Government Policy Against Unemployment Due to Termination of Employment

Ida Hanifah

Faculty of Law, University of Muhammadiyah Sumatera Utara, E-mail: idahanifah@umsu.ac.id

Abstract

The number of unemployed nationally is of course influenced by the number of unemployed in the regions, both in urban and rural areas. The availability of relatively limited employment opportunities is unable to absorb job seekers who continue to increase every year in line with the increase in population. The high unemployment rate does not only cause problems in the economic field, but also various problems in the social field, such as poverty and social insecurity. The problem of the availability of employment opportunities in Indonesia has now reached a fairly alarming condition, marked by a large number of unemployed and relatively low incomes. Unemployment can be a burden on families and communities, a major source of poverty, can encourage increased social unrest and crime, and can hinder development in the long term. The bad impact of unemployment is the reduced level of people's income which in turn reduces the level of prosperity/welfare. The procedure used to collect data in this study is documentation, namely the guidelines used in the form of notes or quotes, searching legal literature, books and others related to the identification of problems in this study both offline and online. Analysis of legal materials is carried out using the content analysis method (content analysis method) which is carried out by describing the material of legal events or legal products in detail to facilitate interpretation in the discussion. The concept of labor itself is defined as a population of working age who is ready to do work, namely 15-65 years of age. According to Law No. 13 of 2003, labor is anyone who is able to do work to produce goods and services, both to meet their own needs and those of others or the community. In this case, the workforce is grouped into Educated Workers, namely workers who require a high level of education. For example, doctors, teachers, engineers, etc., trained workforce is a workforce that requires training and experience. For example, drivers, mechanics, etc., uneducated and trained workers are workers who do not require prior education or training in their work. For example, sweepers, garbage collectors, etc. Based on Article 150 of Law Number 13 of 2003 concerning Manpower, it is stated that "The provisions regarding termination of employment in this law include termination of employment that occurs in business entities that are legal entities or not, owned by individuals, owned by partnerships or owned by legal entities, both privately owned and state owned, as well as social enterprises and other businesses that have management and employ other people by paying wages or other forms of remuneration.

Keywords:
Government Policy, Unemployment, Termination of Employment.

How to cite:
Hanifah, Ida. (2021). “Government Policy Against Unemployment Due to Termination of Employment”, IJRS: International Journal Reglement & Society 2, No. 2, Pages 77-86.

A. Introduction

The economic crisis that occurred in mid-1997 has affected the basic joints of public life. This crisis has resulted in various social impacts on all strata of society, such as the sharper gap between rising prices of basic goods and people's purchasing power, widening gaps between groups and increasing levels of crime, security disturbances and unemployment. The accumulation of various forms of crises has made people increasingly frustrated and trust in the government has decreased, while uncertainty about when all of this will end also continues to haunt the community. Political and economic instability in the country, has an impact on security instability. Likewise, the rise of trade union demonstrations demanding an increase in the minimum wage standard for workers, as well as the emergence of reactions to termination of employment (PHK) in various companies, has created a feeling of insecurity in doing
business, especially for foreign investors, which has prompted the departure of several foreign investors from the country.\textsuperscript{1}

In early 2020, there have been many disasters ranging from floods, natural disasters such as tornadoes, landslides, mountain eruptions, tidal waves or abrasion, forest and land fires (Karhutla) and earthquakes. And in March 2020, he was shocked by the outbreak of the corona virus (Covid-19) which infects almost all countries in the world. Where Covid-19 started and was detected in the country of Wuhan, China in December 2019 and began to spread to various parts of the world including Indonesia in March 2020. At first this virus was known to first appear at the animal market and seafood market in the city of Wuhan. The BBC's health and science correspondents Michelle Roberts and James Gallager said in the wholesale market for animals and seafood there were a number of wild animals such as snakes, bats and chickens, and this led to a lot of speculation that the virus could spread from animal to human, and then from person to person. The number of cases continues to increase over time, until medical workers are infected with the corona virus. And in the end it was confirmed that this pneumonia transmission can be transmitted from human to human.\textsuperscript{2}

Many schools and universities have been closed by the government by imposing studying and working at home, limiting religious activities, restricting modes of transportation, restricting activities in public places and closing workplaces and other activities specifically related to defense and security aspects. With the Covid-19 pandemic, inevitably some companies reduce the number of workers or employees, resulting in layoffs of employees as an effort to prevent the spread of the disease. Many companies are also taking extreme steps to maintain their business and of course to reduce losses due to COVID-19. According to the monitoring of the ILO (International Labor Organization) due to the full or partial quarantine measures currently have an impact on almost 2.7 billion workers, which already represents about 81 percent of the world's workforce. In the current situation, businesses in various sectors of the economy are facing an economic crisis that can threaten their operations and health, especially among small companies, while millions of workers are vulnerable to losing their jobs and income and experiencing layoffs.\textsuperscript{3}

The number of unemployed nationally is of course influenced by the number of unemployed in the regions, both in urban and rural areas. The availability of relatively limited employment opportunities is unable to absorb job seekers who continue to increase every year in line with the increase in population. The high unemployment rate does not only cause problems in the economic field, but also various problems in the social field, such as poverty and social insecurity. The problem of the availability of employment opportunities in Indonesia has now reached a fairly alarming condition, marked by a large number of unemployed and relatively low incomes. Unemployment can be a burden on families and communities, a major source of poverty, can encourage increased social unrest and crime, and can hinder development in the long term. The bad impact of unemployment is the reduced level of people's income which in turn reduces the level of prosperity/welfare. People's welfare that declines due to unemployment will increase their chances of being trapped in poverty because they have no income. If unemployment cannot be overcome, social unrest will arise which has a bad impact on people's welfare and prospects for economic development in the long term. Thus, high unemployment will have an impact on increasing poverty in Indonesia.\textsuperscript{4}

Unemployment is one of the social problems in development. In this case, employment becomes a vehicle to place humans in the central position of development. Employment is also a source of income. Thus, Sumodiningrat stated that humans or the labor force are one of the factors of production, so that if unemployment arises in a society, it means that the allocation of resources and national production is relatively less than optimal. Therefore, the provision of employment opportunities is one of the development priorities in Indonesia, as a way to expand the distribution of development and its results so that the people can live decently. Even though employment is on the agenda of every Pelita, this problem remains urgent for Indonesia, given that unemployment is still quite high; and unemployment are the main sources of mass poverty, both material and non-material poverty. A job opportunity is an opportunity given to another person to occupy a job position that meets the required criteria. At the

\begin{itemize}
  \item \textsuperscript{1} Mohammad Mulyadi, “Peran Pemerintah Dalam Mengatasi Pengangguran Dan Kemiskinan Dalam Masyarakat”, \textit{Jurnal Kajian Hukum} 21 No. 3, (2016): p. 221-222.
  \item \textsuperscript{2} Syahril, “Dampak Covid-19 Terhadap Tenaga Kerja Di Indonesia”, \textit{Jurnal Ners} 4 No. 2, (2020): p. 22.
  \item \textsuperscript{3} \textit{Ibid.}, p. 23.
  \item \textsuperscript{4} Mohammad Mulyadi, \textit{Op.Cit.}, p. 222.
\end{itemize}
present time, there are many statistical data that reveal the increasing unemployment rate every year in Indonesia. Considering that the poor generally face problems of limited employment and business opportunities, limited opportunities to develop businesses, weak protection of business assets, and wage differentials as well as weak job protection, especially for child workers and women workers. The limited job opportunities currently available often cause them to be forced to do high-risk jobs with inadequate rewards and there is no certainty about their sustainability.5

Based on the descriptions above, it can be seen how important the role and government policies are in overcoming the problem of unemployment due to layoffs. Based on the description above, the problem can be drawn, namely what is the concept of labor and unemployment in Indonesia? And what are the government's efforts in overcoming unemployment due to layoffs in Indonesia?

This research is a normative legal research, so according to the type and nature of the research, the data sources used are secondary data consisting of primary legal materials and secondary legal materials consisting of books, scientific journals, scientific papers and articles that can provide an explanation of the material primary law.6 The data collection technique was carried out by library research with qualitative data analysis.7 The procedure used to collect data in this study is documentation, namely the guidelines used in the form of notes or quotes, searching legal literature, books and others related to the identification of problems in this study both offline and online. Analysis of legal materials is carried out using the content analysis method (content analysis method) which is carried out by explaining the material of legal events or legal products in detail in order to facilitate interpretation in the discussion.8 This research was conducted using the problem approach, namely by approaching the results of theoretical empirical studies by looking at various opinions of experts, writers and studies of laws and regulations relating to issues based on legal principles and formulating legal definitions.9

B. Discussion

1. The Concept of Labor and Unemployment Due to Termination of Work in Indonesia

Manpower development has many dimensions and is related not only to the interests of the workforce before, during and after the work period, but also to the interests of employers, the government, and the community. Therefore, a comprehensive and comprehensive arrangement is needed, including manpower planning, human resource development, expansion of job opportunities, employment placement services, industrial relations development, improvement of labor protection, and improvement of work productivity and competitiveness of the workforce in Indonesia. at home and abroad.10

Employment is an important aspect in economic development because labor is one of the factors of production remuneration. The topic of employment opportunities and economic growth on both a national and regional scale has received the attention of many people. High economic growth requires additional investment and conducive economic policies are important. With the addition of new investments, it is hoped that it can encourage economic growth which in turn can also create new jobs.11

The concept of labor itself is defined as a population of working age who is ready to do work, namely the age of 15-65 years. According to Law No. 13 of 2003, labor is anyone who is able to do work to produce goods and services, both to meet their own needs and those of others or the community. In this problem, the workforce is grouped into;12

a. Educated Workforce is a workforce that requires a high level of education. For example doctors, teachers, engineers etc.

5 Ibid.,
6 Zainuddin dan Rahmat Ramadhani, “The Legal Force Of Electronic Signatures In Online Mortgage Registration”, Jurnal Penelitian Hukum De Jure 2, No. 21, (2021): p. 244.
7 Rahmat Ramadhani, “Legal Consequences of Transfer of Home Ownership Loans without Creditors' Permission”, IJRS: International Journal Reglement & Society 2, No. 1, (2020): p. 33.
8 Peter Mahmud Marzuki, Penelitian Hukum, Jakarta: Kencana Prenada Media Group, (2011), p.171.
9 Rahmat Ramadhani, “Peran Poltik Terhadap Pembangunan Hukum Agraria Nasional”, SOSEK: Jurnal Sosial dan Ekonomi 1, No. 1, (2020): p. 2.
10 Ujang Charda, “Karakteristik Undang-Undang Ketenagakerjaan Dalam Perlindungan Hukum Terhadap Tenaga Kerja”, Jurnal Wawasan Hukum 32, No. 1, (2015): p. 1.
11 Muhdar, “Potret Ketenagakerjaan, Penganuguran, Dan kemiskinan di Indonesia”, Jurnal Al-Buhata 11 No. 1, (2015), p. 44.
12 Ahmad Soleh, “Masalah Ketenagakerjaan Dan Pengangguran Di Indonesia”, Jurnal Ilmiah Cano Ekonomos 6, No. 2, (2017): p. 84.
b. Trained Workforce is a workforce that requires training and experience. For example, driver, mechanic etc.

c. Uneducated and Trained Workers are workers who in their work do not require prior education or training. For example, sweepers, garbage collectors, etc.

While work is defined as an economic activity carried out by a person with the intention of obtaining or helping to earn income or profit, at least 1 hour (uninterrupted) in the past week. These activities include the pattern of activities of unpaid workers who help in a business/economic activity. Based on the existing definition, work can be divided into 4 groups, namely:

a. work optimally both in terms of wages and working hours;
b. work part-time voluntarily;
c. working but accompanied by a mismatch between education and work occupied and working part-time voluntarily;
d. work but is accompanied by a mismatch between educational background and the work occupied.

Based on Article 150 of Law Number 13 of 2003 concerning Manpower, it is stated that "The provisions regarding termination of employment in this law include termination of employment that occurs in business entities that are legal entities or not, owned by individuals, owned by partnerships or owned by legal entities, both privately owned and state owned, as well as social enterprises and other businesses that have management and employ other people by paying wages or other forms of remuneration". Furthermore, Article 151 describes that:

a. Employers, workers/ laborers, trade unions/ labor unions, and the government, with all efforts must try to prevent termination of employment.
b. In the event that every effort has been made, but termination of employment is unavoidable, then the intention of terminating the employment relationship must be negotiated by the entrepreneur and the trade union/labor union or with the worker/laborer if the worker/laborer concerned is not a member of the trade union/labor union.
c. In the event that the negotiations as referred to in paragraph (2) do not result in an agreement, the entrepreneur can only terminate the employment relationship with the worker/ laborer after obtaining a determination from the industrial relations dispute settlement institution.

Article 152:

a. The application for the determination of the termination of employment shall be submitted in writing to the industrial relations dispute settlement agency accompanied by the reasons on which it is based.
b. The application for determination as referred to in paragraph (1) may be accepted by the industrial relations dispute settlement institution if it has been promulgated as referred to in Article 151 paragraph (2).
c. Determination on the application for termination of employment can only be given by the industrial relations dispute settlement agency if it turns out that the intention to terminate the employment relationship has been negotiated, but the negotiations do not produce an agreement.

Article 153:

a. Employers are prohibited from terminating employment for the following reasons:

1) the worker/laborer is unable to come to work due to illness according to a doctor's statement for a continuous period not exceeding 12 (twelve) months;
2) workers/laborers are unable to carry out their work due to fulfilling obligations to the state in accordance with the provisions of the prevailing laws and regulations;
3) the worker/laborer performs the worship ordered by his/her religion;
4) workers/laborers get married;
5) female workers/laborers are pregnant, give birth, have an abortion, or breastfeed their babies;

Ibid.
6) workers/laborers have blood ties and/or marital ties with other workers/laborers in the same company, unless it has been stipulated in a work agreement, company regulations, or collective work agreement;

7) workers/laborers establish, become members and/or administrators of trade unions/labor unions, workers/laborers carry out trade union/labor union activities outside of working hours, or within working hours upon the agreement of the entrepreneur, or based on the provisions stipulated in the agreement work, company regulations, or collective labor agreements;

8) workers/laborers who complain about the entrepreneur to the authorities regarding the actions of the entrepreneur who commits a criminal act;

9) because of differences in understanding, religion, political sect, ethnicity, skin color, class, gender, physical condition, or marital status;

10) the worker/labourer is permanently disabled, sick due to a work accident, or sick due to a work relationship which according to a doctor’s certificate, the recovery period has not been determined.

In Article 156 the rules regarding the provision of severance pay to workers who have been subject to termination of employment are described as follows:

a. a. In the event of termination of employment, the employer is required to pay severance pay and/or service award money and compensation for entitlements that should have been received.

b. The calculation of severance pay as referred to in paragraph (1) shall at least be as follows: masa kerja kurang dari 1 (satu) tahun, 1 (satu) bulan upah;

1) working period of 1 (one) year or more but less than 2 (two) years, 2 (two) months of wages;

2) working period of 2 (two) years or more but less than 3 (three) years, 3 (three) months of wages;

3) working period of 3 (three) years or more but less than 4 (four) years, 4 (four) months of wages;

4) working period of 4 (four) years or more but less than 5 (five) years, 5 (five) months of wages;

5) working period of 5 (five) years or more, but less than 6 (six) years, 6 (six) months of wages;

6) working period of 6 (six) years or more but less than 7 (seven) years, 7 (seven) months wages.

7) working period of 7 (seven) years or more but less than 8 (eight) years, 8 (eight) months of wages;

8) working period of 8 (eight) years or more, 9 (nine) months wages.

Furthermore, based on Article 158, it is explained that the entrepreneur may terminate the employment relationship with the worker/labourer on the grounds that the worker/labourer has committed serious mistakes as follows:

a. commit fraud, theft, or embezzlement of goods and/or money belonging to the company;

b. provide false or falsified information to the detriment of the company;

c. drunk, drinking intoxicating liquor, using and/or distributing narcotics, psychotropic substances, and other addictive substances in the work environment;

d. committing immoral acts or gambling in the work environment;

e. attacking, persecuting, threatening, or intimidating coworkers or employers in the work environment;

f. persuading co-workers or entrepreneurs to take actions that are contrary to the laws and regulations;

g. carelessly or intentionally damage or leave in a state of danger the company’s property that causes losses to the company;

h. recklessly or intentionally leaving a co-worker or employer in danger at work;

i. divulge or divulge company secrets that should be kept secret except for the interests of the state; or

j. committing other acts within the company which is punishable by imprisonment of 5 (five) years or more.
2. Government Efforts in Overcoming Unemployment Due to Termination of Work in Indonesia

The workforce is the population who are of working age. According to Law No. 13 of 2003 Chapter I Article 1 paragraph 2 it is stated that the workforce is everyone who is able to do work to produce goods or services both to meet their own needs and for the community. Broadly speaking, the population of a country is divided into two groups, namely workers and non-workers. The population is classified as labor if the population has entered working age. The working age limit that applies in Indonesia is 15 years old and 64 years old. According to this understanding, everyone who is able to work is called a workforce. There are many opinions regarding the age of these workers, some say they are above 17 years old, some say they are over 20 years old, some even say they are above 7 years old because street children are included in the workforce. Quarantine and disruption to the business world, travel bans, school closures and other closure measures have a sudden and drastic impact on workers and companies. Often the first to lose their jobs are those whose jobs are already vulnerable, such as shop workers, waiters, kitchen workers, baggage handlers and cleaners. In a world where only one in five people qualify for unemployment benefits, layoffs are disastrous for millions of families. A pandemic can also have a disproportionate economic impact on certain segments of the population, which can exacerbate inequalities that affect most groups of workers, such as:

a. Workers who already have problems with health conditions;
b. Young people who already face higher rates of unemployment and underemployment;
c. Older workers who may be at higher risk of developing serious health problems and possibly suffering from economic vulnerability;
d. Over-represented women in jobs that are at the forefront of dealing with the pandemic and who will bear a disproportionate burden of care responsibilities related to school closures or the nursing system;
e. Unprotected workers, including self-employed, casual and gig workers who do not have access to paid or sick leave mechanisms; and
f. Migrant workers who may not be able to access their workplace in the destination country or return home to their families.

In developing countries, in general, unemployment rates are much higher than the official figures issued by the government. This happens because the size of the informal sector is still quite large as a livelihood for uneducated workers. The informal sector is considered a safety valve for unemployment. Employment problems in Indonesia have now reached a fairly alarming condition marked by a large number of unemployed and underemployed, relatively low and unequal incomes. On the other hand, high unemployment and underemployment are a waste of resources and potential that exist, become a burden. families and communities, major sources of poverty, can promote increased social and criminal unrest, and can hinder development in the long term. Here are some employment problems in Indonesia:

a. The low quality of the workforce. The quality of the workforce in a country can be determined by looking at the country's education level. Most of the workforce in Indonesia, the level of education is still low. This causes the mastery of science and technology to be low. The lack of mastery of science and technology causes low labor productivity, so this will affect the low quality of the production of goods and services.
b. The number of the labor force that is not proportional to the employment opportunities. The increasing number of the workforce that is not balanced by the expansion of employment opportunities will bring its own burden to the economy. The labor force that is not accommodated in the workforce will cause unemployment. In fact, the government hopes that the increasing number of the workforce can be a driver of economic development.
c. Unequal distribution of labor. Most of the workforce in Indonesia is on the island of Java. Meanwhile in other areas there is still a shortage of manpower, especially for the agricultural, plantation and forestry sectors. Thus in Java there is a lot of unemployment, while in other areas there are still many natural resources that have not been managed optimally.

---

14 Syahrial, _Op.Cit._, p. 27-28.
d. Unemployment The occurrence of the economic crisis in Indonesia has resulted in many industries in Indonesia going bankrupt. As a result, many workers have stopped working. In addition, the number of companies that went out of business resulted in the narrowing of existing job opportunities. On the other hand, the number of labor force continues to increase. Thus unemployment will increase.

e. Salary/UMR Problem, One of the problems that directly touch the workers is the low or incompatibility of the income (salary) obtained with the demands to meet their daily needs and their dependents. This factor, namely the increasing need for living, while the salary received is relatively fixed, became one of the drivers of the workers' protest movement. As for the capitalist economic system, the low wages of workers actually attract foreign investors. Including the government, for the sake of increasing the government's (not the people's) income, it maintains this condition. This condition causes the government to side more often with 'the investor', compared to the workers (who are the people themselves) when there is a labor crisis. Low salaries are also related to the low quality of human resources. The problem is how, human resources can increase if the cost of education is expensive. The solution to the UMR and UMD problems, of course, must continue to be pursued and is expected to be able to build conditions as ideal as possible.

The state's error in regulating people's affairs, resulting in structural poverty, is caused by the application of the capitalist system. According to the capitalist view, the direct role of the state in the social and economic fields should be kept to a minimum. In fact, it is hoped that the state will only play a role in the function of supervision and law enforcement alone. Then, who has a direct role in dealing with social and economic problems? None other than the community itself or the private sector. For this reason, in a capitalist society we find many foundations. Some of them are engaged in social, educational, and so on. In addition, we also encounter many programs for the privatization of state-owned enterprises. The role of this kind of state has clearly made the state lose its main function as a guardian of people's affairs. The state will also lose its ability to carry out the function of maintaining people's affairs. Finally, people are allowed to compete freely in society. The reality of the existence of the strong and the weak, the healthy and the disabled, the old and the young, and so on, is completely ignored. What applies then is the law of the jungle, whoever is strong he wins and has the right to live. The gap between rich and poor in today's world is the result of the implementation of a very individualistic capitalism system. In the capitalist view, poverty alleviation is the responsibility of the poor themselves, poverty is not a burden for the people, the state, or the wealthy. By understanding the root of the problem, it will be easier for us to understand the phenomena of poverty, unemployment, and inequality that occur around us. In addition, the root of poverty in this country is exploitative behavior due to the application of interest so that every year we have to spend a large part of the state budget to pay interest. Is not the root of poverty in this country a corrupt bureaucracy and the concentration of power in the hands of political forces and owners of capital so that it is no longer clear which is the public interest and which is the private interest? Isn't the root of poverty in this country the fruit of our crimes against the environment that we have damaged so massively and extensively?

Poverty is not something that manifests itself, apart from other aspects, but is manifested as a result of the interaction between various aspects of human life. The main aspects are social and economic. Therefore, the economic backwardness of a country or society is not only influenced by religion, beliefs, attitudes to life and customs, but is also influenced by other variables. From these two opinions it is clear that poverty is caused by various factors. These factors can be in the form of political, economic and socio-cultural aspects. In addition, several factors that are considered to be the cause of poverty are related to the three aspects, namely institutions, regulations/economic policies and issues of transparency and 'good governance'. The explanation is as follows:15

a. Asstitutions: the poor do not have access to decision and policy makers, while existing institutions never capture or channel aspirations that arise from below, and every need of the poor has been defined from above by existing institutions, so that poverty is not resolved.

b. Regulation: policies that prioritize economic interests. Economic policies that boost capital investment in industrial sectors that are not based on the potential of the people mostly close the

15 Mohammad Mulyadi, Op.Cit., p. 232.
opportunity for the community to develop their potential and become the root of the process of impoverishment.

c. Good governance: the absence of transparency and openness in the making and implementation of urban policies means that policies can only be accessed by certain people. All forms of regulation are decided by policy-making institutions without including the actors involved and do not understand the aspirations of the poor so that the policies that emerge do not support the poor. Pemerintah melihat penyandang masalah sosial seperti pengangguran dan kemiskinan sebagai orang yang mengalami disfungsi sosial (sosial disfunctions).

This means that the government must be able to become a facilitator in changing the condition of the community into a social function, namely that the community is able to display its social role and function in society. The poor are not only improved economically but more importantly trained to be empowered in a group forum to be able to play a role in their social environment. In relation to the above conditions, the Government through its various elements, such as the Ministry of Cooperatives, the Ministry of Industry and Trade, the Ministry of Manpower and Bappenas as well as SOEs as well as bank financial institutions, has made various efforts to realize this. Support is realized through policies as well as the provision of facilities and other stimuli.16

In addition, a lot of support or assistance is needed related to these efforts, for example assistance in the form of procurement of production equipment, procurement of other physical goods, it is also necessary to have an adequate, effective, and applicable method, mechanism and procedure that leads to the suitability of business implementation and efforts. Development with the ability of the community as an element of business actors in a community-based economic system, namely in the form of MSMEs. The government must relinquish its role from determining everything in the development of learning programs to become a community facilitator who must serve and facilitate various community needs and activities at all times. The ability of the Government as a friend, friend, loyal partner in discussing, discussing, assisting in planning and organizing activities needed by the community needs to be continuously developed. As a facilitator, you must be able to contribute to the community. The work reference he holds is to follow from behind, but gives a warning if there will be a deviation (tutwuri handayani). At the right time to be able to be among the people, the Government must be able to provide encouragement (ing madya mangun karsa), and as a companion, the Government must be able to be used as a role model for the community (ing ngarsa sung tulodo). The implementation of the community empowerment program is a system and pattern of change processes that are desired and conceptually planned to empower communities that cover all aspects of life and community livelihoods, both physical and non-physical through community institutions, with the aim of accelerating efforts to improve community welfare.17

Unemployment has the potential to cause various criminal vulnerabilities and social, political and poverty turmoil. In addition, unemployment is also a tremendous waste. Everyone has to consume rice, sugar, oil, clothes, electricity, clean water and so on every day, but they have no income. Therefore, whatever the reason and whatever the current condition of Indonesia, the unemployment problem must be overcome with various efforts. Every citizen has the right to work and a decent living for humanity in accordance with the 1945 Constitution article 27 paragraph 2. As a solution to unemployment, various strategies and policies can be taken, for that we need policies, namely:18

a. The government provides insight, knowledge and entrepreneurial spirit skills to Small and Medium Enterprises (SMEs) in the form of technical and management guidance providing long-term soft capital assistance, market expansion. As well as providing special facilities so that they can grow independently and reliably compete in their fields. Encouraging the formation of joint business groups and a business environment that supports and encourages the creation of small and medium-sized entrepreneurs who are able to develop businesses, master technology and market information and improve SME partnership patterns with BUMN, BUMD, BUMS and other parties.

---

16 Ibid.,
17 Ibid.,
18 Yulna Dewita Hia, “Strategi Dan Kebijakan Pemerintah Dalam Menanggulangi Pengangguran”, *Jurnal Economica* 1 No. 2, (2013): p. 80-81.
b. Immediately make improvements, development and development of areas, especially underdeveloped and remote areas as a priority by building transportation and communication facilities. This will create employment opportunities for the unemployed at various types and levels. Hope for the development of the potential of the territory of the Unitary State of the Republic of Indonesia (NKRI), both in terms of natural resources and human resources.

c. Immediately build social institutions that can guarantee the life of the unemployed. Like PT Social Security for Workers (PT Jamsostek) By building this institution, every unemployed person in Indonesia will be properly recorded and receive special attention. Technically and in detail.

d. Immediately simplify licensing and increase security because there are too many types of permits that hinder investment, both Foreign Investment and Domestic Investment. This needs to be immediately discussed and simplified so as to stimulate the growth of an investment climate that is conducive to job creation.

e. Develop Indonesia's tourism and culture sector (especially in areas that have not yet explored its potential) by carrying out promotions to various countries to attract foreign tourists, inviting investors to participate in the development and development of tourism and culture which will absorb a lot of regional labor, local.

f. Conducting a synergy program between SOEs or BUMS that have business links or production results will fill each other's needs. With this synergy, the production process activities will become more efficient and cheaper because the procurement of raw materials can be carried out together. For example, PT Krakatau Steel can synergize with PT. PAL Indonesia to supply raw materials in the form of steel plates.

g. By slowing the rate of population growth (minimizing marriage at an early age) which is expected to suppress the growth rate of the new workforce or launch a transmigration system by allocating dense populations to sparsely populated areas, facilitated by the agricultural, plantation or livestock sectors by the government.

h. Selecting Indonesian Migrant Workers (TKI) to be sent abroad. Strict selection is needed for sending TKI abroad. It is advisable to employ skilled workers. This can be done and initiated by the Central and Regional Governments.

i. Immediately, the curriculum and the national education system (Sisdiknas) must be perfected. The education system and curriculum greatly determine the quality of competency-oriented education. Because most of the unemployed are college graduates who are not ready to face the world of work.

j. Immediately develop marine and agricultural potential. Because Indonesia has a strategic geographical location, most of which are in the form of oceans and islands, which have great potential as a maritime and agrarian country. Indonesia's marine and agricultural potentials need to be managed properly and professionally in order to create productive employment.

C. Conclusion

The concept of labor itself is defined as a population of working age who is ready to do work, namely 15-65 years of age. According to Law No. 13 of 2003, labor is anyone who is able to do work to produce goods and services, both to meet their own needs and those of others or the community. In this case, the workforce is grouped into Educated Workers, namely workers who require a high level of education. For example, doctors, teachers, engineers, etc., trained workforce is a workforce that requires training and experience. For example, drivers, mechanics, etc., uneducated and trained workers are workers who do not require prior education or training in their work. For example, sweepers, garbage collectors, etc. Based on Article 150 of Law Number 13 of 2003 concerning Manpower, it is stated that "The provisions regarding termination of employment in this law include termination of employment that occurs in business entities that are legal entities or not, owned by individuals, owned by partnerships or owned by legal entities. , both privately owned and state owned, as well as social enterprises and other businesses that have management and employ other people by paying wages or other forms of remuneration.

The government sees people with social problems such as unemployment and poverty as people experiencing social dysfunctions. This means that the government must be able to become a facilitator in changing the condition of the community into a social function, namely the community is able to
display its social role and function in society. The poor are not only improved economically but more importantly trained to be empowered in a group forum to be able to play a role in their social environment. In relation to the above conditions, the Government through its various elements, such as the Ministry of Cooperatives, the Ministry of Industry and Trade, the Ministry of Manpower and Bappenas as well as SOEs as well as bank financial institutions, has made various efforts to realize this. Support is realized through policies as well as the provision of facilities and other stimuli. In addition, a lot of support or assistance is needed related to these efforts, for example assistance in the form of procurement of production equipment, procurement of other physical goods, it is also necessary to have an adequate, effective, and applicable method, mechanism and procedure that leads to the suitability of business implementation and efforts. development with the ability of the community as an element of business actors in a community-based economic system, namely in the form of MSMEs.

References

Charda, Ujang. (2015). “Karakteristik Undang-Undang Ketenagakerjaan Dalam Perlindungan Hukum Terhadap Tenaga Kerja”, Jurnal Wawasan Hukum 32, No. 1.

Hia, Yulna Dewita. (2013). “Strategi Dan Kebijakan Pemerintah Dalam Menanggulangi Pengangguran”, Jurnal Economica 1 No. 2.

Marzuki, Peter Mahmud. (2011). Penelitian Hukum, Jakarta: Kencana Prenada Media Group.

Muhdar. (2015). “Potret Ketenagakerjaan, Pengangguran, Dan kemiskinandi Indonesia”, Jurnal Al-Buhuts 11 No. 1.

Mulyadi, Mohammad. (2016). “Peran Pemerintah Dalam Mengatasi Pengangguran Dan Kemiskinan Dalam Masyarakat”, Jurnal Kajian Hukum 21 No. 3.

Ramadhani, R. (2021). “Legal Consequences of Transfer of Home Ownership Loans without Creditors’ Permission”. IJRS: International Journal Reglement & Society 2, No. 1.

Ramadhani, R. (2021). “Peran Poltik Terhadap Pembangunan Hukum Agraria Nasional”. SOSEK: Jurnal Sosial dan Ekonomi 1, No. 1.

Soleh, Ahmad. (2017). “Masalah Ketenagakerjaan Dan Pengangguran Di Indonesia”, Jurnal Ilmiah Cano Ekonomos 6, No. 2.

Syahrrial. (2020). “Dampak Covid-19 Terhadap Tenaga Kerja Di Indonesia”, Jurnal Ners 4 No. 2.

Zainuddin, dan Rahmat Ramadhani. (2021). “The Legal Force Of Electronic Signatures In Online Mortgage Registration”. Jurnal Penelitian Hukum De Jure 2, No. 21.