

ANALYSIS FOR OVERWHELMING ISSUES IN THE DECISION AND IMPLEMENTATION OF MINIMUM WAGE STANDARD IN INDONESIA

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ABSTRACT

The minimum wage standard, constantly renewed and announced annually through a governor decree in each province, however always leads to demonstrations from the labor/employee organization that strongly disagree about the result. Ironically, the protests are repeatedly staged each year from the regency/municipality/province to the state level. Some regulations on minimum wage standard have been formulated such as: the Law Number 13 of 2003 concerning manpowership and the regulation from Ministry of Manpower and Transmigration Number 7 of 2013 about the minimum wage standard, however the conflicts, pros and cons against the decision are unavoidable. This paper address to solved for overwhelming issues in the decision and implementation minimum wage standard in Indonesia. The result of this study, a comprehensive effort to deal with and reduce conflicts in minimum wage standard decision is deemed essential. This is inextricably linked to the role of government, employer organization and labor/employee union. The calculation and survey of decent living as the basis of minimum wage standard are carried out in accordance to the prevailing rule and methodology. The optimization of both bipartite and tripartite cooperation institutions is necessary in order to enhance openness between employer and workers during socialization and dialogue process. More importantly, a clear and understandable waging structure/scale in each company shall be created here. All in all, the strict supervision and law enforcement shall be performed if the decision of minimum wage standard is violated through referring to the prevailing regulations.

Keywords: Minimum wage standard; bipartite and tripartite cooperation institutions; law enforcement

A. INTRODUCTION

As urged in Indonesian constitution, people welfare and decent living standard are profoundly necessary, stated in the Article 27 of 1945 Constitution, Clause (2): “Every citizen deserves a decent job and living for the sake of humanity”. The values are reaffirmed in the Chapter XA concerning human right in Article 28D of clause (2): “Every people have the right to work, obtain wage and equal as well as proper treatment in the workplace”. In this regard, the government shall perform their duty to protect the welfare and proper waging as the right of workers. The protection, furthermore, includes the decision of minimum wage standard re-updated annually thus the amount of wage shall not be determined merely by the employer/business owner.

A number of legislative provisions have been formulated as a response for the minimum wage standard decision, including Law Number 13 of 2003 about workforce; the regulation of Ministry of Manpower and Transmigration Number 13 of 2012 regarding the components and implementation of decent living standard; not to mention the regulation Number 7 of 2013 concerning the minimum wage. Although various regulations have been enacted, workers still demonstrated their opposition to the wage standard increase.

Demonstrations occurred in several areas including on 21 December 2013 in Karanganyar, hundreds of workers/labors allied in the Confederation of Indonesian Workers' Union in Karanganyar Regency demanded the abolition of insufficient wage for workers, restoration of welfare and increase of minimum wage. It also occurred in Demak Regency on 24 September 2013, thousands of workers/labors demonstrated the increase of minimum wage there up to Rp. 2.700.000,- and the abolition of the outsourcing system. In that action, they blockaded a highway resulted in the congestion of Semarang-Surabaya traffic lane. A sequence of demonstrations happened in front of House of Representative Building of Semarang municipality likewise on 20 November 2013 in which their primary agenda was to ask for 100% increase of minimum wage for decent living standard and oppose the President's instruction Number 9 of 2013 regarding the policy to determine the minimum wage (radar online Indonesia.com).

On the other hand, the employers allied in an association namely *Apindo* in all over Indonesia also expressed their disapproval if the minimum wage standard was too high as demanded by workers. They argued that the company's financial state could not afford to allocate higher wage, particularly the small medium enterprise. They, furthermore, threatened the closing of their companies if the labor/worker demand was skyrocketing.

Here is the data of the strike in various parts of Indonesia in 2011-2013:

**Table 1: Strike in Indonesia by Province
in 2011- 2013**

No.	Provinces	CASE			WORKERS INVOLVED			THE LOSS OF WORKING HOURS		
		2011	2012	2013	2011	2012	2013	2011	2012	2013
1	Aceh	4	-	-	933	-	-	-	-	-
2	Sumatera Utara	3	-	-	480	-	-	3.360	-	-
3	Sumatera Barat	1	-	2	80	-	700	-	-	32
4	Riau	1	-	1	320	-	200	56.000	-	7
5	Jambi	1	-	5	582	-	1.400	1.746	-	-
6	Sumatera Selatan	1	1	-	900	2.000	-	72	4.000	-
7	Bengkulu	3	-	1	1.150	-	330	8.050	-	-
8	Lampung	-	4	-	-	12	-	-	-	-
9	Bangka Belitung	3	3	-	253	1.858	-	87	180	-
10	KepulauanRiau	-	-	-	-	-	-	-	-	-
11	DKIJakarta	-	-	5	-	-	130	-	-	-
12	JawaBarat	19	1	117	8.755	35	6.941	130.123	-	4.473
13	JawaTengah	11	5	10	1.246	375	5.441	8.679	7.458	-
14	DI.Yogyakarta	-	2	-	-	315	280	-	-	-
15	JawaTimur	31	-	11	13.768	-	3.019	-	-	-
16	Banten	33	-	25	12.002	-	6.426	7.921	-	79.788
17	Bali	1	-	-	164	-	-	-	-	116
18	Nusa Tenggara	10	-	-	835	-	-	218	-	-
19	Nusa Tenggara	1	-	-	163	-	-	147	-	-
20	KalimantanBarat	12	6	10	3.478	452	200	1.170	2.907	1.600
21	KalimantanTengah	5	2	4	1.276	274	1.027	119	21	98
22	Kalimantan Selatan	2	-	-	390	-	-	48	-	-
23	KalimantanTimur	15	-	-	-	-	-	-	-	-
24	Sulawesi Utara	3	1	4	132	7	827	3.798	35	2.581
25	Sulawesi Tengah	2	4	4	-	1.103	926	-	4.167	23.165
26	Sulawesi Selatan	9	7	30	859	449	2.876	6.013	4.103	11.947
27	Sulawesi Tenggara	3	3	6	132	510	642	3.798	3.381	7.179
28	Gorontalo	9	-	-	412	-	-	1.513	-	-
29	Sulawesi Barat	3	-	-	186	-	-	-	-	-
30	Maluku	-	-	-	-	-	-	-	-	-
31	MalukuUtara	9	9	2	365	363	780	24	1.789	20
32	Papua Barat	-	-	-	-	-	-	-	-	-
33	Papua	1	3	2	6.000	6.000	64	832	832	-
Jumlah		196	51	239	54.861	13.753	32.209	233.718	28.873	131.006

Courtesy :Ditjen. PHI andJamsostek

Based on the data in the table above, it shows that many regions in Indonesia hold a demonstration / strike every year, which resulted in the loss of working hours. It can certainly reduce the productivity of the related company.

Reviewing the aforementioned phenomena, the government likely has to deal with perplexing choices to accommodate the interest of workers and employers in deciding and implementing minimum wage standard. This article attempts to provide an implementable solution to cope with multifaceted issues in that case. A comprehensive effort/solution is necessary to solve and minimize conflicts in the minimum wage standard decision and implementation. Of course, the role of government here is inextricable from the existence of employers as well as workers/labors.

B. DISCUSSION

1. The Provision and Mechanism to Determine the Minimum Wage

Wage is defined as the right of workers/labors received and stated in the form of money as the payment from the employers or business owners which is determined and paid according to a contract, an agreement or legislative provisions, including the support for individuals and family for the work and/or service that has been conducted (Article 1 Number 30 of Law Number 13 of 2013). The amount of wage is definitely calculated in line with the living standard. Therefore, the government shall regulate the decision of the lowest limit given by employers to their workers.

The minimum wage standard provision is not only implemented in Indonesia but also in international setting in accordance with each country's condition under the International Labor Organization (ILO) framework. Several provisions enacted by ILO include Regulation Number 26 of 1928 regarding the mechanism to determine the minimum wage and ILO Convention number 131 of 1970 as well as the recommendation number 135 of 1970 about the minimum wage standard decision in the developing countries (Soedarjadi, 2008:76).

Indonesia has implemented the minimum wage standard mechanism and formulated it into workforce regulations such as in Law Number 13 of 2003 about the workforce (Article 88-92) and the regulations from Ministry of Manpower and Transmigration Number 7 of 2013. The term is defined as the minimum monthly payment which consists of primary wage including the permanent subsidy. As a result, the minimum wage does not include temporary subsidy such as: attendance cost, meal and transport given based on their presence. This mechanism is in effect for the workers with less than one year experience. Unfortunately, both provisions are not socialized well to workers and employers. Consequently, some misunderstandings have occurred including the inequality of workers' payment to the minimum wage standard regardless their employment period or the inclusion of subsidy in the wage calculation.

The division of minimum wage standard category is stated in Law Number 13 of 2003 in Article 89 Clause 1 (a) and (b) viz.:

1. The minimum wage is determined in accordance with the province or regency/municipality.
2. The minimum wage is determined in accordance with the sectors in that province or regency/municipality.

Meanwhile, based on the regulation from the Ministry of Manpower and Transmigration Number 7 of 2013 on Article 1, the minimum wage consists of minimum wage in the province, regency/municipality, sectoral minimum wage in the province, regency/municipality. The minimum wage in the province is in effect for all regencies/municipalities in a province whereas the sectoral minimum wage in the province is in effect in all regency/municipality sectors. What is regarded as minimum wage in a regency/municipality is only enacted in that area or that sector.

Upon the decision of minimum wage standard, the governor shall refer to the Law Number 13 of 2003 about Manpower; the President's decree Number 107 of 2004 regarding the Wage Commission; Regulation from the Ministry of Manpower and Transmigration Number 13 of 2012 concerning the components and implementation of decent living standard; and the Regulation from the Ministry of Manpower and Transmigration Number 7 of 2013 about the minimum wage. In Article 89 Clause (3) of Manpower Regulation is stated that the minimum wage shall be determined the governor by taking into account the recommendations made by Provincial Remuneration Committee as stated in Article 21 Point (a) Clause 1 and 2 of President's decree regarding the role of Remuneration Committee: "The Provincial Remuneration Committee is responsible for providing suggestions and considerations for the governor in order to determine the minimum wage in a province and a municipality. The similar view is stated in Clause 2, point 5 (a) in President's instruction is stated that the governor particularly determines the minimum wage in accordance to the recommendation from the Remuneration Committee in each province. In Article 89 Clause (2) and (4) of Manpower Regulation, the minimum wage shall be directed towards the achievement of prosperous life and its components in which the stages are regulated by Ministry of Manpower and Transmigration namely law Number 13 of 2012 about the components and implementation of decent living standard, and in line with Article 3 Clause (4) concerning the Ministerial Regulation Number 7 of 2013 about the minimum wage that the decent living standard is based on the governor's decision. It shall consider the following points: decent living standard, consumer's price index; ability of company's continuation; wage in a particular area; condition of job market; economical level and gross domestic product.

There are some important points in the latest calculation of wage and decent living components according to the Regulation of Manpower and Transmigration Ministry Number 13 of 2012, i.e.:

1. There is an improvement of decent living standard from 46 to 60 components including: an addition of 14 new components, an adjustment/addition of quality and quantity of decent living standard and a change of need type.
2. This regulation has been in effect since 12 July 2012. Consequently, the decent living standard is drafted and formulated through surveys, led by the local institutions to support its performance and Regency/Municipality Remuneration Committee.
3. The regulation from Ministry of Manpower and Transmigration Number 13/2012 is enacted as one of the considerations to determine the wage minimum standard in the following year which means the stakeholders shall take it into account as the basis of minimum wage decision.
4. The regulation from Ministry of Manpower and Transmigration Number 17/2005 is *not in effect* so that each element of workforce was not based on this rule as its basis.

The other important point regulated is the amount of decent living standard determined by the Head of Remuneration Committee and reported to the governor regularly (monthly); whenever the decent living standard is calculated per month, the governor shall receive the report. The survey team according to the Ministerial Regulation Number 13 of 2012 at least consists of 5 people: tripartite element (worker-employer-government), expert and *central statistics body*.

2. The Optimization of Bipartite and Tripartite Cooperation Institution

The existence of Bipartite Institution is regulated in Law Number 13 of 2003 regarding the workforce and decision from the Ministry of Manpower and Transmigration Number Kep.255/Men/2003 about the Mechanism to Form and Structure of Membership of Bipartite Cooperation Institution. In Article 1 point 18, Law Number 13 of 2003 is explained the definition of bipartite cooperation institution as the communication and consultation forum regarding industrial relationship in a particular company whose membership consists of the employer and registered workers/labors under the responsible institution. Furthered in Article 106 Clause (1) of Law Number 13 of 2003, every company employing more than fifty workers/labors is required to establish a bipartite cooperation institution.

Its members consist of employer and workers/labors element appointed democratically by the workers/labors to represent them in the related company (Article 106, Clause (3) of Law Number 13 of 2003). Meanwhile its organization structure shall include at least a chief, a secretary and members. The chief position can be occupied in turn between the representative of employer and the representative of workers/labors (Article 10, Clause (1) and (2) Kep.255/Men/2003). The membership of bipartite cooperation institution is determined by the employer and workers/labors from the composition of 1:1 in accordance with the provision of at least six people and maximum twenty members (Article 9 of Kep255/Men/2003). Its duration is 2 years and shall be registered in the workforce institution in the regency/municipality.

The duties of bipartite cooperation institution are:

1. Periodically conduct meetings (or whenever necessary).
2. Communicate the polity of employer and aspirations of workers/labors related to the welfare of workers/labors and the continuation of that business.
3. Early detect and accommodate the issues of industrial relationship in that company.
4. Channel recommendations and opinions to the workers/labors and/or the worker/labor union.

Five of them shall be optimized by bipartite cooperation institution in order to create conducive workplace including during the minimum wage standard decision related to its annual renewal by creating structure/scale of waging. Through this institution, workers and employer will be able to express their thoughts and opinions as well as transparent information including the financial report of that company so that trust and bond for the continuation of that company will be enhanced. Therefore, conflicts will be avoided as the communication and kinship are developed well including in a small enterprise that is currently unable to offer high payment due to their limited ability.

In this regard, tripartite cooperation institution role is as the communication, consultation and discussion forum regarding the workforce issues whose memberships consist of employer organization, worker/labor union and government. Established in the state, province and regency/municipality level, this institution aims at providing suggestions and opinions for the government and related stakeholders in formulating a policy and a solution for workforce issues.

Here is the data of Tripartite Cooperation Institution in Indonesia in each district/city:

Table 2: Tripartite Cooperation Institution in Indonesia by Province and District/City In 2011 - 2013

NO	PROVINCE	Tripartite Cooperation Institution					
		2011		2012		2013	
		Province	District/City	Province	District/City	Province	District/City
1	Aceh	1	7	1	7	1	8
2	Sumatera Utara	1	10	1	14	1	14
3	Sumatera Barat	1	7	1	8	1	11
4	Riau	1	11	1	11	1	13
5	Jambi	1	6	1	6	1	7
6	Sumatera Selatan	1	8	1	8	1	8
7	Bengkulu	1	5	1	5	1	6
8	Lampung	1	6	1	7	1	7
9	Bangka Belitung	1	3	1	6	1	7
10	Kepulauan Riau	1	6	1	6	1	7
11	DKI Jakarta	1	1	1	1	1	9
12	Jawa Barat	1	27	1	27	1	27

13	Jawa Tengah	1	33	1	35	1	35
14	DI. Yogyakarta	1	5	1	5	1	6
15	Jawa Timur	1	26	1	27	1	27
16	Banten	1	5	1	7	1	8
17	Bali	1	9	1	9	1	9
18	Nusa Tenggara Barat	1	7	1	7	1	7
19	Nusa Tenggara Timur	1	4	1	4	1	4
20	Kalimantan Barat	1	14	1	14	1	14
21	Kalimantan Tengah	1	2	1	2	1	9
22	Kalimantan Selatan	1	6	1	6	1	8
23	Kalimantan Timur	1	8	1	8	1	12
24	Sulawesi Utara	1	3	1	3	1	8
25	Sulawesi Tengah	1	7	1	7	1	7
26	Sulawesi Selatan	1	6	1	7	1	7
27	Sulawesi Tenggara	1	5	1	4	1	7
28	Gorontalo	1	2	1	2	1	2
29	Sulawesi Barat	1	1	1	1	1	1
30	Maluku	1	2	1	2	1	2
31	Maluku Utara	1	1	1	-	1	-
32	Papua Barat	1	1	1	1	1	1
33	Papua	1	1	1	9	1	9
Jumlah		33	245	33	266	33	307

Courtesy : Ditjen. PH Iand Jamsostek

Based on the data above, it shows that not all district/city has Tripartite Cooperation Institution, so that it is necessary to hold the Tripartite Cooperation Institution to overcome many problems about employment and the minimum wages.

The responsibilities of tripartite cooperation include:

1. Establish good communication and cooperation among the government, workers and employer.
2. Accommodate, formulate and solve problems related to workforce issues.
3. Maintain reciprocal communication, information and consultation in working relationship among three tripartite elements.
4. In its relation to other tripartite bodies, provide reciprocal information and consultation with local and sectoral tripartite.

The optimization of tripartite cooperation institution for four roles above is necessary during the process of minimum wage standard decision. This institution can provide feedback and recommendation including the prevention for multifaceted issues in each area. The socialization of wage provision for the employer and workers shall be carried out. It includes the dissemination of information that the minimum wage consists of primary wage and permanent subsidy in which temporary subsidies such as meal and transport fee based are not included and the minimum wage is in effect for workers with less than one year experience.

3. The Supervision and Law Enforcement for the Implementation of Minimum Wage Standard

Labor inspection was conducted by labor inspectors in each district / city region of each work place, the following is the supervisory employee data region of Indonesia:

Table 3: Supervisors and investigators of Labour In Indonesia by Province in2013

NO.	DISTRICT / CITY	GENERAL	SPECIALTY											TOTAL	
			1	2	3	4	5	6	7	8	9	10	11		
1	Aceh	28	-	-	-	-	-	-	-	-	-	-	-	-	28
2	Sumatera Utara	84	1	-	-	-	-	-	-	1	-	-	-	-	86
3	Sumatera Barat	29	2	1	-	1	1	1	1	-	-	1	-	37	
4	Riau	30	-	1	-	-	-	-	-	-	-	-	-	31	
5	Jambi	25	-	-	-	-	1	-	-	-	-	-	-	26	
6	Sumatera Selatan	39	2	1	-	1	-	-	-	-	-	-	-	43	
7	Bengkulu	17	-	-	-	-	-	-	-	-	-	-	-	17	
8	Lampung	15	1	2	-	-	-	-	-	-	-	-	-	18	
9	Kep. Bangka Belitung	10	1	-	-	-	-	-	-	-	-	-	-	11	
10	Kepulauan Riau	34	-	-	-	-	-	-	-	-	-	-	-	34	
11	DKI Jakarta	100	-	-	-	-	-	-	-	-	-	-	-	100	
12	Jawa Barat	152	7	10	1	1	2	2	3	-	-	-	-	178	
13	Jawa Tengah	171	10	2	-	4	15	1	19	1	1	-	-	224	
14	Daerah Istimewa Yogyakarta	21	-	1	-	-	1	-	-	-	-	-	-	23	
15	Jawa Timur	138	5	7	-	3	1	1	4	1	-	-	-	160	
16	Banten	58	2	1	-	1	1	-	-	3	-	-	-	66	
17	Bali	17	-	-	-	-	-	-	-	-	-	-	-	17	
18	Nusa Tenggara Barat	16	-	-	-	-	-	-	-	-	-	-	-	16	
19	Nusa Tenggara Timur	18	-	-	-	-	-	-	-	-	-	-	-	18	
20	Kalimantan Barat	15	-	-	-	-	-	-	-	-	-	-	-	15	
21	Kalimantan Tengah	31	-	-	-	-	-	-	-	1	-	-	1	33	
22	Kalimantan Selatan	23	2	1	-	-	2	1	-	-	-	-	-	29	
23	Kalimantan Timur	33	2	2	-	-	1	-	2	2	-	-	-	42	
24	Sulawesi Utara	30	-	3	-	-	-	-	-	-	-	-	-	33	
25	Sulawesi Tengah	16	-	-	-	-	1	-	-	-	-	-	-	17	
26	Sulawesi Selatan	48	1	3	-	1	1	-	-	-	-	-	-	54	
27	Sulawesi Tenggara	18	-	4	-	-	1	-	-	-	-	-	-	23	
28	Gorontalo	8	1	-	-	1	1	-	-	-	-	-	-	11	
29	Sulawesi Barat	7	-	-	-	-	-	-	-	-	-	-	-	7	
30	Maluku	12	-	-	-	-	-	-	-	-	-	-	-	12	
31	Maluku Utara	7	-	-	-	-	-	-	-	-	-	-	-	7	
32	Papua Barat	11	-	-	-	-	-	-	-	-	-	-	-	11	
33	Papua	18	-	-	-	-	-	-	-	-	-	-	-	18	
	Ditjen PPK	155	-	-	-	-	-	-	-	-	-	-	-	155	
	JUMLAH	1.279	37	39	-	13	29	6	30	8	1	1	1	1.445	

Courtesy: Ditjen PPK, analyzed Pusdatinaker

Notes:*)1. Employment, 2. Working Time and Rest Time, 3. Wages, 4. Social security of employment, 5. Placement and Training, 6. Aircraft Steam and Pressure Vessel, 7. Aircraft Lift Transports, 8. Aircraft Power & Production, 9. Electricity and lifts, 10. Prevention of Fire, 11. Occupational Health, 12. Building Construction, 13. Working Environmental, 14. Chemical

Based on the data in the table above, it shows that the number of field inspectors wage is still a little bit, so that it cannot carry out their duties in overseeing the entire companies in Indonesia.

The strict supervision and law enforcement for the implementation of minimum wage standard shall be conducted by the designated institution; in this case, the direct involvement of workforce department in each area is essential. The legislative provision related to the minimum wage standard shall be clear including:

1. Article 90, Clause (1) of Law Number 13 of 2003 regarding the workforce states that the employer is prohibited to pay the wage lower than the standard.

2. Article 185, Clause (2) of Workforce Law mentions the agreement (between workers/labors and employer) that paying lower wage from the standard (without the postponement approval from the responsible body) is the form of criminal violation with the threat of imprisonment for 1 (one) to 4 (four) years and/or a fine between Rp. 100.000.000,- (one hundred million rupiah) to Rp. 400.000.000 (four hundred millions rupiah).

3. Article 52, Clause (1) Section (d) and Article 52, Clause (3) of Workforce Law and Article 1320, Clause (4), Article 1337 of Civil Conduct states that the agreement in a contract, including in workplace shall not contradict to the legislative provisions. In other words, the agreement among stakeholders shall be rightful and not illegal. As a result, the contract offering wages lower than the standard is prohibited.

According to the above provisions, an agreement (between workers/labors and employer) is of course not the only basis of wage payment. What is possible to be carried out here is performing efficient tasks in all aspects in order to enhance productivity.

Principally, the amount of minimum wage determined by the governor for a certain period is not the basis of payment for all workers/labors in the related company. It is just the wage standard for particular workers/labors namely:

1. On the lowest position or work (Article 92 Clause (1) regarding the workforce law, Article 1 Section 2 of Ministry of Manpower and Transmigration Decision Kep49/Men/IV/2003 regarding the structure and scale of leveled wage).
2. Work period from 0 to 1 (one) year (Article 14 Clause (2) of Ministerial regulation Per-01/Men/1999); and/or:
3. Marital Status as Single (Article 1 Clause 1 of Ministerial Regulation Number 13 of 2012).

As a result, for workers/labors whose job position is not the lowest, his employment period is more than 1 (one) year and/or has (official) burdens, their wage is, of course, not equal to the minimum standard. In fact, it shall be higher in accordance to the waging structure and scale (Article 1 Clause 2 and 3 Ministerial Regulation Kep-49/Men/IV/2003).

The supervision for minimum wage implementation is conducted by the staffs in the department of Manpower and Transmigration in regency/municipality as well as province level. Their role is to supervise and enforce the workforce provisions including the implementation of minimum wage standard. In this regard, they shall investigate whether or not the waging structure and scale have existed; if the system has not been created yet, the staffs in the referred department shall assist its creation and implementation. Consequently, law enforcement will be performed if the company does not demonstrate good willingness to implement the provision as regulated in provisions above.

C. CONCLUSION

The minimum wage standard decision is made to protect workers/labors in the lowest position with working period less than 1 (one) year thus longer period shall be granted higher payment according to the waging structure/scale. The conflicts due to wage standard decision shall be solved and minimized. Definitely, the role of government, employer organization and worker/labor union is fundamental. The calculation and survey of decent living as the basis of minimum wage standard are carried out in accordance to the prevailing rule and methodology. The optimization of both bipartite and tripartite cooperation institutions is necessary in order to enhance openness between employer and workers during socialization and dialogue process. More importantly, a clear and understandable waging structure/scale in each company shall be created here. All in all, the strict supervision and law enforcement shall be performed if the decision of minimum wage standard is violated through referring to the prevailing regulations.

References:

- Asikin Zainal, dkk; Dasar-Dasar Hukum Perburuhan; Jakarta; PT Raja Grafindo Persada; 1994
Budiono R Abdul; Hukum Perburuhan; Jakarta Barat; PT Indeks; 2011
Husni Lalu; Pengantar Hukum Ketenagakerjaan Indonesia; Jakarta; PT Raja Grafindo Persada; 2003
Kartasaputra G; Hukum Perburuhan di Indonesia berdasarkan Pancasila; Jakarta; Sinar Grafika; 1992
Marbun Rocky; Jangan Mau di PHK Begitu Saja; Jakarta Selatan; Visi Media; 2010
Rajagukguk P H; Peran Serta Pekerja Dalam Pengelolaan Perusahaan; Jakarta; Yayasan Obor Indonesia; 2002
Soedarjadi; Hukum Ketenagakerjaan di Indonesia; Jakarta; Pustaka Yustisia; 2008
Soepomo Iman; Pengantar Hukum Perburuhan; Djambatan; 1976
Wijayanti Asri; Sinkronisasi Hukum Perburuhan Terhadap Konvensi ILO; Bandung; Karya Putra Darwati Bandung; 2012
Tim Redaksi Pustaka Yustisia; Kompilasi Hukum Ketenagakerjaan Dan Jamsostek; Yogyakarta; Pustaka Yustisia; 2010
Halim Ridwan A; Hukum Perburuhan Dalam Tanya Jawab; Jakarta; Perling Jateng; 1983
Tim Komentarium; Komentarium Hukum Bidang Ketenagakerjaan; Jakarta Timur; Badan Pembinaan Hukum Nasional
Kementrian Hukum dan Hak Asasi Manusia RI; 2012

Legislative Provisions

1945 Constitution of Republic of Indonesia
Law Number 13 of 2003 regarding workforce
Law Number 2 of 2004 concerning the resolution for labor disputes
Law Number 21 of 2000 about the worker/labor union
Government Regulation Number 8 of 1981 regarding the wage protection
President's decree Number 107 of 2004 about the Remuneration Committee
President's Instruction Number 9 of 2013 about the policy to determine the minimum wage standard for the company continuation and labor welfare improvement
President's regulation Number 21 of 2010 about the supervision for workforce
Regulation from the Ministry of Manpower and Transmigration Number 7 of 2013 regarding the minimum wage
Regulation from the Ministry of Manpower and Transmigration Number 13 of 2012 regarding the components and implementation of decent living standard
Regulation from the Ministry of Manpower and Transmigration Number 1 of 2006 regarding the implementation of Article 3 of Ministerial Decision Number 231 of 2003 about the mechanism for minimum wage postponement.