

IMPLEMENTATION OF THE PROTECTION POLICIES FOR INDONESIA MIGRANT WORKERS IN SUKABUMI : A CASE STUDY AT THE SUKABUMI CITY MANPOWER OFFICE

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ABSTRACT

This study aimed to determine the implementation of protection policies for Indonesian Migrant Workers and to analyze the inhibiting factors faced by the Sukabumi City Manpower Office to protect Indonesian Migrant Workers. This study used descriptive qualitative method with 6 participants. The data collected through observation, interviews, documentation, and literature study.

The results indicated that the implementation of protection policies in Sukabumi City has been successfully implemented but it is not optimal. Improved coordination with regional officials can increase the effectiveness of the implementation of policies to protect Indonesian migrant workers. In addition, socialization or roadshows with large quantity related to the protection for Indonesian migrant workers followed by relevant stakeholders can achieve the objectives of socialization. Socialization can be conducted by utilizing Information Technology such as distributing socialization video content through Social Media. In addition, the Manpower Office should propose a particular budget related to the protection of Indonesian Migrant Workers through the Indonesia State Budget (APBN) as well as the Indonesia Provincial Budget (APBD) or by engaging private sector/overseas job training institutions to cooperate.

Keywords: implementation; policy; placement; Indonesian Migrant Workers

INTRODUCTION

Article 27 paragraph 3 of the 1945 Constitution of the Republic states that every Indonesian citizen has the same rights and opportunities without discrimination to obtain a job and decent livelihood. Work is a human right that should be idolized, honored, and guaranteed its establishment. Indonesian Migrant Workers should be protected from human trafficking, including slavery, forced labor, victims of violence, arbitrariness, crimes against human dignity, and other crimes that violates human rights. The protection for Indonesian Migrant Workers needs to be regulated in an integrated system involved the Central Government, Regional Governments, and the society. In the Law Number 18 of 2017, Indonesian Migrant Workers are every Indonesian citizen who will, currently, or has worked by receiving salary outside the Republic of Indonesia.

The lack of job vacancies in Indonesia lead the higher society interest to work abroad to earn and fulfill their daily needs. Indonesian Migrant Workers need complete documents and recorded by the government to avoid problems in the future. Both of them can facilitate the state to provide assistance both morally and legally when problems occur.

According to the Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, the central and local governments should place and protect Indonesian Migrant Workers in an integrated manner together with the society. It offers expectance for Indonesian Migrant Workers because they have legal instruments that regulated their rights and obligations specifically.

Indonesian Migrant Workers have contributed to reduce the unemployment in Indonesia and increase the Indonesia's foreign exchange. The Central Statistics Agency (Sukabumi dalam Angka, 2019) stated that the open unemployment rate in Sukabumi City was 8.44% caused Indonesian Migrant Workers as one of the solutions. In addition, the Indonesian Migrant Workers has also contributed to the domestic economy.

The viewpoint of some citizens towards Indonesian Migrant Workers is very favorable due to the higher salary standards and currency exchange differences. Indonesian Migrant Workers have higher salaries than Indonesia workers. This high salary encourages applicant Indonesian Migrant Workers to work abroad.

Few job vacancies in Indonesia caused many people choose to work abroad. High salary is one of their motivations. However, in reality, not all workers get it. Several Indonesian Migrant Workers receive bad treatment and difficulties in the workplace. The Indonesian Migrant Workers Protection Agency (2020) found 49 cases in 2017, 52 cases in 2018, 45 cases in 2019 and 47 cases in 2020.

Each country of placement has different case reports and complaints. Therefore, the researchers and the Sukabumi City Manpower Office conducted a study on the Implementation of the Protection Policies of Indonesian Migrant Workers based on the Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers.

THEORETICAL FRAMEWORKS

Jones (in Mulyadi, 2015:45) defines implementation as "Those Activities directed toward putting a program into effect" (the process of realizing the program to get the results), while Horn and Meter (in Mulyadi, 2015:45) say that implementation is "Those actions by public and private individuals (or groups) that are achievement or objectives set forth in prior policy" (actions taken by the government). It can be concluded that implementation is an action taken after a policy is established. Implementation is a technique for a policy to achieve its goals.

Lister (in Taufik and Isril, 2013:136) stated, "Implementation is a result, so implementation concerns the extent to which the programmed direction is truly satisfactory". Grindle (in Mulyadi, 2015:47) stated, "Implementation is a general process of administrative action that can be investigated at a certain level".

Horn (in Tahir, 2014:55) defined "implementation as actions conducted by individuals/officials or government or private groups directed at achieving the goals outlined in the policy". Ekawati (in Taufik and Isril, 2013:136) stated, "Implementation explicitly includes actions by individuals/groups private and public that directly lead to the achievement of a series of continuous goals appointed policy decisions previously". Gordon (in Mulyadi, 2015:24) stated, "implementation is related to various activities directed at program realization."

Jones (in Tahir, 2014:29) asserts that public policy consists of the following components: the wished goal; Plans are a specific comprehension to achieve goals; Programs are authorized efforts to achieve goals; Decisions are actions to determine goals,

arrange plans, implement and evaluate programs; Effects are the consequences of the program (intentionally or not, primary or secondary).

The policy implementation model adopted in this study is the Edward Model, George Edward III (Edward III, George C. in Alamsyah, 2016:88). It confirms that the main problem of public administration is the lack of attention to implementation. Edward III, George C. (in Alamsyah, 2016:88) said, "Without effective implementation the decision of policymakers will not be carried out successfully". Edward suggested listening four main issues for effective policy implementation, namely communication, resources, disposition or attitudes, and bureaucratic structures.

Communication relates to policies implemented by the organization and/or the public, the availability of resources, attitudes and responses from the parties involved, and the organizational structure of implementing policies. Resources are the availability of supporting resources, especially human resources. It is related to the ability of public policy implementers to conduct policies effectively. Disposition is the willingness of implementers to conduct public policies. Besides ability, willingness and commitment are required to implement policies. The bureaucratic structure is the compatibility of the bureaucratic organization as the organizer of public policy implementation. The challenge is an attempt to avoid bureaucratic fragmentation because this structure is not effective for the implementation process. The effectiveness of policy implementation often occurs in Indonesia due to the lack of coordination and cooperation between state and/or government institutions.

Communication related to the implementation of the Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. Resources relate to availability, especially human and financial resources. The disposition of the implementing officials' appointment and the structure of the bureaucracy are related to the suitability of the bureaucratic organization as the organizer of the policy.

Based on the description above, the researchers analyzed the process of implementing the protection policies of Indonesian Migrant Workers, especially those implemented by the Sukabumi City Manpower Office. This research is expected to provide significant modification on the process of placing applicant Indonesian Migrant Workers and increasing protection. In addition, this study aimed to determine the effectiveness of policies to improve the competence of prospective Indonesian Migrant Workers from Sukabumi City and reduce complaints from them in terms of communication process, resource capability, disposition or attitude and bureaucratic structure aspects.

METHOD

This study used qualitative research methods, namely research method based on the philosophy of post positivism, used to examine the condition of natural objects, (as opposed to experiments) where the researcher is the key instrument. Data collection techniques were conducted integrated, data analysis was inductive or qualitative, and the results emphasized meaning rather than generalization. This method aimed to see and understand the subject and object of research which includes people and institutions based on facts (Sugiyono, 2017:207).

This study used field research with descriptive qualitative theory or research that describes the circumstances occurred and the results to obtain a new theory from the description of previous research. Qualitative data were obtained by conducting direct

interviews with participants related to the object of the study (Moloeng, 2003:3). Researchers used qualitative research because researchers can focus on research study. Researchers described the research results. Then these results were described in descriptions showed the implementation of government policies as an effort to protect Indonesian Migrant Workers in Sukabumi City.

RESULTS AND DISCUSSION

This research approach was a top-down approach, namely a one-sided approach from top to bottom. In the implementation process, the government plays a very big role as decision makers. They are key actors in successful implementation. Other parties involved in the implementation process should always be coordinated at each stage. In the implementation of the protection of Indonesian Migrant Workers by the Sukabumi City Manpower Office, researchers described the discussion on the implementation of policies based on Edward III's theory, namely communication, resources, disposition, and bureaucratic structure. The researcher referred to the Edward III implementation theory model because it was related to the study problem. In addition, the data was analyzed based on the phenomena that occur.

A. Communication

Communication assesses the usefulness of the Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The communication factor determined the success of implementing of protection policies on Indonesian Migrant Workers at the Sukabumi City Manpower Office. Communication includes transmission, clarity and consistency. The communication process between policy implementers and target groups (Sukabumi City citizens, especially applicant Indonesian Migrant Workers and their families) run well although it was conducted through indirect socialization with other activities in the Sukabumi City Manpower Office. However, the policies presented have been consistent with their implementation.

The implementation of policies based on communication that had been implemented has not been optimal. The socialization had never discussed the protection of Indonesian Migrant Workers specifically without being followed by other socialization activities. It caused the target group was not appropriate because this activity was not followed by the whole society. The socialization activities conducted by social media were quite good but the entire of Sukabumi City citizens did not know the social media accounts of the Sukabumi City Manpower Office. It meant that the socialization had not reached all targets. Meanwhile, communication between agencies was good. It was proven by the several complaints abroad that can be resolved properly and on time.

B. Resource

Resources relate to availability, particularly Human Resources and Funding. Resource factors have an important role in policy implementation. Resources include human resources, budget resources, information resources, equipment resources, and authority resources. Excellence human resources are human resources capable of creating competitive-generative-innovative value by using crude energy such as raw materials, land, water, muscle energy as well as intelligence, creativity, and imagination. In the implementation of the policy, the available Human Resources were good and competent, while the financial resources had not fulfilled the requirements because the lack of calculation for the implementation of the Indonesian Migrant Workers protection.

C. Disposition

The officials and staff of the Sukabumi City Manpower Office comprehension towards the Law Number 18 of 2017 greatly determine the policy on the Indonesian Migrant Workers protection. This support is required related to one of the Mayor's visions, which is to create the Sukabumi city prosperous citizens. The law Number 18 of 2017 was constructed with the aim of protecting all Indonesian citizens who work abroad from the pre-placement to the repatriation stage. Indonesian Migrant Workers are foreign exchange heroes so they should return to Indonesia with a more prosperous standard of living

The policy will be effective if the way of thinking, attitude or perspective similar with the Regional Head or Mayor as the arranger of the policy. The similar viewpoints and attitudes were necessary to achieve the goal of protecting Indonesian Migrant Workers. This similar attitude should also be presented by other relevant agencies such as the Technical Service Unit of the Placement and Protection Service for Indonesian Migrant Workers.

Inequality between agencies will cause each agency, especially officials and staff to interpret policies freely and act without coordination. It can effect in the aim of the Indonesian Migration Worker Protection efforts being useless even though this activity has lost a lot of money and waste of resources.

The dispositions of comprehension and attitude of officials and implementing staff of the Manpower Office will determine the success of the policy for the Protection of Indonesian Migrant Workers. The Manpower Office is the agency that has the authority and directly related to the implementation of the policy. The head of the Manpower Office is an echelon II official who has a strategic position in realizing the Mayor's vision and mission programs. The Head of the Manpower Office will also contract with the legislature (Sukabumi Regional House of Representatives) in providing accountability for program activities financed by the Indonesia Provincial Budget. Both considerations affect the attitudes and dispositions of the Head of the Manpower Office. The Head of the Manpower Office with political pressure will influence the attitude of implementing policies for the protection of Indonesian Migrant Workers.

Attitudes and comprehension of policies for the protection of Indonesian Migrant Workers for implementing staff will determine the success of implementation. It is necessary to increase awareness and responsibility for workers to provide a clear and complete comprehension of policies and high motivation for officials and staff of the Manpower Office. The high awareness and strong motivation will determine office services to the society as a good public service. The work orientation of officials and implementing staff towards efficient and effective public services will have a positive impact on the business world and society. Indonesian Migrant Worker Placement Companies or Job Training Agencies will get information easily about procedural sending of workers abroad candidate. The society will also easily get information and protection from the City government for a procedural or legal departure permit to work abroad.

It can be concluded that the disposition as the implementation of the Migrant Worker protection policy implemented by the Implementer at the Manpower Office is good. Implementing policies tend to be in line with the vision and mission of the mayor as well as the implementation of the policy on the Protection of Indonesian Migrant Workers.

D. Bureaucratic Structure

The bureaucratic structure is an institution that implements policies so this institution determines the effectiveness of the implementation of the main tasks and functions. The

bureaucracy has an important role in conducting state administration by government officials.

In bureaucratic structure included Standard Operational Procedure (SOP) and fragmentation between organizational units. The bureaucratic structure simplifies the actions of policy implementers in conducting their duties. Each team in the Manpower Office has an organizational structure and Standard Operational Procedure. Standard Operational Procedure aims to simplify for all officials and implementers. The Manpower Placement Section under the Institutional, Manpower Placement, and Transmigration Sector which acts as an implementer gives importance because the institution conducts specific functions and hastens the process of achieving the objectives of the Indonesian Migrant Worker Protection policy.

Regarding the issue of the Standard Operational Procedure (SOP) of the implementation of the Indonesian Migrant Workers protection, a detailed process of Passport Recommendation, data verification and recruiting officers, Monitoring of Indonesian Migrant Workers Placement Companies and establishment permits, and permits for Job training institutions has been established.

CONCLUSION

Based on the results and discussion above, it can be concluded that the implementation of the Migrant Worker protection policy in Sukabumi City has been implemented well but not optimal. It is influenced by the following factors:

- a. Communication and coordination with other agencies such as the Indonesian Migrant Worker Protection Agency has been going well, but the transmission and clarity of socialization have not reached the society as a whole.
- b. Resources, Quantity and quality of human resources are good and competent but financial resources are not available or budgeted for policies to protect Indonesian Migrant Workers.
- c. The disposition and attitude of implementing the Manpower Office is good and in synergy with the vision and mission of the Mayor of Sukabumi.
- d. The Bureaucratic Structure, Standard Operating Procedures and Main Duties have been running according to the guidelines.

The first inhibiting factor is the transmission of communication is not directed at the target. The implementation of the protection of Indonesian Migrant Workers should also synergize with district officials. The second is the absence of a budget for the implementation of the protection of Indonesian Migrant Workers. The training process for informal sector workers candidate as well as the process of picking up problematic Indonesian Migrant Workers is the tasks of the Manpower Office.

Faktor penghambat pertama yaitu transmisi komunikasi yang kurang tertuju pada sasaran dimana pengimplementasian perlindungan PMI ini juga harus sama-sama bersinergi dengan aparat wilayah Kecamatan. Faktor penghambat kedua adalah tidak tersedianya anggaran bagi pelaksanaan perlindungan PMI ini. Proses Pelatihan bagi para CPMI sektor informal serta proses penjemputan para PMI yang mengalami masalah menjadi tugas Disnaker dalam Perlindungan PMI.

In improving the implementation of the protection policies of Indonesian Migrant Workers in Sukabumi City, some suggestions that can be given are as follows:

1. Making fundamental changes to the pattern of education on strengthen the basic competencies of Indonesia children. It is expected that the quality of Indonesian Migrant Workers will be better and have great bargaining power.
2. Socialization or roadshows are held regularly regarding the protection of Indonesian Migrant Workers to improve coordination with regional officials and achieve socialization goals with relevant stakeholders. Socialization can also be done through the use of Information Technology, for example by distributing socialization video content through Social Media.
3. Giving authority at all levels of government from the central, provincial, city, and sub-district levels to substitute and supervise Indonesian Migrant Workers. In saving time, the government provides assistance tasks from the central and provincial governments to the City government with sufficient funding. Proposing a special budget related to Migrant Workers through the Indonesia State Budget (APBN) as well as the Indonesia Provincial Budget for activities to protect Indonesian Migrant Workers.
4. The government implements a Cooperation Agreement with the private sector or overseas Job Training Centers to conduct training for Indonesian Migrant Workers Candidates and the Job Training Agency conducts training for Elderly Indonesian Migrant Workers
5. This research still needs development so the further studies or social research is required related to the quality of Indonesian Migrant Workers. In addition, further studies can map the needs of Indonesian Migrant Workers to simplify for Indonesian Migrant Worker Placement Companies to prepare competent applicant workers.

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