plasma workers becomes the responsibility of the government.

Keywords: Construction of legal relations, Plasma, female workers

Abstrak

Kabupaten Purbalingga terkenal dengan industri bulu mata buatannya dan merupakan yang terbesar kedua di dunia setelah Goangzu, China. Perusahaan ini bekerja sama dengan Plasma (perantara) untuk mengerjakan sebagian produksinya untuk menggantikan biaya overhead yang terkait dengan penggunaan tenaga kerja standar dan memenuhi permintaan yang berfluktuasi. Tujuan dari penelitian ini adalah untuk mengetahui konstruksi hubungan hukum antara perantara (plasma) sebagai pemberi kerja dengan pekerja perempuan pada sektor industri bulu mata palsu di Kabupaten Purbalingga dan untuk mengetahui apakah pekerja perempuan pada industri tersebut telah mendapatkan perlindungan preventif akibat terbentuknya hubungan hukum antara pemberi kerja dengan pekerja melalui perantara (plasma). Penelitian ini menggunakan metodologi penelitian normatif-empiris. Penelitian ini lebih menitikberatkan pada penelitian normatif yang didukung oleh data lapangan atau penelitian empiris. Berdasarkan hasil penelitian, pembentukan hubungan hukum antara buruh perempuan dengan pihak Plasma (cabang perusahaan) dilakukan melalui perjanjian borongan, namun tetap ada batasan-batasan yang harus diikuti, seperti persyaratan bahwa buruh pabrik dan karyawannya berstatus sebagai buruh harian lepas. Pekerja plasma perempuan yang bekerja di industri informal tidak memperoleh perlindungan sosial sebagaimana mestinya. Sistem Perlindungan Sosial untuk semua lapisan masyarakat menetapkan bahwa pemerintah harus menyediakan asuransi sosial, dan di sinilah kesejahteraan buruh plasma menjadi tanggung jawab pemerintah.

Kata kunci: Konstruksi hubungan hukum, Plasma, pekerja perempuan

Introduction

Some of the objectives of industrial development include increasing employment, encouraging equitable development, raising incomes, and enhancing human well-being. The industrial sector will accelerate the expansion of the country. Many industrial facilities in Purbalingga Regency process wigs and manufactured eyelashes; the majority of these facilities are foreign capital companies (PMA) from Korea, surrounded by domestic companies and 88 SMEs (Small and Medium Enterprises) and Plasma dispersed in the villages. This region has a manufacturing sector that is large enough to be developed (Kurniawan, 2020).

Since its establishment in the 1970s, the artificial eyelash market in Purbalingga has expanded to include markets in North America, Australia, Japan, Canada, Japan, Korea, and Europe. According to data from the Purbalingga Regency Manpower Office, the hair industry's labour-intensive nature has led to the establishment of quite a few jobs in this sector, particularly for women employees. 60 (sixty) thousand workers were involved (Kurniawan, 2020). The definition of "plasma" is mentioned in the provisions of Article 27 of Law No. 20 of 2008 concerning Micro, Small, and Medium Enterprises, which states that "Implementation of partnerships with the nucleus-plasma pattern as referred to in Article 26 letter a, Large Enterprises as the core of fostering and developing Micro Enterprises, Small and Medium Enterprises, which become Plasma in a. supply and preparation of land; b. provision of production facilities; c. providing technical guidance on production and business management; d. acquiring, mastering, and upgrading the necessary technology, e., financing; f. marketing; g. guarantee; h. provision of information; and i. providing other assistance needed to increase efficiency and productivity and business insight.

In Purbalingga Regency, there are two categories of artificial eyelash plasma employees: branches and collectors, both of which use contract and hourly workers. Because contract workers carry out and finish their work from home, there is no distinction between the two types of Plasma in actual use. Yet another distinction is that, according to the rules, the collectors are independent, and the branch is the company's Plasma. There is an inequity between the two plasmas, with the branch group employees being paid as freelance day workers and subject to strict supervision just like factory employees. Another person works as a piece worker from home. The employment structure used by their plasma workers with piece rates is left up to collectors who are not branches. Based on an interview the authors conducted with Even Kurniawan, it is known that the majority of plasma workers are women who work from home. Thus, the authors claim that some

plasma employees work from home and are employed in the informal industry (Kurniawan, 2020).

The name "homeworker" is not commonly known since, in accordance with Law Number 13 of 2003 governing employment, this form of work has not yet been considered in homework practices and the nomenclature of homeworkers. Homework is the putting-out system, when employees perform tasks similar to those found in factories but are completed in their homes as part of a production system (Fajerman, 2013). Business actors employ the subcontracting strategy in their industrial operations to cut production costs without compromising productivity. It is a rapid and flexible strategy that may be used to respond to shifting demand and to cut down on the overhead costs associated with using regular workers. This strategy enables enterprises to successfully shift production costs, risks, and product quality responsibility onto the homemakers while minimizing the investment for more workspace (Agusmidah, 2016).

The artificial eyelash industry uses a variety of legal relationship patterns, such as collaboration or partnerships in the form of purchase order agreements, homeworkers, and subcontracts, to create partnerships with Plasma or between plasma and plasma workers. There is currently no legal framework for the regulation of rights, obligations, and the systematic implementation of good work for plasma workers and Plasma as well as businesses that collaborate with the plasma industry artificial eyelashes. This is because the plasma industry employs workers who are employed in the informal sector. The government was not additionally involved in the coordination, which was developed as a vertical collaboration (Kartikasari, 2016).

Most female plasma workers in the informal sector lack proper social protection, making them susceptible to legal violations like discrimination, physical assault, exploitation, and even human trafficking. Except for the requirements imposed by Law Number 23 of 2014 concerning Regional Government, Law Number 13 of 2003 concerning Manpower essentially never granted regional governments authority to regulate employment. Additionally, there are no penalties for employers engaging in exploitation and violations and insufficient labour inspection in the informal sector.

Research Problems

In light of the circumstances above and the numerous legal relationships between Plasma and its employees, the author questions whether establishing legal relationships between intermediaries (Plasma) acting as employers and female employees in the artificial eyelash industry sector Purbalingga Regency has provided adequate protection for female workers.

Research Methods

A normative-empirical research methodology is used in this study. However, this study will actually place more of an emphasis on normative research that is backed up by empirical or field data. Normative research is defined as research that makes use of secondary data or library resources. Normative research has been conducted on legal principles, systematics, synchronisation, history, and comparative law (Soekanto, 2001). Empirical research involves analysis of primary data or information that has been gathered from the general public (Soekanto, 2001). Fieldwork is used in empirical research to collect primary data and address study-related issues.

Discussion

Right now, many important developments and changes are happening in the workplace. Formalizing workers in the industrial sector, which was initially part of the formal industry, to become contract or subcontracted workers who are no longer registered as formal workers is becoming increasingly common. The pattern of small and medium industries partnering with large industries, the system of outsourcing work relations, and domestic industry workers are just a few examples of trends in the formalization of workers in the small and medium industrial sectors.

Due to the Purbalingga Regency's very quick growth, numerous artificial eyelash factories, industries, and businesses are carried out in individuals' homes or as small and medium enterprises (SMEs). Additionally, the large number of hair management companies, including both domestic and foreign investment companies (PMDN and PMA), that are pursuing production targets has caused the informal sector's share of the workforce in Purbalingga Regency to be referred to as plasma workers. The turmoil in the eyelash sector also impacted thousands of eyelash plasma workers, reaching women in Banyumas and Cilacap, two regions outside of Purbalingga Regency. These challenging professions require thousands of workers without the benefit of any labour or employment agreements. The enormous number of businesses with escalating production goals undoubtedly affects labour optimization. Through the hair and fake eyelash industries, the District Government has the chance to give the community access to jobs. On the other hand, if businesses successfully establish a network of plasma partners, they can lower manufacturing costs, particularly those correlated to labour.

Some of these issues were born from a policy that refers to maximizing human resources (HR) as a workforce implemented through the plasma system. However, creating high-quality artificial eyelashes requires perseverance, thoroughness, patience, and craftsmanship, so it is a task that is difficult for

everyone to complete. The minimum earnings earned are not similar to potential workforce long-term predictions.

1. Patterns of legal relations among companies, intermediaries (branches and collectors) and women workers in the Plasma of the artificial eyelash industry in Purbalingga

Numerous factors, such as pressing economic needs, high unemployment, estimated cost-effectiveness, and simple entry requirements, impact the growth in the number of plasma and plasma workers. The company and the plasma coordinator are the only parties to the coordination structure currently in place for the artificial eyelash plasma in Purbalingga Regency. The network that has been established is only capable of transmitting instructions from the corporation (core) to employees (Plasma) to produce production raw materials (semi-finished materials), as the government's involvement in the implementation of industrial Plasma has not yet been observed. The Plasma will deliver the created raw materials to the business for finishing. A vertical collaboration has been established, making it challenging for Plasma to offer criticism or suggestions to the company. The job done by plasma workers/employees for artificial eyelashes entails stringing hair strands using a thick system (knitting) to generate parallel strands with the same hair thickness and length, and eyelashes are fashioned according to the order. Since it is well known that businesses with a large workforce find it difficult to meet production targets, companies are looking for partners to help them do so in accordance with market demand, as shown in Table 1:

Table 1. The Number of Plasma and Plasma Coordinators
In the Artificial eyelash Industry Sector in Purbalingga Regency

No.	Company name	Number of Plasmas	Number of Coordinators
1	PT. Royal Korindah	8	9
2	PT Hyupsung Indonesia	5	5
3	PT. Won Jin Indonesia	1	1
4	PT. Central Sarana Pancing	2	2
5	PT. Rosa Sejahtera Eyelashes	2	2
6	PT. Sung Shim International	12	12
7	PT. Kesan Baru Sejahtera	3	3
8	PT. Yuro Mustika	4	4
9	PT. Tiga Putra Abadi Perkasa	13	13
10	PT. Shinhan Creatindo	1	1
11	PT. Midas Indonesia	6	6

12	PT. Hanmi Hair International	1	1
13	PT. Sinar Cendana Abadi	27	18

According to the data provided in Table 1 above, the number of plasmas registered with the Purbalingga Manpower Office is limited to those that are registered with or in cooperation with companies that manufacture artificial eyelashes. Apart from that, almost every sub-district in Purbalingga Regency as well as areas outside of Purbalingga Regency, still employs tens or even hundreds of plasma workers. The pattern of legal relations between the artificial eyelash industry's Plasma and its workers will later be influenced by the gender of the workers who construct the various legal relationships between the parties in the agreement between the artificial eyelash company and the Plasma. As a matter of fact, plasma model employees and employers occasionally fail to recognize one another. The employees do not always know which employers they work for, and the employers do not always know which employees they employ. This occurs because certain intermediaries distribute raw materials to the village and seek out anyone looking for work, resulting in different rights and obligations for workers and businesses than for those employed in factories. Kurniawan Even claims that because plasma workers in Purbalingga Regency are not considered formal employees and do not have a working relationship, they have not yet been provided with their legal rights (Kurniawan, 2020).

In the informal industrial sector, there are unique and frequently ambiguous legal relationships. This is due to the fact that the working relationship established in firms in this sector typically results from an agreement between the two parties, is also based on prevalent customs, and is widely used by the business community. then-existing unregulated industry. Soeroso defines a legal relationship as one that exists between two or more legal subjects. The rights and obligations of one party in this legal relationship affect those of the other party. Every legal arrangement includes two components: The component of *bevoegdheid* (power/authority or right) that has light (obligation) as its opposite. Rights are the power accorded by law to legal subjects (people or legal organizations). In accordance with Article 1601 of the Civil Code, "it is not an employment relationship if the employer has no authority to direct the work performed by the person receiving the job, and if the employer has no authority to give instructions, particularly regarding how to carry out the work to the party doing the work, while that authority lies with the employment relationship." Therefore, it's crucial to understand the distinctions between who counts as a worker and who counts as an employer based on the determination of rights and obligations in order to prevent improper identification of an entity. The rights and duties that a person must uphold are profoundly affected by the labels

of "employer" and "worker" that he or she carries. The party with the greatest control over the production process, the choice and regulation of production financing, the hiring of other parties, and the need to pay remuneration is the employer. Pay, suitable working conditions, and social security are only a few examples of these rewards. A labourer or worker is a person or entity who agrees to work for a particular party in exchange for payment (Soeroso, 2011).

Women workers carry out the industrial process at various phases, and they construct legal relationships in a variety of ways to produce high-quality imitated eyelashes. Construction is defined as the placement and relationships of words in a sentence or phrase in the fourth edition of Kamus Besar Bahasa Indonesia (Big Indonesian Dictionary). The word's or collection of words' structure affects a word's meaning. According to Sarwiji, the meaning embodied in linguistic construction constitutes the notion of construction (construction meaning). Another definition of construction is the arrangement (model, plan) of a structure (bridge, house, etc.). The legal construction referred to here is a legal model or building (Safarina, et.al., 2003).

The artificial eyelash industry, collaborations with the Plasma of the hair industry, and partnerships between plasma and plasma employees are all conducted using a variety of legal relationship patterns, including collaboration under purchase order agreements, subcontracts, and other arrangements. One strategy for developing the industrial sector-based economy of the people is through partnerships. Article 26 of Law Number 20 of 2008 concerning Micro, Small and Medium Enterprises relates to partnerships is carried out in a nucleus-plasma pattern, subcontracting, franchising, general trading, distribution and agency, as well as other forms of partnership, and implementation of partnerships with a nucleus-plasma pattern between large businesses as the core of fostering and developing micro, small and medium enterprises, which become the Plasma.

Plasma workers can complete their tasks at various charges, whenever they choose, and whenever they choose, without having to bother to travel to the factory. Relationships between employers, collectors, and branches are based on the author's conversations with a few collectors, some of which were conducted orally or without a documented agreement in the form of a purchasing order agreement. The term "plasma" is frequently used to describe these collectors because of their role as a business partner. Next, no written agreement exists regarding connections between collectors and plasma workers. The legal relationships between collectors and plasma workers mentioned above can be broken down into the following several patterns:

Figure 1. The Pattern of Factory Legal Relations with Plasma

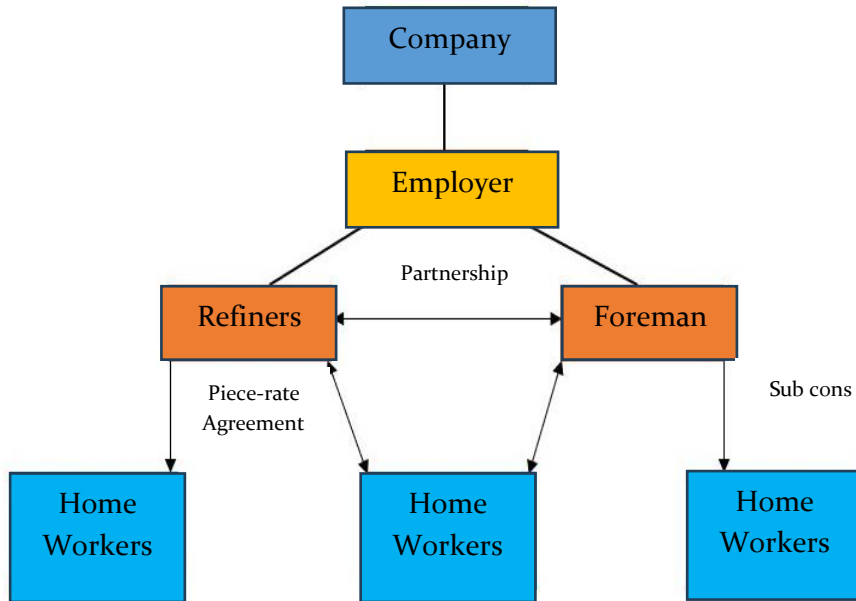


Figure 2. The Pattern of Legal Relation CV/Individual/Home Industry

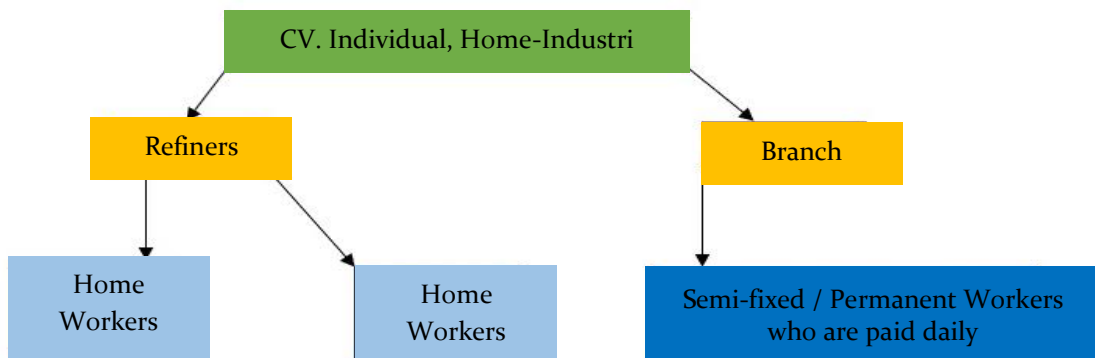


Figure 1 above demonstrates how the manager receives some of the work from the artificial eyelash production process from the business acting as the employer. Then, through supervisors and collectors who serve as plasma/intermediaries, this manager is promoted as an employer of female workers. A subcontract agreement model governs the foreman's role as a plasma (branch), and work charter agreements govern the plasma workers and collectors working outside the organization. While Figure 1 acts as a collector based outside the company, Figure 2 is a small and medium enterprise (UKM) made up of an individual or home industry. Additionally, this UKM has branches and collectors.

According to research findings, each artificial eyelash company forms alliances with several intermediaries, some collectors and branches. There is an imbalance between branches and collectors in the artificial eyelash industry. Workers are hired on a piece-rate basis at the branch but are subject to legal obligations like factory workers. It is recognized that branches and collectors are informal workers who obtain their production materials from branches and collectors based on the findings of study interviews with plasma workers (branch workers and collectors). However, there are a few differences between branches and collectors:

Table 2. Differences between Branch Workers and Collectors

No	Branch Workers	Collectors
1	Working Hours for branch workers a day is 7 hours (08.00 to 15.00 hours) and 30-minute rest hours, namely 12.00-12.30	Workers working at collectors have no working hours as long as they meet the production target and can be submitted at the specified time.
2	The status of workers is contract workers, where the wages are wholesale according to the amount production.	Workers are categorized as piece-rate employees who subcontractors employ, and the production volume determines their pay.
3	The coordinator's status is a factory employee, so he gets the same rights as factory workers, such as getting a salary according to the UMR and getting health insurance	Similar to employees/collecting employees and branch employees, wholesale employees only receive payment from the profits of each product they manufacture and are not covered by health insurance.
4	The minimum number of workers must be 50 new people who can become branches.	Persons can only become collectors if they are under 50. There are typically at most 20 employees.
6	The branch is connected to the factory, and all of the factory's rules also apply there.	The main distinction is that the worker can save on transportation costs because the branch is close to their home.
7	As a branch worker/labourer, s/he will work alone when working at a branch location.	Families can offer help to people who work from home as homeworkers, including children and parents.
8	The branch workers must finish the task at the branch if the objective is not finished until	Providing the requested target can be met; they can produce at home.

working hours are over, at which point it can be finished at home. The plasma coordinator, a factory employee, is provided rent for a residence as a place of production.

To deposit the production, only come to the collection location.

It is difficult to grow the two plasma patterns' businesses because they are both, in principle, still in a lagging situation. This conclusion is supported by several elements, including the lack of a clear legal framework from the Regional Government regarding regulating rights, obligations, plasma employees and firms, and the methodical application of Plasma. One of the challenges is the need for more government involvement in the vertical partnership's coordination, which results in inadequate supervision and guidance of the Plasma. APBD funds do not assist plasma management.

According to the findings of the author's survey in the Padamara Subdistrict, several conditions must be met for an artificial eyelash company and collectors to operate together, and these conditions are as follows:

- 1) Plasma workers/labourers determine prices per company product unit.
- 2) Plasma employees and/or labourers employed by collectors will deposit their production results with a wholesale system, and collectors are then required (achievement) to deposit their production results to hair management companies.
- 3) During partnership activities, artificial eyelash companies work to supply production facilities, such as raw hair supplies and equipment, through collectors.
- 4) Companies provide technical help on manufactured goods (such as knitting or scissors) through collectors.

According to the above definition, it is required to explain the legal relationships between companies and employers, between employers and branches and plasma collectors, and between plasma and plasma workers as follows:

- 1) The legal relationship between the business and its managers and employees (employers for plasma employees) is one of employment. Legal relations (rechtsverhouding/rechtsbetrekking) are societal relationships between subjects and other legal subjects and between legal subjects and objects. Slowly but unquestionably, efforts have been made to alter the notion of the relationship between employees and employers. A working relationship is one that exists between a

business owner and a worker or labourer based on a work agreement that includes components of work, wages, and orders. This agreement may be for a specific period of time, or it may be for an indefinite amount of time. A governing party and a party is being controlled (subordination relationship). Hence the presence of an element of command shows that the two parties' positions are different. Work agreements differ from other work agreements, such as work agreements and agreements to execute certain services, by the abovementioned relationship. The mutual rights and obligations of the parties, including any conditions of employment or other issues arising from a working relationship, are the legal object of the work agreement. The task is done as a component of the production process outside the factory by plasma workers via intermediaries. Knitting and scissors departments are involved in the production process for the artificial eyelash industry.

According to the Manpower Act, a worker or labourer is any individual who works for pay or other forms of compensation. To be recognized as having an employment relationship, a worker must have a relationship with an employer based on a work agreement that includes elements of employees, wages, and instructions (Article 1 Number 15 of the Labor Law). This concept of employment relations is then very strict in this regard. Failure to satisfy all the aforementioned components of the employment relationship results in the worker being recognized as an employee but not being taken into account as an employee who has an employment relationship or becoming known as an employee outside of an employment relationship that has legal repercussions, such as rights and obligations.

2) Agreements are produced as a result of the pattern of legal contacts established between plasma collectors (plasma/branch) and plasma workers/labourers:

a) Work chartering agreement

In this piecework pattern, employers (company owners) compensate employees based on the amount of work completed. This wholesale work method may be implemented using a working system per dozen goods, per workpiece, or per product unit. Based on the research findings, it is known that female employees in the Plasma of the artificial eyelash sector essentially uphold the terms of the collectors' and plasma's agreements with the companies that manufacture fake eyelashes. However, the agreement between the plasma workers and the collectors is verbal rather than written. The

collectors determine the wages, and the plasma workers only receive what has been agreed upon.

Jobs can be secured directly from the employer or typically through intermediaries. The verbal agreement covers the production of scissors and knitting using tools and materials obtained from collectors or Plasma under a wholesale system, with compensation set by collectors or Plasma. Additionally, the labour provisions do not specifically mention this collective work agreement. Article 1 point 3 of the Decree of the Minister of Manpower Number Kep.150/Men/1999 indicates specifically that "piecework workers are workers who work for employers to do certain jobs by receiving wages based on the volume of work per unit of output."

The definition of a piecework agreement is thus a work agreement between employers and employees to carry out certain tasks in exchange for payment of wages depending on the amount of work performed per labour unit. The fundamental idea is that contract work is completed for particular work with pay based on the amount of work.

a) Subcontract Agreement

A group of "workers" for contractors (principals) serves as the "employer" in the subcontracting production pattern (pseudo employer), and the status of these workers is concealed by referring to subcontractors as "small entrepreneurs" for the benefit of capitalists' production efficiency. Figure 1 above depicts the company's order for several employees (posing as Plasma) to enter into subcontract agreements with plasma workers based on the author's study on several artificial eyelash businesses in Purbalingga Regency. In this subcontract, the company supplies raw materials, and occasionally, plasma workers offer the necessary tools for the job. Firm employees (Plasma) also provide pay or earnings based on the quantity of product. The work that these plasma workers do is actually similar to covert labour because it is essentially the same as that of factory workers; however, because they are entirely exempt from the protections and legal requirements that typically apply to factory workers, their wages are low, their employer provides no social security, and it is also difficult for them to organize with one another because there is no place for them to congregate. Part of the production process for creating artificial eyelashes is done without any employer supervision, so the agreement between the employer and the employees determines the standard of the work.

In subcontracting agreements and work chartering, as previously mentioned, the production process is carried out without supervision, allowing employees to choose their working hours, location, and even means of production. Additionally, intermediaries and employers never include workers in the production wages, leading to massive exploitation of the nation's domestic resources (households). Additionally, the amount of the product itself is ordered by the business owner (employer), and the quantity varies according to market demand. Subcontractors (pseudo-companies) and the people they employ are actually supplementary labour provided by formal sector employers.

2. Vulnerability of Women as Plasma Workers

There are those who have the status of casual employees or home-based workers in relation to plasma workers. The Decree of the Minister of Manpower and Transmigration Number Kep. 100/Men/VI/2004 Regarding the Provisions for the Implementation of Specific Time Work Agreements regulates freelance agreements, which were previously governed by the Regulation of the Minister of Manpower Number Per.06/Men/1985 Regarding Protection of Casual Daily Workers. The concept of casual daily workers only existed in the prior legislation; there was no formal definition of casual daily work agreements. The Minister of Manpower Regulation Number Per.06/Men/1985's Article 1 letter stipulates that: "Freelance daily workers are workers who work for an employer to do a certain job and can vary in time and volume of work by receiving wages based on daily employee attendance." Whereas Article 1 Section 2 of the Minister of Manpower's Decree Kep.150/Men/1999 Concerning the Implementation of the Labor Social Security Program for Daily Casual Workers, Wholesale

ILO Convention No. 177 of 1996 on Homework might be consulted for more information on the definition of homework. In accordance with Article 1 of the Convention, "homework" refers to work performed by an individual, also known as a "homeworker," who does it (i) in his home or in a location of his choosing, other than the employer's place of work (ii) to earn money, and (iii) to produce a good or service as instructed by the employer, regardless of who provides the necessary tools, supplies, or other inputs. Unless such a person possesses the degree of autonomy and financial independence required to be regarded as a self-employed person under applicable legislation, rules, or regulations of national courts

One example of the putting-out system of subcontract work is this homeworker. In the putting-out system, workers are hired by agents to work for subcontractors to complete tasks away from the employer's premises or facilities.

These tasks may be completed at the worker's home or the location of the subcontractor. This system is currently being used in a wide range of industrial sectors and in the context of small and medium-sized enterprises. The putting-out system permits employees to work from home, balancing work and household responsibilities. Because domestic work is frequently connected to women's status in the family, women make up most of those working from home (Pangaribuan, 2020).

Homeworkers or workers who work from home typically perform two different sorts of work: self-employment (SE) and the putting-out system (POS). The POS approach involves taking work from the company and finishing it immediately at home. The SE model is also carried out concurrently by having orders brought from the captain and dispersed to the POS. Home-based production has the following qualities: (1) it does not require high skills; (2) it can be done at home without requiring the housewife to quit daily responsibilities; (3) it can create income quickly (daily or weekly); (4) the capital is not significant; and (5) women do it. The Putting Out System (POS) concept, which implements the work system by bringing work home, is typically used in regions with a shortage of workers, particularly among women from poor backgrounds with no other employment options. Due to economic pressure, women working from home are forced to perform odd jobs, i.e., temporary ones. Because of the piece rate system, women perform most of these jobs (Hart, 1989).

After doing a study on mapping homeworkers in Indonesia, Emma Ellen et al. (2015) proposed the following two fundamental kinds of home-based workers: Firstly, self-employed home-based workers bear all the risks of being self-employed. Workers buy their own raw materials, supplies, and equipment and pay utility and transportation costs. The workers sell their finished goods themselves, mainly to customers and the local market but occasionally to the international market. Most do not employ anyone else but may have unpaid family members work with them. Second, sub-contracted home-based workers (called homeworkers) are contracted by employers, individuals or companies, often through intermediaries. Homeworkers are usually provided with raw materials and paid piece by piece. Most of the time, people working from home must pay for their own workspace, tools, supplies, utilities, and transportation. Homeworkers are people who perform household duties in or for homes; however, they are not domestic workers. These home employees also differ from independent self-employed home workers (Agusmidah, 2016).

One sign of the informalization of the labour market is the subordination of production to home workers, which is a global strategy used by employers to achieve high levels of productivity and efficiency in the manufacturing industries, which are driven by competition for low-cost production. Homeworkers are the

final link in a complex and ever-changing supply chain. The duties of important employers are hidden by the sector's informality for home workers. The rise of labour flexibility, a phenomenon affecting the world economy, impacts this. Employers have more room to adopt casual employment (casualization of labour), subcontracting, and/or outsourcing in place of lessening their reliance on conventional labour due to labour flexibility (Agusmidah, 2016).

The average pay for plasma employees in Purbalingga is still less than the legal minimum wage. For most home employees, the employer sets the piece rate without dispute. Article 3 of the Regulation of the Minister of Manpower and Transmigration Number PER-06/MEN/1985 states that all labour laws apply to all workers, regardless of status, so minimum wages and header wages should be applied proportionally to all workers, including temporary and daily casual workers. Of course, proportional mathematical computations are required to incorporate the legal and economic components of its use. We must refer back to the definition of minimum wages (Article 1 Point 1 of Minister of Manpower and Transmigration Regulation Number 7 of 2013 regarding Minimum Wages) in order to respond to this question.:

According to the guidelines of Article 1 points 2 and 3 of the Minister of Labor and Transmigration's Regulation No. 7 of 2013, the areas where the minimum wage is applicable include:

- a. The Provincial Minimum Wage (UMP) applies to all districts/cities in one province.
- b. District/City Minimum Wage (UMK) applies in one district/city area.

The sectoral minimum pay, which is separated into Provincial Sectoral Minimum Pay (UMSP) and Regency City Sectoral Minimum Wage (UMSK), is another term for the minimum wage based on Indonesian business area groupings.). Based on the description above, the minimum wage, the lowest monthly salary that workers/labourers must get, is impliedly interpreted to require that all sorts of forms of wages, regardless of their name, comply with its requirements. Given that the statutory minimum wage provision serves as a guide for calculating daily wages and piece wages, the relationship between the minimum wage and the two is thus very close. Concretely, the value of the monthly minimum wage cannot be less than the sum of the monthly wage rates and daily wages determined by the government.

One of the initiatives to build a community economy centred on the industrial sector is the partnership. In accordance with Article 26 of Law Number 20 of 2008 on Micro, Small, and Medium Enterprises, partnerships can take many different forms, including subcontracting, franchising, general commerce, distribution, and agency. Implementing relationships with a nucleus-plasma structure between big organizations is the key to fostering and growing micro, small, and medium-sized businesses (MSMEs), which turn into the Plasma.

Partnerships with a subcontracting structure are used to produce goods and/or services, and big firms support them by giving them chances to work on production components and/or parts and access to raw materials that are continuously produced on an ongoing basis with reasonable quantities and prices.

The pattern of relationships between partners must be given more consideration when implementing this partnership pattern because, in general, it must be understood that this partnership pattern brings together two similar interests but is driven by management skills, a lack of legal knowledge, and different capital, making Plasma extremely vulnerable to becoming victim to companies (contractors) that have a more substantial financial foundation. These plasma workers are precariat or vulnerable employees. These people are still lacking one or more of the seven types of labour-related security, including income security, representation security, job security, work security, and skill reproduction security (Standing, 2011). Women who work in Purbalingga's Plasma of the artificial eyelash industry are particularly vulnerable due to their employment status as partners. Employees are considered partners and do not need to be paid a set salary or be covered by social security from the employer (intermediary/subcontractor). Because of this, these plasma workers exclusively rely on social security benefits provided by the government or the community.

Vulnerable workers, according to Standing, it can be recognized based on their three unique relationships, namely the unique relationships of production, distribution, and relationship with the state. It is obvious from the distinctive production relationships that vulnerable workers are distinct from industrial workers (Standing, 2014). Industrial workers are frequently directed by a particular set of guidelines or standards in order to discipline employees in a particular production process. Workers in traditional industries have a distinct professional identity, standard competency criteria established by the employer, and labour norms, including uniform working hours and pay standards based on hours performed. These attributes finally give proletariat industrial workers employment contracts and job security (job and employment assurances). However, unlike industrial workers who enjoy job security, vulnerable workers do not. These weaker workers need a reliable source of income, and established labour requirements. The professional identities they need to perform their tasks will become less clear without a professional identity. But in reality, in order to be considered as workers, these vulnerable workers need to be able to perform the jobs at hand as well as a variety of other jobs.

3. Decent and Fair Work for Women Workers in the Plasma Artificial Eyelash Industry in Purbalingga

Initially, rather than needing to work from home, plasma employees in the artificial eyelash sector received orders from eyelash factories for semi-finished goods as additional money. However, once they start doing it, it resembles working in a factory because they may neglect household duties like cooking, watching their kids, or eating when they are paid for their work. The cost of purchasing equipment for the means of production, such as health benefits, social benefits, vacation days, and others, must still be deducted from the wages received.

It is improper to classify female plasma workers as partners when describing the working connection between employers (branches/collectors) and plasma employees. In actuality, these female plasma workers are employed by employers and are a part of the production process controlled by the business (artificial eyelashes factory). Plasma employees are required to adhere to strict working hours for those employed in Branches with hours of operation (08.00–15.00) that are designed to produce certain results; if damaged outcomes become a risk to workers, the workplace is in the plasma coordinator's, who is an employee of the factory. Workers that collaborate with collectors receive free working hours, and occasionally families or children work with them. This form of partnership is more appropriately described as a working relationship between the employer and the job recipient (who is brought together by intermediaries (branches/ collectors) than as partners.

According to Article 27 paragraph (2) of the 1945 Constitution, which states that "every citizen has the right to work and a decent living for humanity," and Article 28 D paragraph (2) of the 1945 Constitution's amendment, which states that "everyone has the right to work and to receive income and fair and proper treatment in employment relations," the 1945 Constitution regulates women's rights to obtain work and a decent living. Whereas these two articles fall under socio-cultural and economic rights. The article lays out the fundamental tenet that having a job and making a fair living is a human right for every Indonesian person, without distinction for gender.

The number of issues in the pattern of informal employment contacts among female plasma workers, starting with the pattern of complex legal relationships, include:

- (1) the strength of paternalism and primordialism in the distribution and distribution of work-familial relations between workers and employers;
- (2) the absence of a work agreement or the absence of an adequate work agreement;
- (3) the weakness of the plasma workers' "beginning position";

- (4) the absence of legal protection for workers in terms of salary, working time, workplace, health and safety at work, terms of the organization;
And
- (5) the covert exploitation of workers, especially women and child workers.
- (6) the status of the workforce that is mostly in the form of temporary workers or family workers, and the employer-employee relationship is more of a social relationship than an employment relationship with a formal agreement and/or guarantee.

Female employees have typically been used as a low-cost means of production in development strategies up to this point to draw in investment and promote economic growth. Low pay for female employees is advertised as a marketing strategy to attract investment. Following the increased investment, women became more active in the public sector both domestically and internationally. Women workers continue to be marginal due to wage discrimination and social security restrictions ([Katjasurkana, et.al., 2001](#)).

Female employees in work-intensive industries suffer the most in a climate where workers are viewed as submissive to employers and the government. In comparison to male workers, female workers/labourers experience social injustice more frequently. Low pay, monotonous, long hours, and industrial waste are all present at work. However, even though the presence of working women significantly contributes to the development of businesses and the nation's foreign exchange, neither employers nor even the state are aware of this unsettling situation ([Sofiani, 2013](#)). Even though there have been workers' organizations that specifically accommodate all types of workers' interests in the world of work, some parties believe that they need to carry out their functions optimally, including protecting women workers. This is another phenomenon that makes it difficult for women to find employment.

In the beginning, plasma workers in the artificial eyelash industry receive orders from eyelash businesses for semi-finished goods as extra income rather than having no work at home. However, once they start working, it is actually like working in a factory because if a payment has been made for the outcomes of their work, they can take care of the housework. such as cooking, caring for children, or eating, are ignored. The cost of purchasing equipment for the means of production, such as health benefits, social benefits, holidays, and others, must still be deducted from the wages earned.

Worker involvement in homework has a variety of effects on the life of the workers. Workers often tend to take advantage of themselves because of flexible work schedules and low wages based on quantity, even though this neglects household responsibilities in the end. Other than that, another effect is the health

issues of the workers. Because the artisans who work in Purbalingga Regency need to be meticulous and have sharp eyes, the workers are typically overworked, which can harm their eye health.

However, there is no eye health insurance. Therefore, health insurance will be required in the future for the majority of women who work from home. Typically, home workers are not counted in labour statistics. Additionally, homework is seen as being the domain of women. Even when they put in long hours, the women who did their work always referred to themselves as "housewives" or "unemployed" (particularly when questioned about their economic activity during the population census). Due to its location in between the formal and unofficial sectors of the labour market, the women plasma workers, who tended to work from home, were also little known.

As stated in Article 27, paragraph 2 of the 1945 Constitution, "Every citizen has the right to work and a decent living for humanity," the state's involvement in protecting workers is a manifestation of the constitutional duty of the state to provide jobs for its citizens. This obligation is reaffirmed in Article 28 D, which states that "Every person has the right to work and a decent living for humanity." The state, particularly the government, is responsible for the protection, promotion, enforcement, and fulfilment of human rights, according to Article 28 1 paragraph (4). The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which has been ratified by Law Number 7 of 1984, and several other related conventions contain provisions governing the rights of women workers that also apply to women. However, due to both internal and external factors, not all of the rights of women workers have yet been fully realized. The lack of information and comprehension of women workers' rights is due to internal reasons. Patriarchal society, discrimination against women at work, negative preconceptions of women, and a lack of socialization are examples of external causes.

An artificial eyelash company does not have to provide a fixed income or social insurance for plasma workers because they are considered informal employees because of their status as partners. As a result, government-provided social insurance is heavily dependent on plasma workers. These elderly workers depend greatly on social insurance supplied by the government, in accordance with the Social Protection System for all Levels of Society, or BPJS, in the context of the welfare state.

Conclusion

Purbalingga Regency is recognized as the world's second-largest artificial eyelash manufacturing region after Goangzu, China, Most of these factories are

domestic and foreign capital businesses (PMA) from Korea. Due to the nature of the labour-intensive business, there are many positions available, with 60 (sixty thousand) of them being specifically for female workers. The definition of "plasma" is mentioned in Article 27 of Law No. 20 of 2008 regarding Micro, Small and Medium Enterprises, which states: "Implementation of partnerships with the nucleus-plasma pattern as referred to in Article 26 letter a, Large Enterprises as the core of fostering and developing Micro Enterprises, Small and Medium Enterprises." Nearly all of the villages in all of Purbalingga's subdistricts have Plasma. Therefore, a company that sells fake eyelashes is partnered with this Plasma. The plasma pattern was chosen because there were a lot of unemployed people in Purbalingga at the time, and the government needed more funds to hire people and pay them. It undoubtedly affects workforce optimization in addition to the growth of a good artificial eyelash business with an increased production target. By creating a pattern of cooperation/partnership between the business and Plasma (branch or collectors), the District Government is using this as a chance to give the community access to jobs through the artificial eyelash industry. For individuals who work in the Plasma (branch), piece rates are used in the workplace. However, employees are paid on a casual daily basis. Homework is referred to as putting out a system where workers perform labour comparable to factory work, but it is done at their homes in a production system and is paid according to production targets as a result of the pattern of subcontract agreements between collectors and corporations.

Business players use subcontracting to cut manufacturing costs while maintaining production productivity. It is a quick and adaptable approach to adjust to changing demand and as a way to reduce the overhead expenses associated with hiring normal staff. Worker involvement in homework has a variety of effects on the life of the workers. Workers prefer to take advantage of themselves due to the flexible work schedules and low compensation based on quantity, even though this neglects household responsibilities in the end. Additionally, the health issue among employees has an impact. Most female plasma workers in the informal industry lack proper social protection, making them susceptible to legal violations like discrimination, physical assault, exploitation, and even human trafficking. Except for the requirements imposed by Law Number 23 of 2014 concerning Regional Government, Law Number 13 of 2003 concerning Manpower essentially never granted regional governments authority to regulate employment. Moreover, there are no penalties for employers engaging in exploitation and violations and insufficient labour inspection in the informal sector.

Women employed as plasma partners in the artificial eyelash industry are exempt from fixed wages and social insurance. As a result, government-provided

social insurance is heavily reliant on plasma workers. These Plasma employees are heavily reliant on social insurance given by the government, as specified in the Social Protection System for all Levels of Society or BPJS, in the context of the welfare state.

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