

Implementation of Indonesian Government Regulations Concerning the Job Loss Guarantee Program in the Province of the Special Capital Region of Jakarta

Rr Ani Wijayati¹, Haposan Sahala Raja Sinaga^{1*}

¹Faculty of Law, Universitas Kristen Indonesia, Jakarta, Indonesia

*Corresponding Author Email: haposan.sinaga@uki.ac.id

ABSTRACT

The Indonesian government expanded social security for the community, especially those who experienced layoffs or lost their jobs by issuing a Government Regulation to expand social security as amended and adding several provisions to articles in Law Number 40 of 2004 concerning the National Social Security System after the enactment of the Law. Law Number 11 of 2020 concerning Job Creation. The background to the policy is because during the COVID-19 pandemic many companies laid off employment. In Jakarta, the number of people who have lost their jobs has increased. The Central Statistics Agency of Indonesia report released that the number of unemployed people in the Special Capital Region of Jakarta in February 2022 was 410.59 thousand people. This research aims to legally analyze the decisions or *beschikking* issued by the Jakarta provincial government in implementing the job loss guarantee (JKP) program and analyze the implementation of the job loss guarantee program in the Jakarta. The research method used is a juridical-empirical research method using statutory and case approaches. The results of this research: 1) Decree (*beschikking*) of the DKI Jakarta Provincial Government in implementing the job loss guarantee program by issuing: Regional Regulation Number 27 of 2012 concerning the Implementation of Employment and Governor's Regulation of the Special Capital Region of Jakarta Province Number 15 of 2023 concerning Amendments to Governor's Regulation Number 55 of 2016 concerning the Implementation of Social Security for Workers through the Employment Social Security Administering Agency. 2) Implementation of PP 37/2021 in the DKI Jakarta Province area, based on employment conditions in February 2023, the working population in Jakarta area was recorded at 4.86 million people and a survey of 135 random respondents related to the dissemination of information about JKP concluded that the implementation JKP, especially in terms of socialization, is still lacking, because as many as 77% admitted that they had never been socialized about the JKP program which has implications for respondents' knowledge of the benefits of the JKP program itself, not many respondents fully know that the benefits of the JKP program are in the form of cash benefits, benefits of access to job information, and benefits of job training. Of the respondents who knew about the benefits of the JKP program, generally they only knew about the cash benefits, while other respondents admitted that they did not know at all about the benefits of the JKP program. This number of respondents is not small, namely 53 respondents or around 55.8%. The benefits of the JKP program that were known to respondents were benefits in the form of cash as much as 32.7%, benefits from access to job market information as much as 14.7% and benefits from job training as much as 17% and the remaining 55.8% of respondents did not know what the benefits of the JKP program were.

Keywords: Implementation, Government Regulation, Job Loss Guarantee, Special Capital Region of Jakarta

ABSTRAK

Pemerintah Indonesia memperluas jaminan sosial untuk masyarakat terutama yang mengalami pemutusan hubungan kerja atau kehilangan pekerjaannya dengan mengeluarkan suatu Peraturan Pemerintah untuk memperluas jaminan sosial sebagaimana telah diubah dan ditambahkan beberapa ketentuan pasal pada Undang-Undang Nomor 40 Tahun 2004 tentang Sistem Jaminan Sosial Nasional pasca berlakunya Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja. Hal yang melatarbelakangi kebijakan karena selama pandemi COVID-19 banyak perusahaan melakukan pemutusan hubungan kerja. Di Jakarta, jumlah masyarakat yang kehilangan pekerjaannya meningkat. Laporan Badan

* Copyright (c) 2024 **Rr Ani Wijayati and Haposan Sahala Raja Sinaga**

This work is licensed under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

Received: December 4, 2023; Accepted: April 18, 2024. Published: April 29, 2024

Pusat Statistik merilis jumlah pengangguran Daerah Khusus Ibukota Jakarta pada Februari 2022 berjumlah 410,59 ribu jiwa. Penelitian ini bertujuan menganalisa secara hukum ketetapan atau *beschikking* yang dikeluarkan pemerintah provinsi DKI Jakarta dalam menyelenggarakan program jaminan kehilangan pekerjaan dan menganalisis implementasi penyelenggaraan program jaminan kehilangan pekerjaan di wilayah provinsi DKI Jakarta. Metode penelitian yang digunakan metode penelitian yuridis-empiris dengan menggunakan pendekatan-pendekatan perundang-undangan (*statute approach*) dan kasus (*case approach*). Hasil penelitian ini: 1) Ketetapan (*beschikking*) Pemerintah Provinsi DKI Jakarta dalam penyelenggaraan program jaminan kehilangan pekerjaan dengan menerbitkan: Peraturan Daerah Nomor 27 Tahun 2012 tentang Penyelenggaraan Ketenagakerjaan dan Peraturan Gubernur (PERGUB) Provinsi Daerah Khusus Ibukota Jakarta Nomor 15 Tahun 2023 tentang Perubahan Atas Peraturan Gubernur Nomor 55 Tahun 2016 Tentang Pelaksanaan Jaminan Sosial Bagi Tenaga Kerja Melalui Badan Penyelenggara Jaminan Sosial Ketenagakerjaan. 2) Implementasi PP 37/2021 di wilayah Provinsi DKI Jakarta, berdasarkan kondisi ketenagakerjaan pada Februari 2023, angka penduduk bekerja di wilayah DKI Jakarta tercatat 4,86 juta orang dan survei terhadap 135 responden secara acak yang berkaitan dengan penyebaran informasi tentang JKP disimpulkan bahwa implementasi JKP utamanya dalam hal sosialisasi masih kurang, karena sebanyak 77% mengaku belum pernah disosialisasikan mengenai program JKP yang berimplikasi pada pengetahuan responden akan manfaat dari program JKP itu sendiri, tidak banyak responden yang tahu secara lengkap bahwa manfaat dari program JKP itu adalah berupa manfaat uang tunai, manfaat akses informasi kerja, dan manfaat pelatihan kerja. Dari responden yang mengetahui manfaat program JKP ini umumnya hanya mengetahui adanya manfaat uang tunai saja, kemudian responden lainnya mengaku tidak tahu sama sekali manfaat program JKP ini. Angka responden ini tidak sedikit, yaitu berjumlah 53 responden atau sekitar 55,8%. Manfaat dari program JKP yang diketahui oleh responden adalah manfaat berupa uang tunai sebanyak 32,7%, manfaat akses informasi pasar kerja sebanyak 14,7% dan manfaat pelatihan kerja sebanyak 17% dan sisanya sebanyak 55,8% responden tidak mengetahui apa manfaat program JKP.

Kata Kunci : Implementasi, Peraturan Pemerintah, Jaminan Kehilangan Pekerjaan, Daerah Khusus Ibukota Jakarta

INTRODUCTION

The spread of Corona Virus Disease 2019 or what is widely known as COVID-19 has had a major impact on human life in the world, not only impacting the health sector but also impacting the socio-economic sector. The World Health Organization (WHO) declared COVID-19 a Global Pandemic on March 11 2020, while the Indonesian Government has just declared COVID-19 a pandemic or non-natural national disaster through Presidential Decree Number 12 of 2020 concerning the Determination of Non-Natural Disasters for the Spread of Corona Virus Disease 2019. (Wulandari, 2021)

Apart from that, Presidential Decree Number 24 of 2021 was also issued regarding Determining the Factual Status of the 2019 Corona Virus Disease (COVID-19) Pandemic in Indonesia. This presidential decree is based on the consideration that the pandemic and spread of COVID-19 as a national disaster has not yet ended and has an impact on various aspects including broad health, economic and social aspects in Indonesia. The declaration of COVID-19 as a pandemic or national disaster has implications for restrictions on people's social activities. The aim is to overcome or break the chain of spread of COVID-19, however, restrictions on people's social activities have had a big impact on business activities. Many disrupted business activities have caused the economy to decline. (Kalogiannidis, 2020)

At the time of the pandemic which peaked in 2020, there was a February Central Statistics Agency (BPS) report which released that Indonesia's economic growth in 2020 fell by 2.07% (c-t-c) compared to 2019. Indonesia's declining economic growth shows that economic performance is weakening and also has an impact on the employment situation in Indonesia. The employment situation in Indonesia with the COVID-19 pandemic has given rise to two major problems, namely the issue of increasing the number of unemployed and changes in the employment situation which tends to lead to a non-normative employment situation. (Badan Pusat Statistik, 2020).

The Special Capital Region of Jakarta Province (Jakarta) is a region that strictly implements large-scale social restrictions. Implements large-scale social restrictions due to the COVID-19 pandemic resulted in 50,891 workers or laborers experiencing layoffs or being fired. This figure is the accumulation of data during the implementation of large-scale social restrictions in Jakarta, the data of which was obtained from the Jakarta Manpower and Transmigration Department. Data from Jakarta Manpower and Transmigration Department shows that: "in the first phase of the PSSB the number of workers who were laid off was 30,363 people, and in the transition phase of the PSBB, 20,528 workers had to lose their jobs." (Ratih, 2020)

According to the Head of the Jakarta Manpower, Transmigration and Energy Service, Andri Yansyah, stated the data collected by the Jakarta Manpower and Transmigration Office: "based on data from the DKI Manpower and Transmigration Department, there are macro, micro, small, medium and large businesses operating in the capital city in number reaching 79,199 companies. During the pandemic, 172,222 workers from 16,198 companies were laid off." The meaning of being laid off is not being laid off, but simply being affected by the COVID-19 pandemic. The number of layoffs was 30,363 people from 3,361 companies in phase one of the PSBB policy. "Then, during the PSBB transition period, the number decreased to 100,111 workers being laid off, from 16,684 companies, and 20,528 people being laid off from 3,241 companies reported in the field of supervision." (Ratih, 2020)

Looking at the data presented by Jakarta Manpower Office makes Indonesia's employment situation look sad. Even though several months before this data was presented, the Government, through the Ministry of Manpower of the Republic of Indonesia, issued a Circular Letter from the Minister of Manpower Number MM/3/HK.04/III/2020 of 2020 concerning Protection of Workers/Labourers and Business Continuity in the Context of Preventing and Handling COVID-19, however This is not enough to stem the flow of layoffs due to efficiency reasons, force majeure and other reasons.

With many companies laying off workers and laying off workers during the COVID-19 pandemic, residents of Jakarta have lost their jobs and the number of unemployed has increased. The Central Statistics Agency (Badan Pusat Statistik) report released that the number of unemployed people in the Special Capital Region of Jakarta in February 2022 was 410.59 thousand people. Thus, Jakarta's Open Unemployment Rate (TPT) is 8% of the total workforce (Lalib, 2020).

Currently, the government is making every effort to expand social security for people, especially those who have experienced layoffs or lost their jobs. Social security is the state's responsibility to fulfill citizens' rights as mandated by Article 28H paragraph (3) of the 1945 Constitution of the Republic of Indonesia: "that every person has the right to social security which enables his/her full development as a dignified human being." The commitment made by the government at this time is to issue a Government Regulation to expand social security as amended and adding several provisions to articles in Law Number 40 of 2004 concerning the National Social Security System after the enactment of Law Number 11 of 2020 regarding Job Creation ('Job Creation Law').

Government regulations or abbreviated as PP are implementing regulations mandated by law. Likewise, Government regulation Number 37 of 2021 concerning the Implementation of the Job Loss Guarantee Program is an implementing regulation that applies nationally and is mandated by the Job Creation Law. In general, Article 82 regulates changes and additions to existing provisions in the SJSN Law, as follows Table 1.

The problems in this research are as follows: first, what are the decisions (beschikking) of Jakarta Provincial Government in implementing the job loss guarantee program? Second, how is Provincial Regulation of 37 number 2021 implemented in Jakarta?

Table 1. Types of Social Security Programs After the Implementation of the Job Creation Law

Law no. 40 of 2004 concerning the National Social Security System	Law no. 11 of 2020 concerning Job Creation
Article 18 Types of social security programs include: a. health insurance; b. accident insurance; c. pension plan; d. pension guarantee; e. life insurance.	(Article 82 Paragraph 1) amendment to article 18 Types of social security programs include: a. health insurance; b. accident insurance; c. pension plan; d. pension guarantee; e. life insurance; f. guaranteed job loss.
Article 46 A (New Provisions)	(Article 82 Paragraph 2) additional Article 46 A 1. Workers/laborers who experience termination of employment have the right to guarantee loss of employment. 2. Job loss insurance is administered by the employment social security administration body and the central government. 3. Further provisions regarding procedures for administering job loss insurance are regulated in Government Regulations.

RESEARCH METHOD

This research method uses empirical juridical research methods, namely examining applicable legal provisions and what happens in reality in society. Empirical juridical research is “legal research regarding the application or implementation of normative legal provisions in action on every particular legal event that occurs in society. Or in other words, it is a research carried out on the actual situation or real conditions that occur in society with the aim of knowing and finding the facts and data needed, after the required data is collected then it leads to problem identification which ultimately leads to solving the problem.” (Abdulkadir, 2014).

In research, a distinction is generally made between data obtained directly from the public and from library materials. What is obtained directly from the public is called primary data (or basic data), while what is obtained from library materials is usually called secondary data. The data in this writing is secondary data, namely library materials which include official documents, library books, statutory regulations, scientific works, articles, and documents related to research material. Suggests that there are four basic types of data collection procedures in qualitative studies, namely: observation, interviews, documentation, audiovisual materials. The data collection technique in this study is through interviews using check list sheets and observation as well as using other methods that are in accordance with the research approach (Creswell, 2016).

The research results will be presented descriptively-analytically. According to Soejono and Abdurrahman, descriptive analysis is “descriptive-analytical, namely describing existing facts, then analysis is carried out based on positive law and existing theories.” Descriptive analysis focuses on solving existing problems. The implementation of this descriptive method is not limited to the data collection and data preparation stages but includes analysis and interpretation of the meaning of the data itself (Soejono, 1999).

RESULTS AND DISCUSSION

Decree (*beschikking*) of the Jakarta Provincial Government in Implementing the Job Loss Guarantee Program

The Ministry of Manpower has issued a number of derivative regulations from Government Regulation Number 37 of 2021, including Minister of Manpower Regulation Number 7 of 2021 concerning Procedures for Registration of Participants and Implementation of Recomposition of Contributions in the Job Loss Guarantee Program; Minister of Manpower Regulation Number 15 of 2021 concerning Procedures for Providing Job Loss Guarantee Benefits. Not only the Ministry of Manpower, the Ministry of Finance also issued regulations relevant to the Job Loss Guarantee (JKP) program, namely Minister of Finance Regulation Number 148/PMK.02/2021 concerning Procedures for Providing, Disbursing, Using and Accounting for Initial Funds and Accumulated Contributions for the Job Loss Guarantee Program. This ministerial regulation was issued to implement the provisions of Article 17 paragraph (1), Article 34 paragraph (2), and Article 42 paragraph (5) Government Regulation Number 37 of 2021.

Following up on the implementation of government regulations regarding job loss insurance in the Special Capital Region of Jakarta and realizing that the employment sector is a basic right for citizens, the Jakarta Provincial Government has taken steps to protect workers, especially job loss guarantees by issuing:

1. Regional Regulation Number 27 of 2012 concerning the Implementation of Employment.
2. Governor's Regulation of the Province of the Special Capital Region of Jakarta Number 15 of 2023 concerning Amendments to Governor's Regulation Number 55 of 2016 concerning the Implementation of Social Security for Workers through the Employment Social Security Administering Agency.

Governor's Regulation Number 15 of 2023 is a form of decree (*beschikking*) of the Jakarta Provincial Government in implementing JKP in a regulation by changing the existing provisions in the previous Governor's Regulation, namely Governor's Regulation Number 55 of 2016 concerning the Implementation of Social Security for Workers through the Employment Social Security Administering Agency, as follows:

1. Amend the provisions of Article 1, primarily by adding the definition of Job Loss Guarantee in number 8, namely “Social Security provided to workers/laborers who experience termination of employment in the form of cash benefits, access to job market information, and job training.”
2. Amend the provisions of Article 3 which expands the aim of the Governor's Regulation to realize social protection for workers in the regions through the JKK, JHT, JKM, JP and JKP programs so that workers can fulfill their basic living needs properly.
3. Amend the provisions of Article 4 which expands the scope of implementation of employment social security to not only JKK, JHT and JP but also JKP.

4. Insert 2 (two) articles between Article 20 and Article 21, namely Article 20A and Article 20B which regulate the JKP program contribution of 0.46% of a month's wages that must be paid every month. The contribution paid by the Government is 0.22% of a month's wages and the JKP funding source is 0.24% of a month's wages. And the JKP funding source is a recomposition of JKK and JKM contributions carried out by BPJS Employment through the BPJS Employment information system.

Implementation of government regulation number 37 of 2021 concerning job loss guarantees in Jakarta

Development of employment conditions and structure in Jakarta

Based on employment conditions in February 2023, the working population in the DKI Jakarta area was recorded at 4.86 million people, showing an increase of 2.84% (yoy) from the previous year's period. In terms of labor absorption, the employment opportunity rate (TKK) was recorded at 92.43%, higher than the same period the previous year (92.00%).

Table 2. Development of Employment Conditions February 2019 – February 2023

Employment Conditions	2019		2020		2021		2022		2023
	February	August	February	August	February	August	February	August	February
Working Age Population (thousand people)	7.930,26	8.126,12	8.004,78	8.199,69	8.239,83	8.266,36	8.245,33	8.327,00	8.332,26
Workforce (thousand people)	5.447,51	5.192,35	5.438,99	5.232,03	5.365,77	5.177,31	5.134,13	5.252,40	5.255,24
Employed (thousand people)	5.167,99	4.852,95	5.170,67	4.659,25	4.909,17	4.737,42	4.723,54	4.723,54	4.857,62
Unemployment (thousand people)	279,59	339,40	268,32	572,78	456,60	439,90	410,58	377,29	397,62
Not the Labor Force (thousand people)	2.482,75	2.933,77	2.565,78	2.967,66	2.874,05	3.089,04	3.111,20	3.074,61	3.077,02
Formal Sector Workers (thousand people)	3.381,35	3.331,82	3.509,49	2.878,42	3.145,80	2.924,71	2.985,37	3.077,31	2.167,99
Informal Sector Workers (thousand people)	1.786,57	1.521,23	1.661,18	1.780,83	1.762,38	1.812,71	1.738,17	1.797,80	1.689,63
Labor Force Participation Rate (%)	68,89	63,90	67,95	63,81	65,12	62,63	62,27	63,08	63,07
Employment Opportunity Rate (%)	94,86	93,46	95,07	89,05	91,49	91,50	92,00	92,82	92,43
Open Unemployment Rate (%)	5,13	6,54	4,93	10,95	8,51	8,50	8,00	7,18	7,57

This data was obtained from the Official Statistical News of the Jakarta Central Statistics Agency. The employment structure in the DKI Jakarta province area for the period February 2022 – February 2023, is as follows Diagram 1:

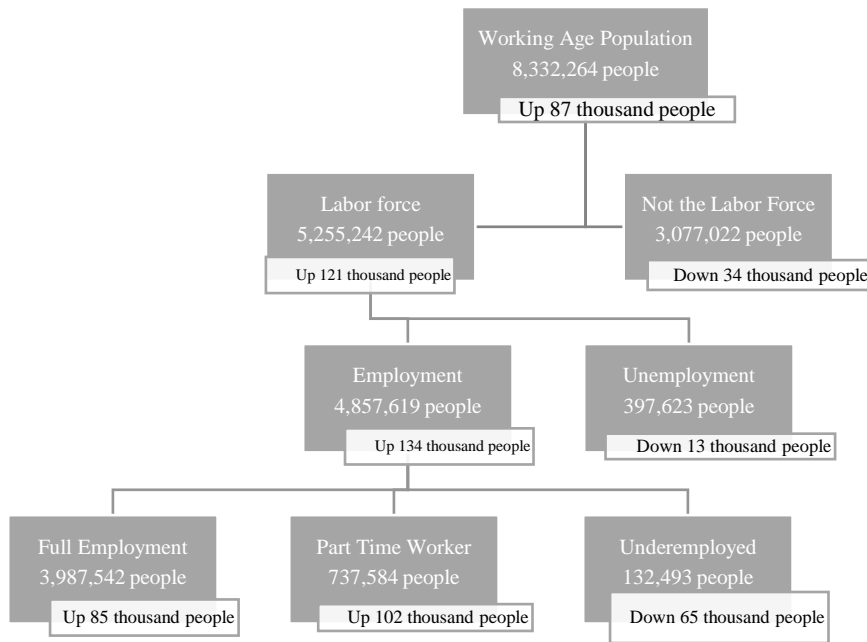
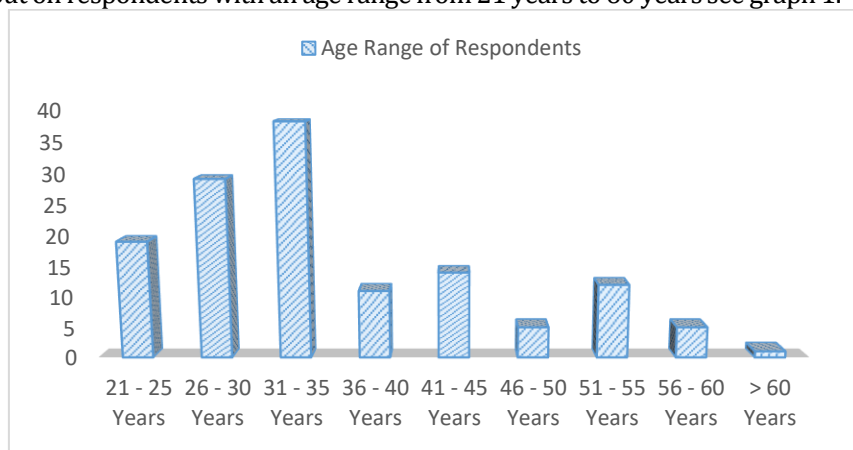


Diagram 1. Employment Structure of DKI Jakarta Province February 2022 – February 2023

Survey of the socialization of the Job Loss Guarantee program in Jakarta

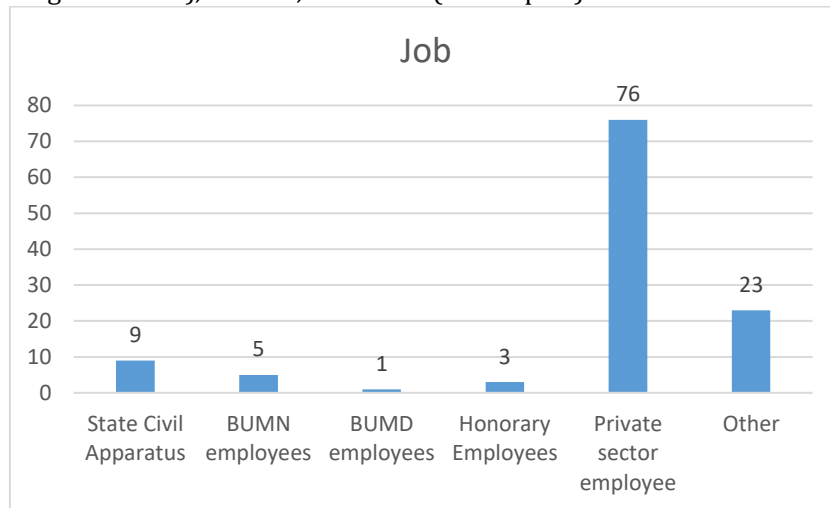
Of the large number of working residents in the in the Special Capital Region of Jakarta Province, researchers conducted a survey of 135 random respondents related to the dissemination of information about JKP. Of the 135 respondents, 117 respondents were identified as working in the Jakarta. The survey was carried out on respondents with an age range from 21 years to 60 years see graph 1.



Graph 1. Age Range of Respondents

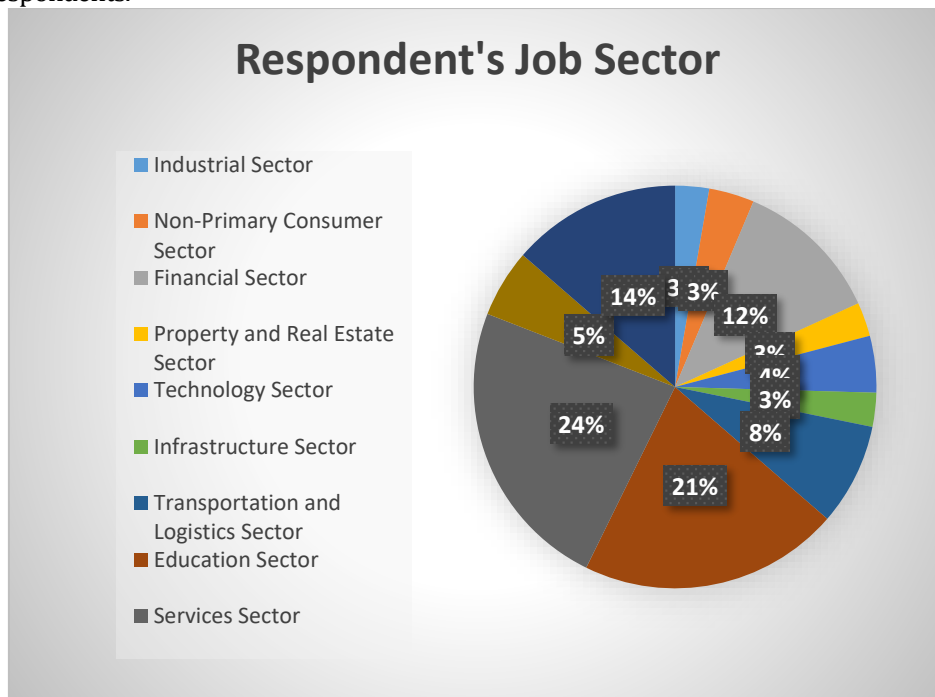
The largest number of respondents were those aged 31-35 years, 38 respondents, 28 respondents in the 26-30 year age range, 19 respondents in the 21-25 year age range, 14 respondents in the 41-45 age range, and 51-55 age range. 12 respondents, and the age range of 46-40 years was 11 respondents. A small portion were respondents whose ages ranged from 46-50 years and 56-60 years, 5 respondents each, and 1 response aged 66 years.

Respondents' job qualifications include: private employees, BUMN/BUMD employees, honorary employees, state civil servants and other work professions. Job sectors in the fields include: energy, raw goods, industry, primary consumers, non-primary consumers, health, finance, property and real estate, technology, infrastructure, transportation and logistics, listed investment products, education, public services (agencies government), services, and others (see Graph 2).



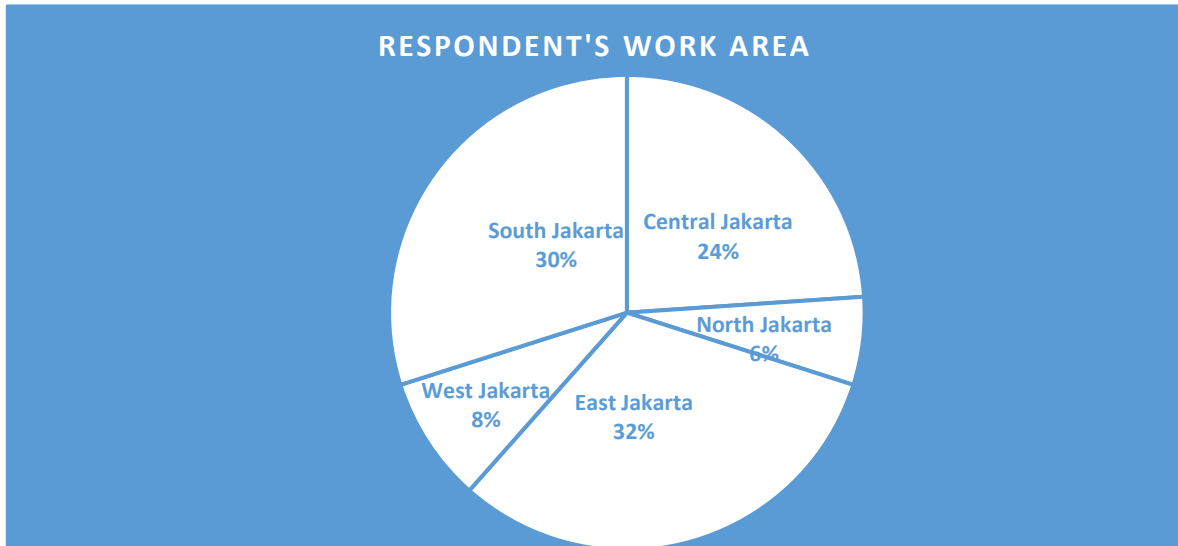
Graph 2. Respondent's Job Qualifications

The majority of respondents' job qualifications were private employees with 76 respondents, the remaining small portion were state civil servants with 9 respondents, BUMN employees with 5 respondents, honorary employees with 3 respondents, BUMD employees with 1 respondent, and others with 23 respondents.



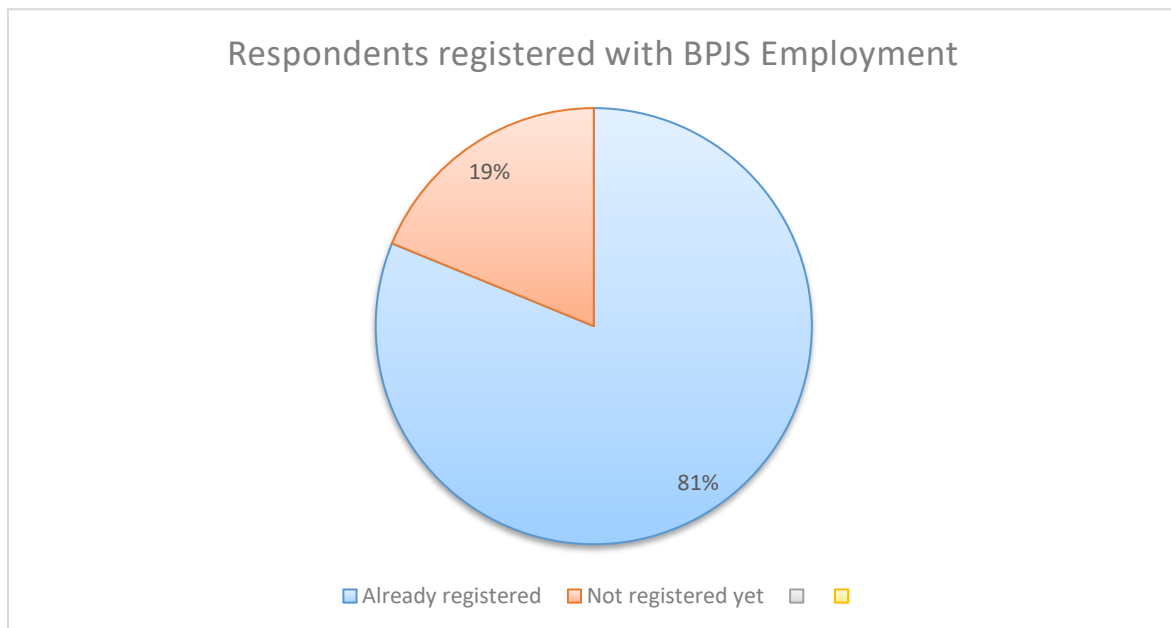
Graph 3. Respondent's Job Sector

Meanwhile, the respondents' work sectors are evenly spread across employment sectors in areas including: industry, non-primary consumer, finance, property and real estate, technology, infrastructure, education and other sectors (see Graph 3).



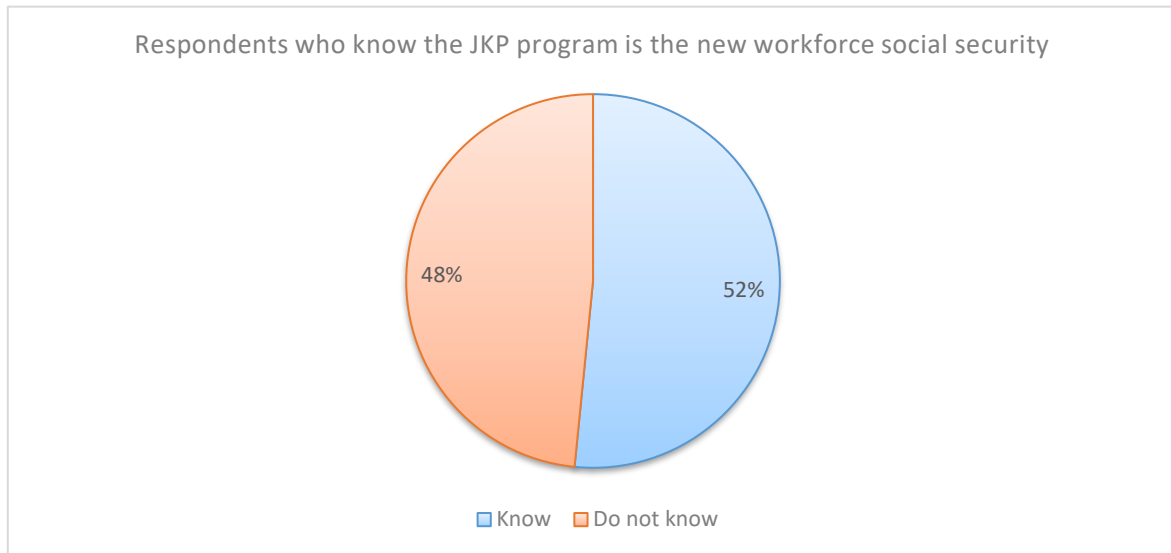
Graph 4. Distribution of Respondents' Work Areas

117 respondents whose work areas are in the Special Capital Region of Jakarta Province are spread throughout the city of Jakarta, including: North Jakarta, East Jakarta, Central Jakarta, West Jakarta and South Jakarta. Except for Seribu Islands Regency, there were no respondents. Most respondents work in East Jakarta with 37 respondents, South Jakarta with 35 respondents, Central Jakarta with 28 respondents, West Jakarta with 10 respondents, and North Jakarta with 7 respondents (see Graph 4).



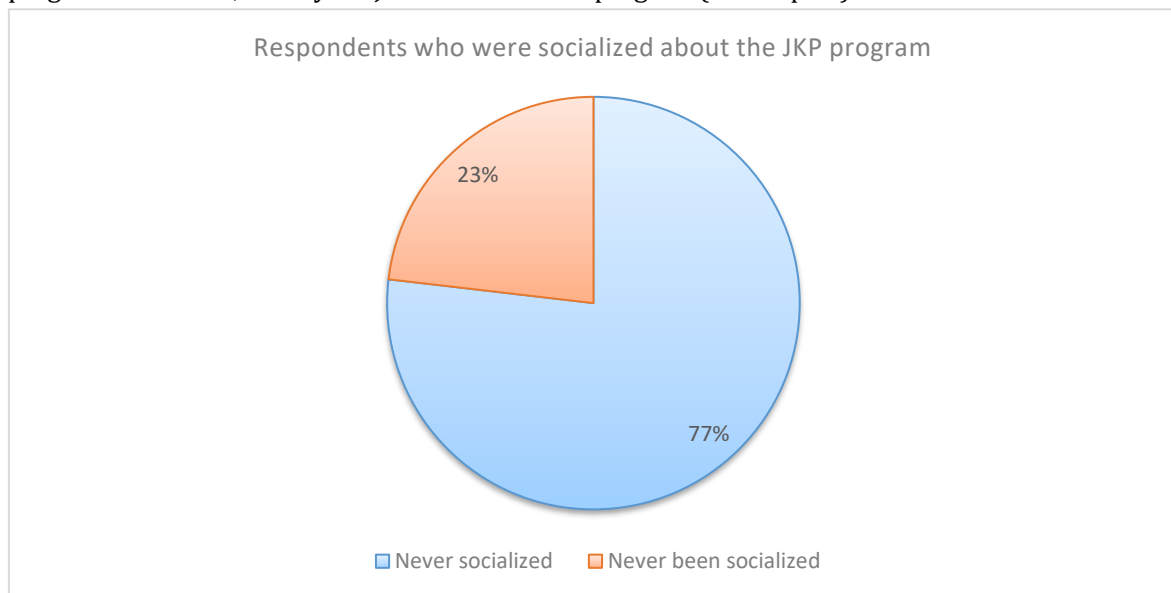
Graph 5. Respondents registered with BPJS Employment

From the results of the survey conducted, information was obtained that 81% of respondents were registered as BPJS Employment participants, while another 19% admitted that they had not been registered as BPJS Employment participants.



Graph 6. Respondents who know that JKP is a new social security program

Then, of the 81% of respondents who were registered as BPJS Employment participants, it turned out that only 52% of respondents knew that the government had added a new employment social security program since 2021, namely the Job Loss Guarantee program (see Graph 6).

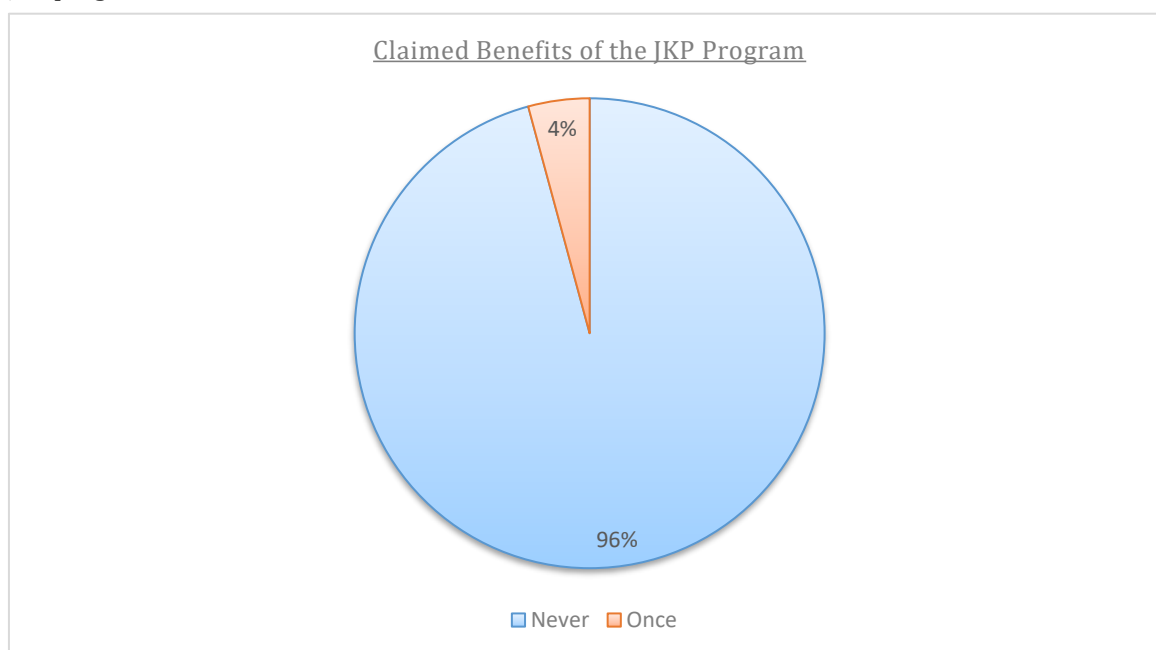


Graph 7. Respondents who were socialized about the JKP program

In line with the next respondent's response, 77% admitted that they had never been socialized about the JKP program. Meanwhile, only 23% of respondents had received socialization about the JKP program by the government, the companies the respondents worked at and through information in mass media/social media. This figure of 77% of respondents who have never been socialized has implications

for respondents' knowledge of the benefits of the JKP program itself (see Graph 7). Not many respondents fully know that the benefits of the JKP program are in the form of cash benefits, benefits of access to job information, and job training benefits. Of the respondents who knew about the benefits of the JKP program, generally they only knew about the cash benefits, while other respondents admitted that they did not know at all about the benefits of the JKP program. This number of respondents is not small, namely 53 respondents or around 55.8%.

The benefits of the JKP program that were known to respondents were benefits in the form of cash as much as 32.7%, benefits from access to job market information as much as 14.7% and benefits from job training as much as 17% and the remaining 55.8% of respondents did not know what the benefits of the JKP program were.



Graph 8. Respondents Who Have Claimed Benefits of the JKP Program

Graph 8 show 96% of respondents, none of them had ever made a claim for the benefits of the JKP program, only 4% of respondents admitted that they had ever made a claim for the benefits of JKP. With the data from the questionnaire results that the researcher obtained, the conclusion is that there are still many respondents who do not know about the JKP program and many have not been socialized about it either from the company where the respondent works or from the government, the researcher hopes that BPJS Employment, both central and BPJS offices in the Jakarta together with the Indonesian Ministry of Manpower, especially the Jakarta Provincial Manpower, Transmigration and Energy Service, to further intensify the socialization of the JKP program.

In fact, there are quite a lot of regulations or technical rules for the JKP program issued by the government, namely Government Regulation Number 37 of 2021, whose derivatives consist of Regulation of the Minister of Manpower Number 7 of 2021 concerning Procedures for Registration of Participants and Implementation of Recomposition of Contributions in the JKP Program, Regulation of the Minister of Manpower Number 15 of 2021 concerning Procedures for Providing Job Loss Guarantee Benefits, and the most recently issued Regulation of the Minister of Finance Number 148/PMK.02/2021 concerning

Procedures for Providing, Disbursing, Using and Accounting for Initial Funds and Accumulated JKP Program Contributions.

Data and implementation of Job Loss Guarantee claims in Jakarta

Taking a closer look at data on social security participants for workers in Indonesia, especially in Jakarta, can be seen from their active status and participation segments as of August 2023 as follows table 3 and table 4:

Table 3. Number of BPJS Employment Participants in DKI Jakarta Province based on Activity Status as of August 2023

No	Active Membership	Amount	Inactive Membership	Amount
1.	Wage Recipient	5.117.552	Penerima Upah	4.477.829
2.	Not a Wage Receiver	760.759	Bukan Penerima Upah	207.144

Table 4. Number of Registered Companies and Workers Participating in BPJS Employment DKI Jakarta Province as of August 2023

No	Wage Recipient	Amount	Not a Wage Receiver	Amount
1.	Registered Company	118.875		
2.	Labor (people)			
	- JKK	5.117.552	- JKK	760.759
	- JKm	5.117.552	- JKm	760.759
	- JHT	4.654.209	- JHT	120.868
	- JP	4.256.514	- JP	-

The data that researchers obtained from BPJS Employment only includes 4 (four) employment social guarantees, including: Work Accident Insurance (JKK), Death Insurance (JKm), Old Age Security (JHT), and Pension Security (JP). There is no data yet regarding Job Loss Insurance (JKP) participation. Meanwhile, there is other data from BPJS Employment, namely the number of workers who were laid off for the period January – September 2023 in Jakarta, as follows Table 5:

Table 5. Number of laid-off workers in DKI Jakarta Province Per January to September 2023

No	Laid-off workers (months)	Amount
1.	January	127
2.	February	127
3.	March	127
4.	April	127
5.	May	127
6.	June	683
7.	July	1.105
8.	August	1.105
9.	September	1.259

Based on the data in table 3, 4 and 5 regarding workers who were laid off throughout 2023, from January to May the number was 127, then increased more significantly in June to 683, in July – August to

1,105 and in September to 1,259 workers. Layoffs. This means that 1,259 laid-off workers who meet the requirements should be able to receive benefits from the JKP program in Jakarta.

BPJS Employment As of April 2023 has paid JKP benefits to 28 thousand participants, with a total nominal value of IDR 135.99 billion. Specifically in 2022 alone, the number of JKPT program claims will be 9,794 people with a nominal value of IDR 44.52 billion. This program was first launched in February 2022. Reflecting on the experience or implementation of JKP in the previous year, which was managed by BPJS Employment, Jakarta Sudirman Branch Office, it has paid JKP Program claims from 394 participants worth IDR 760,547,555 since February 2022. Meanwhile, BPJS Employment Kebayoran Baru Office, throughout July 2022, it recorded claim payments of Rp. 32.1 billion for 1799 cases.

Approximately 72 countries worldwide, including all OECD countries, have some form of JKP designed to financially support unemployed individuals while they search for a job. Although programs differ across countries, most JKP systems exhibit a similar broad structure that determines eligibility, coverage, and generosity of benefits. (Schmieder, 2016). Building on existing arrangements may prove beneficial also for finding financial sources for the program. One of the main stumbling blocks for the introduction of an JKP program is the objection of employers to pay contributions to the program. To minimize additional contributions the JKP program imposes, one option is to partly redirect training levy contributions. (Vodopivec, 2013). In the future, the Indonesian government will require conditions for work categories as stated, namely Asenjo & Pginatti: "The main conditions we consider are: (i) the inclusion of public sector workers, (ii) the coverage of self-employed, and (iii) the requirements of either social security contributions or employment records in order to qualify to unemployment benefits. These conditions are extremely important also because they might affect the behaviour of the individual both while being in the job (i.e. the cost of unemployment will depend on the possibility to receive the benefit) and while being in unemployment (e.g. targeted job-search)." (Asenjo & Pignatti, 2019).

CONCLUSION

Decree (beschikking) of the Jakarta Provincial Government in implementing the job loss guarantee program by issuing: Regional Regulation Number 27 of 2012 concerning the Implementation of Employment and Governor's Regulation of the Special Capital Region of Jakarta Province Number 15 of 2023 concerning Amendments to Governor's Regulation Number 55 of 2016 Concerning the Implementation of Social Security for Workers through the Employment Social Security Organizing Agency, which amends the provisions of Article 1 primarily by adding the definition of Job Loss Security in number 8, namely "Social Security provided to workers/laborers who experience termination of employment in the form of cash benefits, access to job market information, and job training. Amending the provisions of Article 3 which expands the goal of the Governor's Regulation to realize social protection for workers in the regions through the JKK, JHT, JKM, JP and JKP programs so that workers can fulfill their basic living needs properly. Amending the provisions of Article 4 which expands the scope of implementation of employment social security not only JKK, JHT and JP but also JKP. Inserting 2 (two) articles between Article 20 and Article 21, namely Article 20A and Article 20B which regulate the JKP program contribution of 0.46% of a month's wages that must be paid every month. The contribution paid by the Government is 0.22% of a month's wages and the JKP funding source is 0.24% of a month's wages. And the JKP funding source is a recomposition of JKK and JKM contributions carried out by BPJS Employment through the BPJS Employment information system.

Implementation of Government Regulation Number 37 of 2021 in the Jakarta Province area, based on employment conditions in February 2023, the working population in the Jakarta area was recorded at 4.86 million people and a survey of 135 random respondents related to the dissemination of information about JKP concluded that the implementation of JKP was primarily In terms of socialization, it is still lacking, because as many as 77% admitted that they had never been socialized about the JKP program. Meanwhile, only 23% of respondents had received socialization about the JKP program by the government, the companies the respondents worked at and through information in mass media/social media. This figure of 77% of respondents who have never been socialized has implications for respondents' knowledge of the benefits of the JKP program itself. Not many respondents fully know that the benefits of the JKP program are in the form of cash benefits, benefits of access to job information, and job training benefits. Of the respondents who knew about the benefits of the JKP program, generally they only knew about the cash benefits, while other respondents admitted that they did not know at all about the benefits of the JKP program. This number of respondents is not small, namely 53 respondents or around 55.8%. The benefits of the JKP program that were known to respondents were benefits in the form of cash as much as 32.7%, benefits from access to job market information as much as 14.7% and benefits from job training as much as 17% and the remaining 55.8% of respondents did not know what the benefits of the JKP program were.

The government has allocated a budget of IDR 6 trillion for initial capital for the Job Loss Guarantee (JKP) program. JKP is a form of employment social security that provides protection for workers who are forced to lose their jobs or have their income reduced due to layoffs. If we look at the conditions in Jakarta, the JKP program needs to be well socialized to workers, employers and other related parties. Socialization of the JKP program also needs to be increased, including in the Special Capital Region Jakarta Province.

REFERENCES

- Abdulkadir Muhammad (2014). *"Hukum dan Penelitian Hukum"*. Bandung : Citra Aditya Bakti.
- Antonia Asenjo & Clemente Pignatti. (2019). *Unemployment insurance schemes around the world: Evidence and policy options*. Geneva, Switzerland: International Labour Office.
- Bambang Waluyo (2012). *"Penelitian Hukum Dalam Praktek"*. Jakarta: Sinar Grafika.
- Badan Pusat Statistik, *"Berita Resmi Statistik : Pertumbuhan Ekonomi Indonesia Triwulan IV-2020"*, Edisi No. 13/02/Th.XXIV, 5 Februari 2021.
- Departemen Pendidikan dan Kebudayaan, *"Kamus Besar Bahasa Indonesia"*.
- Johannes F. Schmieder & Till Von Wachter. (2016). The effects of unemployment insurance benefits: New evidence and interpretation. *Annual Review of Economics*, 8, 547-581.
- Stavros Kalogiannidis. (2020). "Covid impact on small business". *International Journal of Social Science and Economics Invention*, 6(12), 387-391.
- Labib Zamani. ["Pandemi Covid-19, Jumlah Pengangguran di Indonesia Naik 9.7 Juta Orang"](#). Kompas.com. Retrieved October 22, 2022 at 17:11.
- Lili Rasjidi dan I.B Wisa Putra (1993). *"Hukum Sebagai Suatu Sistem"*. Bandung : Remaja Rusdakarya.
- Marwan Mas (2004). *"Pengantar Ilmu Hukum"*. Bogor: Ghalia Indonesia.
- Muhammad Joni, ["Efektifitas Penerapan Hukum"](#), mjoni.com. Diakses pada 11 Oktober 2022.
- Merilee S. Grindle (1980). *"Politics and Apolicy Implementation in the Third World"*, 1980, New Jersey: Princetown University Press.
- Menpan RB January, 3 2022). ["Presiden Jokowi Tandatangani Keppres Penetapan Status Faktual Pandemi COVID-19 di Indonesia"](#). Menpan.go.id. Retrieved September 30, 2022 at 20:02.

- Menpan RB (January 3, 2022). [“Presiden Jokowi Tandatangani Keppres Penetapan Status Faktual Pandemi COVID-19 di Indonesia”](#). Menpan.go.id. Retrieved September 30, 2022 at 20:02.
- Milan Vodopivec. (2013). Introducing unemployment insurance to developing countries. *IZA journal of labor policy*, 2, 1-23.
- Phillipus M. Hadjon (1987). *“Perlindungan Hukum Bagi Rakyat Indonesia”*. Surabaya: PT. Bina Ilmu.
- Ratih Widiastuti Ayu Hanifah. [“Disnakertrans DKI: 50 Ribu Pekerja di-PHK Selama Pandemi”](#), Republika.co.id. diakses tanggal 22 Oktober 2022 pukul 17.30.
- Ratih Widiastuti Ayu Hanifah. [“Disnakertrans DKI: 50 Ribu Pekerja di-PHK Selama Pandemi”](#), Republika.co.id. Retrieved October 20, 2022 at 17.30.
- Satijipto Raharjo (2000). *“Ilmu Hukum”*. Bandung: PT. Citra Aditya Bakti.
- Sentano Kertonegoro (1987). *“Jaminan Sosial: Prinsip dan Pelaksanaannya di Indonesia”*. Jakarta: Mutiara Sumber Widya.
- Solichin Abdul Wahab (2012). *“Analisis Kebijakan dari Formulasi ke Implementasi Kebijakan Negara”*. Jakarta : Bumi Aksara.
- Sulastomo (2008). *“Sistem Jaminan Sosial Nasional Sebuah Introduksi”*. Jakarta: PT. Kelapa Gading Permai.
- Sudikno Mertokusumo (2008). *“Mengenal Hukum : Suatu Pengantar”*. Yogyakarta : Liberty.
- Suharsimi Arikunto (2012). *“Prosedur Penelitian Suatu Pendekatan Praktek”*. Jakarta: Rineka Cipta.
- Sunaryati Hartono (1991). *“Politik Hukum Menuju Satu Sistem Hukum Nasional”*, Bandung: Alumni.
- Usman Nurdin (2012). *“Konteks Implementasi Berbasis Kurikulum”*, Jakarta : Raja Grafindo Perkasa.
- United Nations (1948). [“Universal Declaration of Human Rights”](#). Retrieved October 20, 2022.
- Endang Widuri Wulandari, Endang Budi Hastuti, Vivi Setiawaty, Vensya Sitohang, & Sudarto Ronoatmodjo. (2021). *“The first intra-action review of Indonesia’s response to the COVID-19 pandemic”*, august 2020. *Health security*, 19(5), 521-531.
- Vladimir Rys (2011). *“Merumuskan Ulang Jaminan Sosial: Kembali ke Prinsip-prinsip Dasar”*. Jakarta: Alvabet.
- Wayne Vroman. (1999). *Unemployment and unemployment protection in three groups of countries*. Social Protection, World Bank.
- Zaeni Asyhadie (2007). *“Aspek-Aspek Hukum Jaminan Sosial Tenaga Kerja Di Indonesia”*. Mataram : Rajawali Pers.