STRENGTHENING THE ROLE OF THE GOVERNMENT IN REALIZING FAIR INDUSTRIAL RELATIONS DISPUTE RESOLUTION FOR WORKERS

Helwan Kasra, Faculty of Law Muhammadiyah University of Palembang, Indonesia
Yuliandri, Faculty of Law Andalas University Padang, Indonesia
Firman Hassan, Faculty of Law Andalas University Padang, Indonesia
Busyra Azheri, Faculty of Law Andalas University Padang, Indonesia

ABSTRACT

The role of the government in the settlement of industrial relations disputes regulated in Law Number 22 Year 1957 is still strong with the formation of Dispute Resolution Committees both at the central and regional levels where the membership consists of representatives from the government, employers and workers. However, in Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes, the government fully leaves the settlement of industrial relations disputes to the disputing parties, namely workers and employers. The government only acts as a mediator by acting as a mediator if the dispute is resolved through mediation. His authority is limited to issuing recommendations that do not bind the disputing parties. This actually contradicts the purpose of labor law which should provide more protection for socially and economically weak parties, namely workers. For this reason, the role of the government needs to be strengthened so that the weak can be protected.

Keywords: Government, Dispute, Justice, Workers

INTRODUCTION

Background

Humans are known as social creatures (zoon politicon), meaning that humans cannot live alone and need other people to support their activities. For example, to make ends meet, humans have to work with other people to get wages. This work issue is very important and is part of everyone's human rights. This means that everyone must get a job and get a guarantee of a decent life from that job.

In doing this work, it often goes well and harmoniously, but it is not uncommon for the relationship to become bad due to disputes between workers and employers. The causes of disputes are various, which can be preceded by a violation of the law but can also occur without being preceded by a violation of the law (Uwiyono, 2001). Disputes that are preceded by violations of the law are usually due to differences in understanding in the implementation of labor regulations, such as employers not providing wages according to provisions or they can also occur because of discriminatory treatment by employers against workers. Whereas disputes that are not preceded by violations usually also occur due to different interpretations of labor regulations such as issues of leave rights and health insurance issues, other than that they can be caused by misunderstandings in changing working conditions.

Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes (UU PPHI) does not explicitly explain the things that cause disputes, but in this law it divides disputes into 4 (four) types, namely disputes over rights (Khakim, 2003), disputes over interests (Soepomo, 1995), disputes over termination of employment and disputes between trade unions / labor unions in only one company. These types of disputes are the cause of industrial relations disputes.

Various disputes that occur in the work relationship need to be resolved immediately, if not resolved properly, they can result in losses for both workers and employers. On a large scale, disputes that occur in companies can threaten national stability and disrupt the development process. For this reason, the government needs to make dispute resolution rules that guarantee fast, precise, fair and inexpensive dispute resolution.

The government, as the party with an interest in the realization of harmony in industrial relations, has since realized the need for a legal umbrella in settling disputes that occur between workers and employers. Therefore, since the Old Order era until the present, several regulations have been made to regulate the settlement of industrial relations disputes. As in the old order era, the issuance of Law Number. 22 of 1957 concerning the Settlement of Labor Disputes and Law Number. 12 of 1964 concerning Termination of Employment in Private Companies. The last time, during the reformation period, to be precise in 2004, Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes was issued.

The promulgation of the PPHI Law is based on the background that Law Number 22 of 1957 concerning Settlement of Labor Disputes and Law Number 12 of 1964 concerning Termination of Employment in Private Companies is deemed no longer suitable to the needs of society, whereas in this industrialization era the problem of industrial relations disputes is increasing. And complex, so that fast, precise, fair, and inexpensive industrial relations dispute resolution institutions and mechanisms are needed (Khakim, 2010).

The provisions in the PPHI Law are very different from the industrial relations dispute settlement system regulated in Law Number 22 of 1957 concerning Labor Dispute Resolution, where there are Dispute Resolution Committees both at the central and regional levels that play a role in resolving disputes between workers and employers. . The statutory regulations are deemed unable to resolve disputes simply, quickly, fairly and cheaply, on the contrary, the procedure is long and there is no guarantee of legal certainty. Even after the birth of Law Number 5 of 1986 concerning State Administrative Courts, dispute resolution through the Central Labor Dispute Resolution Committee (P4P) is categorized as a state administrative decision (Husni, 2004).

Another difference is related to the role of the state in resolving industrial relations disputes; in Law Number 22 of 1957 the role of the state is still strong with the formation of Dispute Resolution Committees both at the central and regional levels where the membership consists of representatives from the government, employers and workers. In the PPHI Law, the government fully submits the settlement of industrial relations disputes to the disputing parties, namely workers and employers. The government only acts as a mediator by acting as a mediator if the dispute is resolved through mediation. His authority is limited to issuing recommendations that do not bind the disputing parties.

This actually contradicts the purpose of the establishment of labor laws and regulations including the legislation for the settlement of industrial relations disputes, which should provide greater protection to workers/laborers with consideration of the unbalanced position and position of workers/laborers compared to employers. Entrepreneurs have a higher position than

workers/laborers because they have social and economic advantages compared to workers/ laborers. And if industrial relations disputes are fully left to workers and employers, it will be difficult to achieve a balance between the two parties and justice will be difficult to achieve (Soepomo, 1995).

Taking into account the position and position of the worker / laborer who is weak compared to the entrepreneur, it is appropriate that the role of the government needs to be further strengthened in matters of settling industrial relations disputes. This strengthening is to provide legal protection to workers / laborers as weak parties by establishing regulations that actually provide full protection for workers and then implementing and supervising with commitment and consistency in the implementation of these regulations.

Formulation of the Problem

Based on the above background, the formulation of the problem in this study is limited to the following: How is the role of government strengthening in realizing equitable industrial relations dispute settlement for workers?

RESEARCH METHODS

This research is a normative or doctrinal legal research or legal research because in conducting a study of research problems, the author focuses more on aspects and analysis of labor laws and regulations such as Law Number 13 of 2003 concerning Manpower and Law Number 2. 2004 concerning the Settlement of Industrial Relations Disputes, especially in relation to the role of the government in settling industrial relations disputes. This normative legal research is carried out mainly on primary, secondary and tertiary legal materials, as long as it contains legal principles (Soekanto, 2010).

RESULT AND DISCUSSION

Arrangements for the Settlement of Industrial Relations Disputes in Indonesia

The regulation regarding the settlement of industrial relations disputes in Indonesia is currently contained in Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes. Article 1 Number 1 of this law explains that industrial relations disputes are differences of opinion which result in conflicts between entrepreneurs or a combination of entrepreneurs and workers/labor unions due to disputes over rights, disputes over interests, disputes over termination of employment, and disputes between trade unions/labor unions in one company.

Rights disputes, namely disputes that arise because rights are not fulfilled, due to differences in the implementation or interpretation of statutory provisions, work agreements, company regulations, or collective working agreements. Disputes over rights *(rechts geschillen)* arise as a result of default by one of the actors in the production process (Soepomo, 1995).

Disputes of interest, namely disputes arising in a work relationship due to non-conformity of opinion regarding the manufacture and / or changes of working conditions stipulated in the work agreement, or company regulations, or collective working agreement Disputes of interest (belangen geschillen) generally occur as a result of the absence of an agreement between the

employer (employer / employer) and the worker with regard to work relationship problems, working conditions and / or existing employment conditions (Soepomo, 1995).

Disputes over termination of employment are disputes that arise because there is no agreement in opinion regarding the termination of a work relationship carried out by one of the parties and Disputes between trade unions / labor unions in only one company are disputes between a trade union / labor union and another trade / labor union. Only in one company, because there is no concurrent understanding of membership, the exercise of rights and obligations of trade unions.

Industrial relations dispute settlement according to Law Number 2 of 2004 concerning Industrial Relations Dispute Settlement consists of out of court settlement and settlement in court. The settlement stage begins with a bipartite method, if an agreement is found, a collective agreement is made but if it is not completed, the settlement of mediation, conciliation or arbitration is continued, depending on the choice of the disputing parties. If the parties do not vote, the dispute will be resolved through mediation. If the mediation meets an agreement, a collective agreement is made but if there is no agreement, the dispute settlement will be continued at the Industrial Relations Court.

Strengthening the Role of the Government in Resolving Industrial Relations Disputes

In a country the government has a very important role, Sembiring stated that the government has at least 3 (three) functions, namely a service function, a regulatory function, and an empowering function, so that good governance is realized. (Good governance) (Sembiring, 2012). Arief explained that in providing guidance to the community, the government functions as a regulator, dynamist and facilitator. The government as the regulator means that the government functions to issue laws and regulations which can be used as a reference for the community in carrying out its functions as a society. The government as a dynamist has the function of mobilizing community participation and overcoming various obstacles in the development process so that development can continue. Meanwhile, the government as a facilitator has the function of creating conducive conditions in the implementation of development and facilitating the various interests of the community so that the community remains orderly (Fahrunisa, 2017).

The government is also a party to industrial relations in Indonesia. This can be seen in Law Number 13 of 2003 concerning Manpower which defines industrial relations as a relationship formed between actors in the process of producing goods and / or services consisting of elements from entrepreneurs, workers / laborers and the government based on values the values of Pancasila and the 1945 Constitution. The government is included as one of the parties in industrial relations because it has an interest in creating a harmonious working relationship as a condition for the success of a business, so that productivity can increase which in turn will be able to drive economic growth and can improve the welfare of all levels of society. The role of the government in industrial relations is realized by issuing various policies, laws and regulations that must be obeyed by the parties, as well as supervising or enforcing these regulations so that they can run effectively, and assist in resolving industrial relations disputes.

The role of the government in the settlement of labor disputes or disputes essentially revolves around (Khakim, 2003): 1) Establishing various laws and regulations regarding industrial relations in the country concerned and the methods for resolving them in case of disrupted industrial relations; 2) Overseeing the implementation of the various laws and regulations; 3) prevent labor disputes or disputes; 4) act as a mediator when labor disputes or

disputes occur in order to obtain a harmonious resolution, among others by simplifying the procedures adopted in the arbitration process.

Government intervention in industrial relations will affect the pattern of relations between workers and employers. According to Reynaerts and AG.Nagelkerke, as stated by Aloysius Uwiyono, there are three relationship patterns, namely: First, a harmonious relationship pattern (harmony model) which has characteristics, namely: (a). The parties do not have freedoms because they are limited by the government through repressive legal provisions, (b). Enforcing a cooperative relationship (consensus) by prohibiting strikes, (c). Disputing parties are required to use a peaceful settlement and prohibit the use of force (strike / lock out) (Uwiyono, 2001). Second, the pattern of hostile relationships (conflict model) with the following characteristics: (a). The parties are given the freedom to determine various labor / employment provisions and the government should not interfere, (b) The consensus reached is the result of the conflict between workers and employers, (c). The full guarantee of the right to strike if there is no success in settling industrial relations disputes peacefully. Third, the pattern of a coalition relationship (coalite model) with the following characteristics: (a). the parties still have freedom and the government can intervene through the creation of institutions as alternative options in order to avoid excessive use of freedom, (b). The consensus here is the will of the parties which is driven by the established institutions, not the will of the government through reformative provisions or as a consequence of conflict, (c). the disputing parties strive for a peaceful settlement without precluding the use of coercion mechanisms.

When viewed from the three patterns of labor relations, with their various characteristics, they are strongly influenced by government interference in industrial relations. If the government's interference in industrial relations is very little or almost non-existent, it will give rise to a pattern of hostile industrial relations (conflict). On the other hand, if the government interferes very heavily in labor relations, it will create a harmonious pattern of labor relations. Meanwhile, if the government intervention is more lenient, it will create a coalition labor relationship pattern (Husni, 2004).

Law Number 2 of 2004 seeks to accommodate the coalition industrial relations model (coalitie model). This can be seen from its characteristics, namely a). The parties have freedom while the government intervenes through the creation of institutions such as mediation institutions where the government is the mediator b). The agreement of the parties is the choice of the parties themselves, in settling disputes the government mediates only as a mediator and cannot force an agreement on the parties c). In the PPHI Law the parties prioritize deliberation to reach a consensus, but if they do not agree, the settlement can go to the Industrial Relations Court.

The role of the government in the settlement of industrial relations disputes before the birth of Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes is quite strong, this occurs because every dispute that occurs in industrial relations will be mediated by the government through the regional labor dispute settlement committee and the central labor dispute settlement committee. . However, the industrial relations dispute settlement system like this is considered ineffective in responding to the increasingly complex and diverse development of industrial relations disputes (LBH Jakarta, 2014). The PPHI Law completely eliminates the industrial relations dispute settlement system through the Regional Labor Dispute Resolution Committee (P4D) and the Central Labor Dispute Resolution Committee (P4P) and replaces it with a new industrial relations dispute settlement system which is expected to create a system of dispute resolution that is fast, precise, fair and cheap (TURC, 2007).

In fact, at the beginning of its existence, the PPHI Law received a big welcome because it was expected to be able to overcome the weakness of the old industrial relations dispute settlement system. This can be seen from the research of the TURC institute where in the early days of the PPHI Law, cases that went to the Industrial Relations Court increased rapidly, but the cases handled by the industrial relations court continued to decline (TURC, 2007).

The findings of the TURC institution are very interesting to be explored further, because the continued decline in cases that have entered the Industrial Relations Court until now can be interpreted as the success of the new dispute resolution system or it can also show that there is something wrong with this new dispute resolution system so that the parties those in dispute are reluctant to settle their dispute at the Industrial Relations Court. The author agrees that the industrial relations dispute settlement system based on the PPHI Law has many problems so that there is reluctance from the parties, especially workers, to resolve their disputes at the Industrial Relations Court. These problems include that the government is no longer involved in the settlement of disputes so that conflict resolution is fully left to the parties. As a weak party, workers tend to submit to the wishes of employers.

Kadek Agus Sudiarawan in a seminar at Udayana University Bali once stated that the fact is that industrial relations disputes that occur in general are increasingly increasing and expanding, not decreasing, but this is not directly proportional to the data (number) of dispute resolution that is included in the PHI system which is decreasing (Sudiarawan, 2017). This fact is increasingly supported by statements of workers / laborers who have always conveyed their aspirations for a change in the dispute settlement system that is more pro-workers. The number of cases that have been resolved through mediation so far does not mean the success of mediation in resolving their disputes fairly but rather the fear of workers / laborers if the dispute must be forwarded to the Industrial Relations Court (Sudiarawan, 2017).

The PPHI Law causes a shift in labor law from public law to private law. In public law, the state will protect the weaker party, in this case workers, whereas in private law the parties are positioned to be balanced. So that in this PPHI Law workers and employers have a balanced position and position. In fact, it is clear that the position of workers is clearly not balanced compared to employers, so that they will definitely experience difficulties in fighting for their rights and in dealing with employers. It is undeniable that the unbalanced position of workers and employers will greatly affect the effectiveness of dispute resolution and ultimately make it difficult for the weak to obtain justice.

Prior to the shift from public law to private law, initially labor law was civil in nature; this can be seen from the labor provisions in the Civil Code set out in book III, Chapter 7A. In the book, the first part regulates general provisions (Article 1601a -1601c), the second part regulates general labor agreements (Article 1601d-1061x), the third part regulates the obligations of the employer (Article 1602a-1602z), the fourth section regulates labor obligations (Article 1603a-1603d), the fifth part regulates the procedure for terminating the work relationship issued from the agreement (Article 1603e-1603w) and part of the closing provisions (Article 1603x-1603z). Labor regulations in the Civil Code are liberal in accordance with the philosophy of the state that makes them so in many ways they are not in accordance with the personality of the Indonesian nation. For example, the conception of the Civil Code views workers as goods who, if not producing, are not paid / waged. Likewise, other rights are fully handed over to the employer, because labor issues are a civil issue (Sudiarawan, 2017).

If the relationship between workers and employers is still fully left to the parties, then the purpose of labor law to create social justice in the labor sector will be very difficult to achieve.

The intervention of the government (the ruler) in industrial law is intended to create just industrial relations. Because if the relationship between workers and employers which is very different in socio-economic terms is completely left to the parties, the goal of creating justice in work relations will be very difficult to achieve, because the strong parties will always want to control the weak (Husni, 2004). On this basis, the government has gradually participated in dealing with labor issues through various laws and regulations. Laws and regulations in the manpower sector are intended to provide legal certainty for the rights and obligations of entrepreneurs and workers / laborers. For example, Law Number 22 Year 1957 is known as the Regional Dispute Settlement Committee (P4D) and the Central Dispute Resolution Committee (P4P) where the government is in the institution. In Law No.2 of 2004, the government mediates in industrial relations disputes through mediation institutions.

Taking into account the various problems that arise from the arrangement of industrial relations dispute settlement and their implementation in the field, it is appropriate that the role of the government in the settlement of industrial relations disputes is strengthened. This aims to provide legal protection to the weak, especially workers / laborers. Some of the things that need to be strengthened are as follows:

1. Government as regulator

The government as the regulator functions to prepare directions in balancing the implementation of development through the issuance of laws and regulations in the field of industrial relations, especially regarding methods for resolving industrial relations disputes. These regulations include the issuance of Law Number 13 of 2003 which eliminates the enactment of various colonial legacy laws and other labor-related laws (Husni, 2004). Specifically related to the settlement of industrial relations disputes, Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes was also issued which abolished the previous law, namely (Husni, 2004):

a. Law Number 22 Year 1957 concerning Settlement of Labor Disputes (enacted in State Gazette Year 1957 Number 42, and Supplement to State Gazette Number 1227).
b. Law Number 12 Year 1964 concerning Termination of Employment in Private Companies (promulgated in State Gazette Year 1964 Number 93, and Supplement to State Gazette Number 2686).

In the PPHI Law the role of the government in settling industrial relations disputes is very limited, this can be seen in just a few articles, namely: first, Article 4 paragraph (3) which states that after receiving records from one or the parties, the agency responsible for The local manpower sector is obliged to offer the parties an agreement to choose a settlement by conciliation or by arbitration. second, Article 4 paragraph (4) further states that in the event that the parties do not determine the choice of settlement through conciliation or arbitration within 7 (seven) working days, the agency responsible for the manpower sector will delegate dispute resolution to the mediator.

From some of these articles, it can be seen that the role of the government only functions as a registration place for the settlement of industrial relations disputes as also seen in Article 4 paragraph (1) which states in the event that bipartite negotiations fail as referred to in Article 3 paragraph (3), then one or both of them the party registers the dispute with the local manpower agency by attaching evidence that efforts to resolve it through bipartite negotiations have been carried out.

Apart from being a place for registration of unfinished industrial relations disputes, the function of the government is seen in mediating settlement if the parties do not choose to settle in

conciliation and arbitration. Mediation here is referred to as industrial relations mediation, namely the settlement of disputes over rights, disputes over interests, disputes over termination of employment, and disputes between trade unions / labor unions in only one company through deliberation mediated by one or more neutral mediators (Article 1 number 11 of the PPHI Law).

In settling industrial relations disputes by means of mediation, the seriousness of the parties involved is needed so that the dispute can be resolved properly because if one of the parties does not have good faith in resolving the dispute, then there will definitely not be an agreement between the parties. The function of the mediator as a government representative is only as an intermediary who is ordered not later than 7 (seven) working days after receiving the delegation of dispute resolution, must have conducted research on the seat of the case and immediately conduct a mediation hearing (Article 10 of the PPHI Law). The mediator can summon witnesses or expert witnesses to attend the mediation session to request and hear the testimony (Article 11 paragraph (1)). If there is an agreement for the settlement of industrial relations disputes through mediation, a Collective Agreement is drawn up which is signed by the parties and witnessed by the mediator and registered at the Industrial Relations Court at the District Court in the jurisdiction of the parties that entered into a Collective Agreement to obtain a proof of registration deed (Article 13 paragraph 1 of the PPHI Law).

The problem that often occurs is that there is no Collective Agreement between the disputing parties because the parties are not serious about resolving industrial relations disputes through mediation, especially those carried out by entrepreneurs. For example, the parties do not attend a mediation hearing even though they have been properly summoned or attend only occasionally. The PPHI Law does not regulate this to forcibly summon an absent party, so that the absence of these parties is only considered one of the causes for the failure of the mediation settlement and could be a reason for resolving disputes at the Industrial Relations Court. In the case of written recommendations, parties often do not respond to them, whereas in Article 13 paragraph (2) letter c it is stated that the parties must have provided a written answer to the recommendation made by the mediator, the contents of which reject or accept the written recommendation within no later than 10 (ten years).) working days but in the provisions of letter d, the party that does not provide an opinion as referred to in letter c is deemed to reject the written recommendation.

From these provisions, the writer argues that the role of the government in settling disputes through mediation needs to be strengthened by giving the government/mediator authority to be able to forcibly summon parties who do not have good faith in resolving their disputes and impose sanctions on the absent parties. Likewise in the case of a written recommendation, the parties must provide a written answer as referred to in Article 13 paragraph (2) letter c and shall be given a sanction against the party who does not provide an answer to the written recommendation.

The role of the government also needs to be strengthened in terms of settling industrial relations disputes through bipartite. In the PPHI Law Article 1 point 10, it is stated that bipartite negotiations are negotiations between workers / laborers or trade / labor unions and employers to resolve industrial relations disputes. In Article 3 paragraph (1) of the PPHI Law, it is stated that industrial relations disputes must be resolved first through deliberative bipartite negotiations to reach consensus. The word "obligatory" here means requiring the parties to conduct bipartite negotiations to resolve their dispute and the party that refuses to negotiate should be sanctioned. However, in Article 3 paragraph (3) of the PPHI Law it is precisely stated that if within 30 (thirty) days as referred to in paragraph (2) one of the parties refuses to negotiate or a negotiation

has been carried out but does not reach an agreement, then the bipartite negotiation is considered a failure. Here it is clear the inconsistency of the PPHI Law.

The author argues that the essence of Article 3 paragraph (1) of the PPHI Law is an obligation to deliberate and reach consensus in resolving industrial relations disputes as a manifestation of Pancasila industrial relations so that no party may refuse to negotiate. As previously explained in the Pancasila Industrial Relations, every difference of opinion between workers/laborers and employers/employers must be resolved by deliberation to reach consensus which is carried out amicably, because in a strike action, suppression and closure of the company (Lock Out) is not in accordance with the principles of Pancasila Industrial Relations (Widodo, 1992). Refusal to conduct deliberation should result in those who refuse to be subject to strict sanctions. This is where the role of the government can be carried out to protect the weak, especially workers/laborers, where when workers are powerless to face employers, the government is present to provide protection.

In other countries such as Singapore, the role of the government is also significant in resolving industrial relations disputes. For example, in every contract making, it must contain clauses regarding termination of employment, rights and obligations, duties and responsibilities of both employers and workers in the event of termination of employment. The termination of employment regulations in Singapore are designed to restructure labor relations as well as to create a tripartite cooperation system that involves the government in labor matters (Suprayogi, 2016).

Through this law and its amendments in 1968, the resolution of labor disputes is directed to be prevented and resolved outside the court, namely through a process of collective bargaining, conciliation and arbitration. If negotiations fail to resolve the dispute between the employer and the worker, the dispute will then be resolved by conciliation. This conciliation is carried out by The Office of Commissioner of Labor under the Department of Manpower. If the conciliation effort fails, it will proceed with a settlement by the Arbitration Court or The Industrial Arbitration Court (IAC). The Chairperson and Deputy Chairperson of this arbitration institution are appointed directly by the President on the advice of the Prime Minister. Seeing the position of the Chairperson and Deputy Chairperson who are directly appointed by the government, it seems that IAC has enormous power and a very strong position to resolve disputes between companies and workers and provide justice for the disputing parties (Suprayogi, 2016).

2. The role of government as a dynamist

The government as a dynamist has the function of mobilizing community participation and overcoming obstacles in the development process so that development continues to run well. The government has a role to provide guidance and direction to the community. In the process of resolving industrial relations disputes, the role of the government as a dynamist can be realized by forming a tripartite cooperation institution (LKS Tripartite) whose members consist of elements from workers 'organizations, employers' organizations and the government. The function of this institution is as a forum for consultation and communication with the main task of bringing together conceptions, attitudes and plans in dealing with various labor problems, both those that arise now and those that arise in the future (Soedarjadi, 2008).

The role of the government in this Tripartite LKS is very strategic in realizing harmonious industrial relations so that various industrial relations disputes can also be minimized due to continuous communication between workers, employers and the government. Strengthening the role of the government through strengthening the tripartite worksheets must

begin with internal strengthening, each element in the tripartite worksheets must be aware that their existence in the tripartite worksheets is a representation of all workers / laborers, employers, and the government at each level. In addition, it requires commitment from all parties who position the Tripartite Institution as a strategic institution in creating harmonious, dynamic and just industrial relations (Purba, 2019).

Some things that can be done to strengthen the tripartite worksheets include: 1). There is a need to disseminate information between the National Tripartite Institutions and the Regional Tripartite Institutions related to their work results. 2). It is necessary to make guidelines in carrying out coordination between the National Tripartite LKS and the Regional Tripartite LKS. 3). The results of the work of the National Tripartite LKS need to be submitted to the Regional Tripartite LKS and vice versa. 4). Tripartite Institutions need financial support so that they can carry out their activities properly so that they can increase the capacity of their members, carry out monitoring and evaluation on policies and can conduct comparative studies.

3. The role of the government as a facilitator

As a facilitator, the government functions to provide assistance through training, education and skills enhancement to communities that need to be empowered. In industrial relations, the party that is considered powerless is the worker/laborer so that whenever he is faced with an entrepreneur, he tends to be in a weak position. Therefore, empowerment of workers/labor is very important in an effort to provide justice to workers/laborers. However, it is not only workers/laborers who must be empowered but all parties related to industrial relations including employers and employers' organizations, trade/labor unions and the government so that they can carry out their functions properly.

Some things that can be done in empowering the parties related to the settlement of industrial relations disputes (Sudiarwan, 2017) are as follows: a). Workers / laborers can improve the quality of workers / laborers' human resources, especially those related to their expertise, skills and knowledge in the field of labor law, including knowledge about the ins and outs of industrial relations dispute resolution b). The trade union / labor union is carried out by providing training and skills in the techniques of defending the workers / laborers. c). towards entrepreneurs, empowering them by providing a good understanding of labor law and how to manage the company well d). The government needs control over its role in resolving industrial relations disputes both in the process of making regulations, supervision and as a mediator of industrial relations). e). towards other stakeholders such as NGOs, advocates can be empowered to oversee and be directly involved in settling industrial relations disputes.

The author argues that from a number of parties involved in industrial relations, it is the government's role that is very important in carrying out this empowerment. Workers/laborers and trade/labor unions usually do not have the resources and financial resources and are looking forward to government assistance in increasing their capacity. With the improved abilities of workers/laborers and trade / labor unions, it is hoped that it can assist them in dealing with disputes that may occur.

CONCLUSION

Strengthening the role of the government in settling industrial relations disputes is carried out through the function of the government as a regulator where the government should make regulations that allow it to interfere in the settlement of industrial relations disputes so that weak parties will be protected. Through the function of the dynamist, the role of government can be carried out by strengthening the functions of the Tripartite Cooperation Institution in which the

government is involved. Through the function of facilitator, the government can carry out various training and empowerment programs in the context of strengthening the human resources of the parties in dispute, especially workers.

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