

CHAPTER THREE RESEARCH METHOD

A. Type of Research

This research is an empirical⁴⁸ and normative legal research with descriptive qualitative approach. Normative legal research may define as research based on the library research, the focus is on reading and analysis of the primary and secondary sources.⁴⁹ Research that uses normative method is legal research that is descriptive because it aims to describe or explain a problem based on theory as a basis for solving problems.⁵⁰ Empirical legal research is conducted to obtain the empirical fact through interviews, whereas the purpose of normative legal research is to analyze the law or provisions related to the title. Hence, through those objects the researcher analyzes the legal protection and legal Effort for Gojek Partners in online food orders in Yogyakarta.

B. Types of Data

The types of data in this research are primary and secondary data method, namely:

1. Primary Data

The primary data is a method of research to collect data from an interview with the Gojek Partners.

⁴⁸ Jhonny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second edition, Malang: Bayu Media, p. 302.

⁴⁹ Jhonny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second edition, Malang: Bayu Media, p. 46.

⁵⁰ Soerjono Soekamto, Sri Mumudji, 2006, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Jakarta, Raja Grafindo Persada, p. 23.

2. Secondary Data

Secondary data is a method of research to collect data from the library research or literature study. The secondary data are, namely

a) Primary legal material consists of regulation as follows:

- 1) The 1945 Constitution.
- 2) The Indonesian Civil Code.
- 3) The UNCITRAL Model Law on Electronic Commerce 1996.
- 4) The Law Number 30 of 1999 on Arbitration and Alternative Dispute Resolution.
- 5) The Law Number 13 of 2003 on Employment.
- 6) The Law Number 11 of 2008 on Information and Electronic Transaction.
- 7) Law Number 22 of 2009 concerning Road Traffic and Transportation (LLAJ).
- 8) The Minister of Transportation Regulation number 118 of 2018 on the Special Rental Transportation in conjunction to Minister of Transportation Regulation Number 17 of 2019 on the Amendment of Regulation Number 118 of 2018 on Special Rental Transportation.

b) Secondary legal material consists of several documents related to the primary legal material. These secondary legal materials basically include textbooks, scientific journal, commentaries on

statutes, abstract, bibliographies, indexes, and review⁵¹. This research refers to some sources as follows:

- 1) Books.
 - 2) Scientific journals.
 - 3) Other legal documents related to the issue.
 - 4) Trusted sited internet.
 - 5) Other non-legal documents related to this research.
- c) Tertiary legal material consists of any legal or non-legal material related to the primary and secondary legal material, such as:
- 1) Black's law dictionary.
 - 2) English dictionary.
 - 3) Indonesian dictionary.

C. Method of Collecting Data

The methods of collecting data in this research will be done not only through interviews with the appropriate respondents to the object of reserarch but also library research with the literature study. This method will collect the data from the reading, analyzing, and trying to make the conclusion of related documents, namely the constitution/acts, regulations, law books, law journals and other reading materials related to the main problem as an object from this research.⁵²

⁵¹ Jhonny Ibrahim, *Op. Cit.*, p. 47-48.

⁵² *Ibid*, p. 71.

D. Setting of The Research

In conducting this research, the location of data collection was taken the area within the city of Yogyakarta.

E. Respondent of Research

Respondents were individuals who responded to the questions asked by the researcher. The respondents are people or individual who appropriate to the object of research which in this case is Gojek Partner (driver).

F. Data Analysis Technique

The data were analyzed systematically through a descriptive quantitative approach. Systematically means the data were analyzed on the basis of constitution, legislation, and any other theory which is related with the issue the Legal Protection for Gojek Partners in Go-food on food orders services online in Yogyakarta.⁵³

⁵³ Mukti Fajar ND, Yulianto Achmad, 2009, *Dualisme Penelitian Hukum*, Yogyakarta, Pencil Komunikasi, p. 123.