
| RESEARCH ARTICLE

Implementation of Local Labor Protection and Placement Policy Based on Regional Regulation Number 14 of 2017 West Kutai Regency

Asrin SURIANTO¹ ✉ Ida Bagus Made Agung Dwijatenaya² and Sudirman³

^{1,2,3}Public Administration Study Program, Postgraduate Program, Universitas Kutai Kartanegara Tenggarong, Indonesia

Corresponding Author: Asrin SURIANTO, **E-mail:** asrininstitut@gmail.com

| ABSTRACT

The Kutai Barat Regency Government has made a policy that provides space or a place so that the local workforce can develop properly and sustainably. This policy is contained in the West Regency Regional Regulation Number 14 of 2017 concerning the Protection and Placement of Local Workers. This Regional Regulation aims to improve welfare and reduce unemployment rates. This study aims to analyze the policy of Regional Regulation of Kutai Barat Regency Number 14 of 2017 regarding the placement of local workers and to analyze the obstacles in the implementation of Regional Regulation Number 14 of 2017 concerning the placement of local workers in Kutai Barat Regency. The research was carried out in Kutai Barat Regency from April to June 2023. This study uses a qualitative research design with a total of 10 key persons. The results of this study show that the implementation of Regional Regulation Number 14 of 2017 concerning Placement of Local Workers in Kutai Barat Regency has not gone well and obstacles in the implementation of this Regional Regulation are (1) resource constraints, which include human resources, which are still low, as well as facilities and infrastructure that are still low, (2) socialization of this regulation to companies and prospective workers is not good, and (3) there are no strict sanctions for violations of this Regional Regulation. Some of the recommendations given based on the findings of this study are for the Manpower and Transmigration Office of Kutai Barat Regency to improve human resources, including increasing the provision of training for prospective local workers.

| KEYWORDS

Regional Regulations, Labor, Local Workforce

| ARTICLE INFORMATION

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1. Introduction

One of the development goals of West Kutai Regency is to prosper its people, especially the people/indigenous people of West Kutai Regency, especially in reducing the unemployment rate of the local community. So, the West Kutai Regency government set a policy by issuing Berau Regency Regional Regulation Number 14 of 2017 concerning Local Labor Protection. This policy can be used in optimal local workforce empowerment arrangements as well as increasing employment opportunities, especially for local workers.

Article 12 Paragraph: 1 of Regional Regulation No. 14 of 2017 mandates that "Companies must strive to fill job vacancies in their companies filled by workers or local workers/laborers at least 80% (eighty percent), under the requirements for the required position qualifications"

This regulation was made to protect local workers from getting jobs. The potential of coal natural resources owned by West Kutai Regency makes investors compete to invest in the Berau Regency area, and if it is not fortified with local laws and regulations, it may be caused by social insecurity, especially the struggle to get a job.

On the other hand, the Government of Indonesia continuously strives to improve the welfare of its people. Along with the implementation of regional autonomy, the regions also strive to solve regional problems through regional policies that aim to improve community welfare. In carrying out regional development, including West Kutai Regency, improvement to improve community welfare is always a challenge. One of the efforts that can be made is to improve the quality of labor as stated in the 1945 Constitution, which has undergone several amendments to Article 27, paragraph (2), which reads that every citizen has the right to work and a decent living for humanity. Furthermore, Article 28 D, paragraph 2 reads: Everyone has the right to work and to receive fair and decent remuneration and treatment in employment relations. Based on this law, it can be said that there will be an expansion of opportunities or opportunities for workers to earn income. With the expansion of job opportunities, it will certainly improve the welfare of the community.

To realize employment development, the government and local governments are expected to be able to compile and determine workforce planning. Thus, workforce planning can be used as a basis and reference in the preparation of policies, strategies, implementation (implementation), and employment development programs. The existence of the local government policy will create an expansion of opportunities or opportunities for workers to earn income; the West Kutai Regency Government has made a policy that provides space or place so that local workers can develop well and sustainably in a Regional Regulation (PERDA), namely PERDA Number 14 of 2017 concerning the Protection and Placement of Local Workers. In Article 5, paragraphs a and b of this PERDA, it is stated that every worker has the right to:

1. have equal opportunities without discrimination to obtain employment and
2. Obtain equal treatment without discrimination from Employers.

The protection provided to local workers related to equal employment opportunities in West Kutai Regency demands that companies operating in this district be obliged to report the needs of workers by providing employment opportunities for local communities. Technically, the company reported to the Manpower and Transmigration Office of West Kutai Regency. This policy, when viewed from the side of local government and from the side of local labor, is very beneficial for local people to improve their welfare.

Data recorded at the Manpower and Transmigration Office of West Kutai Regency as Table 1.1. Based on the data in Table 1.1, it can be concluded that local workers compared to non-local workers have differences. For the mining sector, the percentage of local labor is greater than non-local labor. However, judging from the number of companies that absorb labor, it seems that most of them absorb non-local labor. This means that non-local power has not been optimal by mining companies in West Kutai Regency. Furthermore, for plantation companies, the absorption of local labor is smaller than the absorption of non-local labor. Based on observations in the field through pre-survey, it is known that there is a tendency for local workers to be lower than non-local workers. For this reason, researchers are interested in researching "Implementation of Local Manpower Placement Policy Based on Regional Regulation Number 14 of 2017 West Kutai Regency".

This study aims to analyze the policy of West Kutai Regency Regional Regulation Number 14 of 2017 concerning the placement of local workers and analyze obstacles in its implementation. The benefits of this research include practical benefits as a source of input for policymakers at the Manpower and Transmigration Office of West Kutai Regency and the Regent of West Kutai regarding the placement of local workers, as well as scientific benefits as a contribution to the development of science in the field of labor economics, public policy, and as a reference for subsequent researchers. This research has authenticity because it refers to various theories modified in the context of labor and public policy and is a new contribution because it has never been done in West Kutai Regency before.

2. Methods

This research applies a qualitative research approach with a focus on the implementation of local labor placement policies based on Regional Regulation Number 14 of 2017 in the West Kutai Regency. The population in this study involved various parties, including the Head of the Manpower and Transmigration Office, company representatives, community leaders, and workers in the mining and plantation sectors. Sampling was conducted through purposive sampling techniques, with a total of 10 key informants selected based on their understanding and involvement in the implementation of the policy. Data collection techniques include observation, in-depth interviews, and literature studies. The collected data is analyzed through stages such as presenting data with narrative and visualization methods, inference, and testing the validity of data through triangulation and dependability tests. With this approach, the research seeks to understand the factors involved in implementing local labor placement policies in a natural and deep context.

3. Results and Discussion

3.1 Implementation of Regional Regulation Policy Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency

The government has arranged for Indonesian workers to be protected and provide guarantees to work well, to meet their living needs, and to get a decent and prosperous life. Similarly, the Regional Government of West Kutai Regency has issued a policy related to labor. The regulation is regional regulation number 14 of 2017 concerning the placement of local workers in West Kutai Regency. This Regional Regulation was made to optimize and protect the rights of local workers in West Kutai Regency. The local workforce itself is a workforce who is domiciled and has a resident card and family card of West Kutai Regency.

The implementation of Regional Regulation Policy Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency was reviewed and analyzed based on the results of interviews conducted by researchers with key informants, which included aspects; 1) Content of the Policy, 2) Implementor, and 3) The existence of actions for the implementation of the local labor placement program, Based on the results of the interview, the results described as follows.

3.2 Content of the Policy

Every policy has a goal to improve people's welfare. Therefore, the content of this policy, as optimally as possible, aims to protect the rights of local workers in West Kutai Regency. Based on the results of interviews with key informant 1 on June 12, 2023, the following results were obtained:

The interests of the target group have been contained in the contents of the policy of pedra no.14 of 2017, namely concerning the right of opportunity and treatment for workers contained in Chapter II. Then, regional workforce planning is contained in the protection of women's work rights, maternity leave, maternity leave, menstrual leave, and gender facilities, then, in general, other employee rights such as leave rights and overtime defecation rights. III, Apprenticeship contained and Skill Up contained in Chapter IV and Chapter V Manpower placement contained in BAB.VI then about welfare and THR contained in BAB, IX then labor protection in the form of health protection rights, organizational rights, and the right to get ptomosi and layoffs have been contained in the Regional Regulation, including okomodir on the number of local and non-local workers including recruitment and placement procedures contained in Chapter X, namely 80% Local and 20% non-Local.

Similarly, interviews with other key informants said that the interests of the target group (local workers) were well embedded in this policy. The question asked about the extent to which the interests of the target group are contained in the content of the policy obtained the following answer:

On the other hand, of the total population of 170,871 people, 66% are of working age or as much. 113,617 people, then 105,805 people are the batch of this figure as many as 88,905 people have worked in various sectors, both formal and informal, while 40,624 people are still unemployed with details of 27,000 people Half open reprimands, 8,609 open reprimands and 10,015 people closed reprimands This figure still shows that there is still a high number of reprimands in the west This is certainly not independent but has many factors that certainly do not stand alone but have many factors, of course, It is Disnaker's responsibility in finding a solution If we look at the annual report of the central work office from 2019 to 2023, that our employment rate graphically has indeed decreased at a certain level, but at a certain level it has fluctuated, this is obtained from the management of the AK.1 card. (Key informant 2, interview June 14, 2023).

The question asked about the extent to which the interests of the target group are contained in the content of the policy obtained by other key informants also gave the following similar answers:

In the field of labor protection and industrial relations, regional regulation no. 14 of 2017 can be described that the interests of labor can be accommodated, for example, in the field of legal certainty in work through the recording of employment contracts for PKWT PH / PUS (Unit Wage Workers) employees recorded and the existence of MANPOWER reporting obligations that describe the composition of employees including local and non-local workers so that all companies can describe the composition of employees (key informant 3, interview June 14, 2023).

Similarly, the accommodation of local workers through the consideration of local Serafina is explained through the results of interviews as follows:

When viewed in terms of local wisdom, regional regulation no. 14 of 2017 is a strengthening instrument in customary traditions, especially in Article 21 Paragraph (1) concerning the company's obligation to fill local labor vacancies of 80% local and 20% non-local, which in its implementation must involve all stakeholders, especially village officials and traditional heads, employing which each employee must get recommendations for surrounding villages included in the company's AMDAL as the main consideration for companies accepting employees (key informant 4, interview on June 15, 2023)

PT. DKB does have high regard for the legal principles issued by West Kutai, especially regarding employee recruitment, because, based on the AMDAL analysis of PT. DKB that the number of local workers in the villages around the mine is a priority, especially, but the mandate of Regional Regulation number 14 of 2017 cannot be implemented properly because the percentage of local labor use is 80% and non-local 20% is very difficult for the company because the ranks of Management, as well as special skill employees, are impossible to get from the local community so that accommodating local employees is only non-skilled employees and general employees so that the local percentage and non-local at PT. DKB so that out of 349 employees, only 161 people or 46% Local and 188 people or 54% Non-Local, so there should be changes in determining the percentage and category of employees, for example, non-skil 100% Local and Skil 50% Local Referring to law number 13 of 2003 that the percentage of local and non-local workers is 50% and 50%. (Key informant 8 interview on June 28, 2023)

Positive answers were also given by other key informants. However, the company is also faced with problems, for example about skills that are still low, as the following interview results:

In APINDO's view that Regional Regulation No.14 of 2017 is an instrument in employee protection for APINDO, this is a positive thing that can be used as a foothold in all decisions, but in some cases, employees, especially in the recruitment of local workers, we have several obstacles such as Skil local employees who are lacking, and discipline and sense of responsibility are very lacking (key informant 5 interview June 19, 2023).

The bylaw also protects the rights of local employees, as the results of interviews with key informants, which read as follows:

For the Pama Trade Union, Regional Regulation No. 14 of 2017 is very beneficial because the rights of employees locally can be well protected so that Business Entities cannot arbitrarily determine the rules and determination of employee wages, but for perfection, it is necessary to make improvements under current government regulations (key informant 6, interview on June 19, 2023)

SBSI strongly supports the existence of Regional Regulation No.14 of 2017 because institutionally, SBSI Kutai Barat is part of the District TRIPARTITE institution that negotiates on employee protection issues, but the most important thing from the Regional Regulation is the similarity of understanding between the government and all its ranks with business entities so that in the discussion of the company's RKB and the preparation of AMDAL this is the main reference in terms of employee recruitment so that in the future The issue of employees is no longer a dispute between the community and the Business Entity ((key informant 7, interview on June 26, 2023)

This policy is expected to be well implemented, which ultimately benefits the workforce so that the interests of the target group are fulfilled. Therefore, the content of this policy contains the interests of the target group as the following interviews:

For Unit Wage Workers, Regional Regulation No. 14 of 2017 is very beneficial because the rights of employees locally can be protected properly so that Business Entities cannot arbitrarily determine the rules and determination of employee wages, but for perfection, improvements need to be made under current government regulations, including facilities that can be considered because of the threat of sanctions for Business Entities if they do not implement. (Key informant 9, interview on July 03, 2023)

PT. DKB does uphold the legal principles issued by West Kutai, especially regarding the recruitment of local labor employees in the villages around the mine, but the mandate of Regional Regulation number 14 of 2017 cannot be implemented properly because the determination of the percentage of local labor use of 80% and non-local 20% is very difficult for the company. After all, the ranks of the Management and special skill employees are impossible to obtain from the local community, so accommodating local employees only to non-skilled employees and general skills so that local and non-local percentages at PT. DKB so that out of 349 employees, only 161 people, or 46% Local, and 188 people, or 54% Non-Local, so there should be changes in determining the percentage and category of employees, for example, non-skil 100% Local and Skil 50% Local Referring to

law number 13 of 2003 that the percentage of local and non-local workers is 50% and 50%. (Key informant 10, interview on July 04, 2023).

3.3 Implementor.

The implementation of a policy is inseparable from the implementor or actor who implements the policy. These actors are human resources who have the authority to implement this policy. As the results of an interview with key informant 1 on Monday, 12 June 2023, the implementers of this policy are:

Field, labor enforcement and protection, Trade unions. Chairman of Apindo and Gapki West Kutai. Large Customary Institution of West Kutai Regency. West Sekutai sub-district. Head of Large Customary District, Village Officials, Village Traditional Head, and youth organizations, Karang cadets, KNPI, etc.

The implementation of this Regional Regulation has carried out its duties so that the implementation of this Regional Regulation can run optimally and under the targets that are enforced. Various things have been done as the results of the following interview:

The PTKHI field, in implementing regional policy no. 14 of 2017, has recorded employee employment contracts, consisting of records on the percentage of local and non-local workers. Based on these records, in 2022, the percentage of local workers (44%) is smaller than non-local workers (56%), and in May 2023, the percentage of local workers (38%) is smaller than non-local workers (66%).

There is an action program for the implementation of local labor placement; the local government, through the West Kutai Regency Manpower Office, always strives to absorb more labor from local workers. Although until now, the absorption of local labor is still lower than non-local labor. This effort continues to be improved as the following interview results.

The Manpower Office focuses more on the percentage of local labor acceptance and increasing skill ups for local workers to get equal opportunities in workers careers as well as protection from unreasonable termination of employment because it can cause social insecurity. (Key informant 1, interview on June 12, 2023).

As the results of the interview with key informant 1, it appears that the local workforce is of great importance. If the local workforce is not considered, it does not rule out the possibility of other social problems. This is also supported by the results of the following interview.

The lack of local workers filling job positions in some companies is indeed realized will be a social potential, but in the implementation that regional regulation no. 14 of 2017 still refers to the old rules and laws, so it is difficult to implement, for example, the provisions for the appointment of permanent employees or PKWTT with the provision of extending 3 times the contract must become PKWTT, but in law no. 11 of 2020 states that PKWT or Kotrak may be carried out continuously for 5 years. (Key informant 5, interview on June 19, 2023)

Then, the most basic things conveyed by key informants who were directly involved in the preparation of bub No. 14 of 2017 were as follows:

The preparation of Regional Regulation No. 14 is an initiative of the DPRD proposed to the government to be used as a regional regulation that seems hasty without conducting an in-depth academic study of labor issues and also not carried out a thorough public test of the sustainability of the regional regulation in its application, especially in the percentage of local and non-local workers, namely 80% and 20%

3.4 Factors affecting the implementation of Regional Regulation Number 14 of 2017 concerning the placement of local workers in West Kutai Regency

The implementation of Regional Regulation Number 14 of 2017 concerning the placement of local workers in West Kutai Regency is determined by various factors. Similarly, the implementation of this regulation is faced with various obstacles. Obstacles to the implementation of this Regional Regulation still lie in human resource barriers. As the results of interviews with key informants obtained the following results:

In the observation of the West Kutai Disnaker, the obstacles in this policy are the lack of human resources of Disnaker, lack of socialization about regional regulation no. 14 of 2017, lack of employee awareness in forming trade unions, a single organization for employers, namely only APINDO, and less concern for the company

because it is more indifferent to law number 11 of 2020 concerning CIPTAKER (key informant 1, interview on June 12, 2023).

This is further affirmed by the results of the following interview:

Obstacles to the implementation of this Regional Regulation consist of internal and external obstacles. Internally, obstacles in the enforcement of Regional Regulation No. 14 of 2017 are still weak resources of Disnaker, lack of facilities and infrastructure of Disnaker, coordination between institutions is still carried out formally; there are no derivative rules made in the form of SOPs, it is still necessary to reformulate Regional Regulation no. 14 of 2017 to adjust to the laws above such as Law No. 11 of 2020 concerning Job Creation and other ministerial regulations. External obstacles are changes in reference rules in the form of the birth of Law No. 11 of 2020 concerning job creation so that some articles or paragraphs are not relevant such as layoffs, THR and PKWT and PKWTT, lack of trade union awareness in fighting for labor rights so that they cannot process cases without labor reports, the existence of companies that prohibit the formation of trade unions, Sub-districts, Kades, and traditional heads do not make rules in the form of per cam, perdes, and Perdat. (key informant 1, interview on June 12, 2023).

Implementation barriers caused by human resource factors were also raised by the following key informants:

Obstacles to the implementation of Regional Regulation No. 14 of 2017 at PT. PAMA is due to the low quality of local labor, while PAMA requires very high company quality standards that are calculated to have work productivity for up to 30 years in the future. ((key informant 7, interview on June 19, 2023).

Other obstacles encountered in the implementation of this Regional Regulation, apart from obstacles to implementing resources, are also encountered obstacles due to the lack of socialization of this Regional Regulation, as the following interview results:

There has been no massive socialization of Regional Regulation No. 14 of 2017, so not many understand the Regional Regulation. There is disobedience by the company to the Regional Regulation, the large number of local workers who use the Regional Regulation but are lazy in working. (Key informant 4, interview on June 15, 2023).

3.5 The lack of socialization was also said by the following key informants:

In terms of obstacles, of course, the implementation of the Regional Regulation has been hampered, especially the lack of socialization of the Regional Regulation to business entities. (Key informant 5, interview on June 19, 2023).

Another factor that hinders the implementation of this Regional Regulation is also due to the absence of sanctions for violators of these regulations. The results of this study were reinforced by the following interview results:

The obstacles in implementing this Regional Regulation are lack of socialization, the existence of articles that are not relevant to higher rules so that they are difficult to apply, and the absence of sanctions in violation of the Regional Regulation for business entities. (Key informant 7, interview on June 26, 2023).

Obstacles to the lack of socialization of this bylaw. There is an article that contradicts the above law. There is no uniformity of policies between surrounding villages, making it difficult for companies. (Key informant 8, interview on June 28, 2023).

4. Discussion

Labor is everyone who can do work to produce goods and/or services both to meet their own needs and for the community. As stated in Law Number 13 of 2003 concerning manpower, Chapter I, Article 1, paragraph 2 explains that what is meant by labor is everyone who can do work to produce goods and/or services, both to meet their own needs and for the community. In the West Kutai Regency Regional Regulation Number 14 of 2017 concerning the protection and placement of local workers, Chapter I Article 1 Part 8 states that labor is everyone who can do work both inside and outside the employment relationship to produce goods or services to meet the needs of the community. Meanwhile, what is meant by local labor is explained in section 9, which reads as follows: local workers are workers who come from West Kutai Regency and/or workers who are already domiciled in West Kutai Regency who has a Family Card and West Kutai Regency Identity Card for at least 12 (twelve) months.

4.1 Analysis of Policy Implementation of Regional Regulation Number 14 of 2017 concerning Local Manpower Placement in West Kutai Regency

The implementation of the local labor placement policy is a series of activities after the policy on the placement of local workers is formulated; the implementation of this policy can also be seen from the compatibility between the activities that have been designed and the activities carried out. Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency was made to optimize the use of local labor, protect the rights of local workers, and avoid social jealousy. With this regional regulation, it is hoped that residents in West Kutai Regency can get jobs in companies in West Kutai Regency to reduce the unemployment rate and improve welfare, especially the welfare of residents. After a policy is set, it is expected to be implemented properly.

Policy implementation is a series of activities after a policy is formulated and actions taken by individuals or government and private groups are directed to achieve the goals that have been set in the form of policies. Meanwhile, the implementation of the local labor placement policy is a series of activities after the policy on the placement of local workers is formulated; the implementation of this policy can also be seen from the compatibility between the activities that have been designed with the activities carried out.

Based on the results of the study, it is known that the policy of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency has not been implemented optimally. This regulation implies the placement of local workers in placing workers in positions that are under the qualifications of expertise, skills, talents, interests, and abilities. In this study, its implementation has not been carried out under the applied regional regulations. Based on the results of the study, it is known that the implementation of this regulation has not been implemented properly.

Nusainu (2014) and Nusain (2014) examine the Implementation of Kampar Regency Regional Regulation Policy No. 5 of 2009 concerning the Placement of Local Workers (Case Study of PT. Ramajaya Pramukti). Likewise, this is in line with the results of the study (Aprilia et al., 2019) researching the Implementation of Regional Regulations on Local Labor in Coal Mining Companies in Berau Regency, East Kalimantan Province. Another study that goes along with this research is research (Nurhaliza, 2019), which examines the Implementation of Regional Regulation Number 5 of 2017 concerning the Placement of Local Workers in the Coal District Manpower Office. Similarly, this research is in line with the results of the study (Abdullah, 2021), which examines the implementation of Pekanbaru City Regional Regulation Number 13 of 2018 concerning the Placement of Local Workers to Local Workers at PT Agung Toyota Auto Mall in Pekanbaru City. However, this research is different from the results of the research (Nasri, 2021); the title of the research is The Implementation of Regional Regulation of Rokan Hulu Regency Number 9 of 2017 concerning the Empowerment and Placement of Local Workers (Study in Kunto Darussalam District).

The findings of this study are that Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency has not been implemented properly. Due to the lack of studies during the preparation of local regulations, for example, on higher regulations and social conditions of the community, however, the West Kutai Regency Government has tried to make as much as possible more local workers can be absorbed by the company. This regulation is a comparison of labor absorption of 80% of local workers and 20% of non-local workers. Manpower efforts are aimed at improving the welfare of the community around the company. Similarly, it aims to reduce unemployment. Based on the West Kutai Regency Disnakertrans Report in May 2023, data was obtained that of the total population of 170,871 people, 66 percent were residents of working age or as many. 113,617 inhabitants. A further 105,805 people constitute the labor force. It was also reported that in West Kutai Regency, 40,624 people were still unemployed. Based on this data, it shows that unemployment in West Kutai Regency is still high. Based on the annual report of the West Kutai Regency Manpower and Transmigration Office from 2019 to 2023, the number of reprimands graphically shows a decrease at a certain level. However, to some degree, it fluctuates. The complete data based on data obtained from AK.1 card management is presented in Table 4.1.

Table 4.1 Recruitment Data Based on West Kutai Education Level, 2019-2023

YRS	Did not finish elementary school	SD	SMP	SMU	SMK	D1	D2	D3	S1	S2	Sum
2019	526	299	588	1597	1327	6	7	283	366	10	3.682
2020	329	198	365	1293	1072	8	2	267	516	7	4.057
2021	169	141	442	1207	978	8	0	289	536	7	3.777
2022	259	132	289	823	805	4	2	116	193	2	2.625
2023	242	130	332	1243	1172	4	1	162	320	3	3.609

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

Based on the data presented in Table 4.1 and outlined in Figure 4.6, the highest unemployment was obtained in the high school and vocational education level groups. The existence of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency is expected to be one of the solutions to overcome the high unemployment rate.

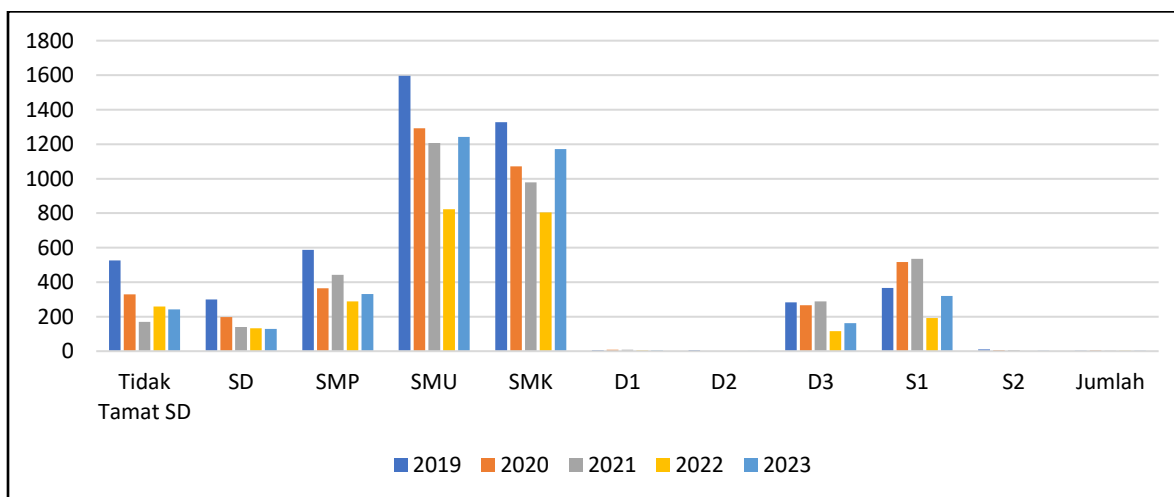


Figure 4.6 Reprimands Based on West Kutai Education Level, 2019-2023

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

For this regional regulation to be well implemented, the Manpower and Transmigration Office of West Kutai Regency always strives so that more local workers are absorbed by companies. The existence of this regulation will provide legal guarantees and due rights and obligations for workers. Based on the results of the study, the Manpower and Transmigration Office of West Kutai Regency has carried out the following activities:

4.2 Record the employee's employment contract.

This recording aims to make workers know the rights and obligations through the employment contract, and there is a guarantee that the company will not renege because all agreements are recorded at the Manpower Office, which is known to the mediator and labor supervisors. Types of labor contracts are presented in Table 4.2 and Figure 4.8

Table 4.2 Employee employment contract data, 2021-May2023

No	Employee	2021	2022	2023/May
	PKWT	12.371	14.589	10.795
	PHL	8.783	7.637	6.025
	PUT	2.374	3.451	2.112
	Sum	23.528	25.677	18.932

*PKWT Worker Specific Time

*PH Freelance Daily Worker

*EFA Unit Wage Workers

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

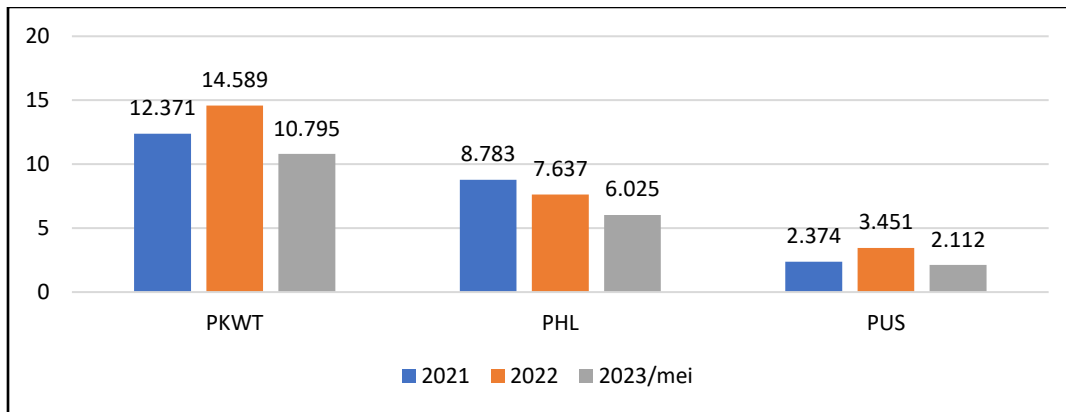


Figure 4.8

Employee employment contract data, 2021-May2023

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

4.3 Reporting on Labor Dispute Resolution

The existence of disputes between workers/workers and companies cannot be avoided. This trigger is caused by various factors. For this reason, the government, in this case, Disnakertran Kutai Barat, should participate in overcoming the problem. Moreover, there is Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency, which encourages more local workers to be absorbed by companies. Labor disputes can occur between workers and trade unions, workers with companies, and trade unions with trade unions. Reporting on the settlement of labor dispute cases is divided into three forms of disputes, namely labor disputes with trade unions, labor disputes with companies, and trade union disputes with trade unions are presented in Table 4.3. Based on Table 4.3, it appears that disputes between workers and business entities dominate.

Table 4.3 Labor dispute case resolution reporting, 2022- May 2023

No	Subject	2022				MAY 2023			
		Jk	PPB	PB	NON	JK	PPB	PB	NON
1	Labour-SB/SP	0	0	0	0	1	0	1	0
2	SB/SP – BU	357	16	357	7	46	21	24	1
3	SB/SP-SB/SP	2		2	0	0	0	0	0

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

4.4 Analysis of factors affecting the implementation of regional regulation number 14 of 2017 concerning the placement of local workers in West Kutai Regency

The implementation of the placement of local workers with the issuance of this regional regulation, which provides legal certainty, local labor is optimally utilized by various companies operating in West Kutai Regency so that it cannot cause negative impacts on local labor placement that will measure the success rate, planned goals to realize local labor placement and reduce the number of unemployed. For the local workforce to have competitiveness, a strategy is needed, namely a strategy to increase the competitiveness of the local workforce with skills and skills training; the training provided must need to be updated again to suit the needs of the job market. The expansion of job opportunities for the job-seeking community in providing job information, the Manpower and Transmigration Office of West Kutai Regency is still difficult because there are still many companies that do not report job vacancies and also the absence of job delivery officers who look for vacancy information in companies and also the rare holding of job fairs so that job seekers easily get jobs. The policy directly supports the implementation of qualified local workers so that efforts in the placement of local workers are achieved, but the planning made is still not well realized under the objectives that have been set. With the policy on local workers, namely to protect the rights of local workers, with this regional regulation, it is hoped that residents in West Kutai Regency can get jobs in companies in West Regency to reduce the unemployment rate and improve welfare, especially residents. The protection provided to local workers is related to the issue of employment opportunities in the regions, so companies are required to report the needs of workers by providing employment opportunities for local communities.

With the command and control mechanism in implementation, namely to support the implementation of policies in carrying out guidance and supervision to ensure the implementation of labor laws and regulations to be carried out properly and the government must supervise and control these regulations, the first supervisory step carried out by the manpower office is to appeal

to the company, but if The company does not follow the applicable rules, so the Manpower Office must provide sanctions and reprimands. The interaction with other organizations, namely between the Transmigration Manpower Office of West Kutai Regency and the Company, provides job vacancies; a system is needed that can make it easier to manage job vacancy information. Evaluation is needed in policy implementation, namely in performance appraisal activities themselves intended to measure the performance of each workforce in developing and improving the quality of work so that effective actions can be taken, such as continuous coaching or corrective actions or improvements to work that is felt to be under the job description. Based on the results of the study, it was found that the implementation of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency has not been implemented properly.

Based on the results of the study, a picture of local labor absorption is obtained, as presented in Table 4.4. In Table 4.4. Shows that the absorption of local labor is still lower than the absorption of non-local labor. Table 4.4 also indicates that the implementation of Regional Regulation Number 14 of 2017 concerning Local Manpower Placement in West Kutai Regency faces several obstacles.

Table 4.4 Percentage of non-local local workforce, Year 2022-May 2023

No	Krja Power	2022					May 2023				
		Jlh	Local	%	Non Local	%	Jlh	Local	%	Non Local	%
1	Plantation	7,936	2.354	30	5.582	70	8.945	3.791	42	5.194	58
2	Mine	4.225	2.181	52	2.044	48	7.875	2.673	34	5,202	66
3	Construction	2.286	1.834	80	450	20	2.112	617	29	1,494	71
Sum		14.447	6,236	44	8.078	56	18.973	7.081	38	11.892	62

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

Based on the results of the study, it was found that several factors affect the implementation of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency, namely: 1) resources, 2) socialization (communication), and 3) no sanctions for violators of the regulation.

4.5 Resources

Resources include human resources, both human resources in the form of an adequate number of staff with expertise that must be possessed by instant pelkasna, in this case, the Disnakertrans of West Kutai Regency, as well as human resources of prospective workers. Other resources, such as funds to finance implementation operations, relevant information, authority or authority, facilities and how to implement a policy, willingness, and self-willingness of various parties involved in policy implementation are needed to ensure the policy is carried out under expectations. The importance of resources in the implementation of a regulation is stated by (Ali et al., 2012), which states variables outside the policy that affect implementation, with indicators including attitudes and resources owned by groups, support from superior officials, and commitment and leadership ability to implement officials.

Based on the results of the study, it show that the implementing human resources, namely human resources owned by the West Kutai Regency Disnakertrans, and infrastructure facilities are inadequate. As the interview results stated, Disnaker's resources were still weak; in terms of prospective labor sources, it was also stated to be weak. Likewise, based on the results of interviews with labor-receiving companies, local human resources are still low. The results of interviews show the low quality of local labor, while PT. PAMA requires very high company quality standards that are calculated to have work productivity for the next 30 years. The results of this study are still low in human resources, in line with the results of research (Khotimah et al., 2019), (Nurhaliza, 2019), (Rinaldo, 2020), and (Abdullah, 2021).

Table 4.5 Education and training conducted by the West Kutai Disnaker, 2022-2023

No	Event Name	Participants	Year	Funds
1	Exapatot Heavy Equipment Course	127	2022/2023	BUDGET
2	Tractor Course	90	2022/2023	APBD
3	Electrochromic /AC/Electricity Course	45	2022/2023	APBD
4	Sewing Course	60	2022/2023	APBD
5	Corporate Apprenticeship	35	2022/2023	Private/BU

Source: The Manpower and Transmigration Office of West Kutai Regency, 2023

Especially for improving human resources of the workforce, the Disnakertrans of West Kutai Regency has carried out skill improvement through training. Table 4.5 describes the various trainings that have been carried out. The problem of human resource potential, especially in West Kutai Regency, is an issue that always creates problems for every company in recruiting local workers because it is understood that human resources are the most important thing in building regional potential, including in building a quality workforce.

Human resources who are competent in their fields can achieve goals more easily. Human resource development is an effort to improve the quality of humans and society in a directed and sustainable manner by paying attention to human resource capacity and the use of science and technology and paying attention to global challenges increasingly demanding quality humans. Improving the quality of human resources has strategic value in realizing a prosperous society with active, dynamic, and highly competitive human resources.

Quality human resources are not only in the workforce but also in the West Kutai Disnakertran, which is a bridge connecting employers and labor, and also good coordination in every job. Technical development of labor also needs to be improved because the workforce acts as an implementer of the development of the quality of labor that has the quality of human resources. It can also solve the problem of local labor placement strategically to achieve the quality of local labor. Based on research observers in the field, there is a tendency for companies to prefer to hire non-local workers rather than local workers. The reason is because of limited skill capabilities and incompetence in the fields needed by the company, so this is an obstacle for companies in recruiting local workers. The problem that is no less important, as explained earlier, is the availability of local workers who are competitive and competitive so that they can compete with workers from outside. Worker problems are often the root of the problem of not being used and empowered to work for companies on the grounds of the unavailability of workers who are highly competitive or capable of handling the type and nature of work.

Local workers in West Kutai Regency are still relatively low; this has an impact on the non-use of local workers by companies. Almost the average local worker in West Kutai Regency does not have expertise in terms of experience, expertise, and certificates of expertise, as well as the level of education. Based on this picture, it is necessary to implement this PERDA with bail. Which, of course, aims to protect and provide work continuity for local workers.

Other resource factors that affect the implementation of this Regulation, which are also inhibiting factors, are the lack of facilities and infrastructure of Disnaker and limited funds. To provide an example of the lack of facilities in picking up the ball in the case of employees who are far from the district capital. From the aspect of funds, examples can be given, such as the funds needed to conduct mediation hearings are felt to be lacking.

4.6 Socialization

The successful implementation of Regional Regulation Number 14 of 2017 concerning Local Manpower Placement in West Kutai Regency must be well-socialized. If the goals and objectives of a policy are not clear, it will cause information confusion. Therefore, existing policies need to be implemented and informed clearly so that what is expected can be achieved properly.

Based on The results of the study, it show that socialization has not been implemented properly. Based on the results of the interview, it is known that the socialization of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency has been carried out to companies in West Kutai Regency, but the company has not been optimally felt. The socialization carried out by the West Kutai Disnakertrans in the form of circular letters and direct meetings with company leaders or staff explained the use of local labor by the company and the obligation to report every vacancy in the company to the West Kutai Regency Agency. The socialization carried out aims to protect local workers from getting jobs; with information about job vacancies in the company, Disnakertrans can channel local workers who have been registered at the West Kutai Disnakertrans

Office according to their abilities. However, after socialization was carried out with companies in West Kutai Regency, many workers who have registered at Disnakertran still have not found jobs; this is because the company does not provide information to Disnakertrans about vacancies in their company.

Although socialization has not been optimally carried out, Disnakertrans has tried through its intermission the implementation of a job fair by Disnaker based on the results of the TRIPARTITE agreement that the company must announce the job fair to Disnaker, so since 2022/2023, the company has sent 67 employee recruitment application letters addressed to Disnaker with the needs of employees around 1,108 employees with Skill status. Similarly, for the Job Fair, Non-Skilled Employees will be directly recruited based on an agreement between the company and the local village.

4.7 There are no strict sanctions for violators of these regulations.

The West Kutai Regency Government makes policies through this regulation aimed at protecting local communities, which in turn can improve welfare and reduce unemployment. As is known, basically, the local workforce has low skills. Meanwhile, companies always expect prospective workers who have high skills. The protection to the local workforce provided is mainly related to the issue of employment opportunities in this area. So companies are required to report the number of labor needs, both skilled and non-skilled workers. Disnakertrans West Kutai Regency, as the agency responsible for this policy, has the task of supervising and controlling the regulation.

Based on the results of the study, it was found that there were no strict sanctions for violations of Regional Regulation Number 14 of 2017 concerning the Placement of Local Workers in West Kutai Regency. As the West Kutai Disnakertrans has duties and functions as supervision, the supervisory function is, first of all, this service appeals to the company, but if the company does not follow the applicable rules, the Disnakertrans must provide sanctions and reprimands. The indecisive provision of sanctions for violations of this regulation is inseparable from the number of supervisory personnel owned by Disnakertrans. The very minimal number of supervisors certainly has an impact on not maximizing supervision of regulations that must be implemented by entrepreneurs,

5. Conclusion

Based on the results of research on the implementation of Regional Regulation Number 14 of 2017 concerning Local Manpower Placement in West Kutai Regency, it can be concluded that the implementation of this regulation has not been optimal. There is an imbalance between the absorption of local and non-local labor, although regulations stipulate certain comparisons. The findings also show obstacles to implementation, including limited human resources, lack of socialization in companies, discrepancies between local regulations and higher laws, and less stringent sanctions. In response, several recommendations were given, including improving human resource development, implementing training for local workers, improving education and skills for prospective local workers, providing job training institutions, increasing regulatory socialization, implementing strict sanctions, the need for regulatory amendments, and the need for in-depth research involving other variables.

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