

The Role Of The Sukabumi City Tripartite Cooperation Institution For The 2022-2025 Term In Resolving Industrial Relations Disputes

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Abstract

This study aims to analyze the role of the Sukabumi City Tripartite Cooperation Institution for the 2022-2025 service period in resolving industrial relations disputes. The problem of industrial relations disputes in Sukabumi City continues to occur from 2021 to 2023, which has the potential to reduce labor confidence in the company. This research uses a qualitative method with a descriptive approach, collecting data through observation, interviews, and documentation. The results showed that the Tripartite Cooperation Institution plays a role in formulating policies, being a communication tool, strategy, and dispute resolution in industrial relations. However, the effectiveness of this institution is constrained by the lack of coordination between related parties and uneven participation in the settlement process. In conclusion, although the Tripartite Cooperation Institution plays an important role in maintaining industrial relations stability, there is still room for improvement in terms of strategy and communication to achieve more optimal results.

Keywords: Role, Tripartite, Industrial Relations Dispute

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INTRODUCTION

The discussion of industrial relations, which is the interrelationship of interests between workers or laborers and employers, has the potential to cause differences of opinion, even disputes between the two parties. In this Law, industrial relations disputes are defined as differences of opinion that result in conflicts between employers or a combination of employers and workers/laborers or labor unions due to disputes over rights, disputes over interests, disputes over termination of employment, and disputes between labor unions in one company.



Figure 1. Activities Commemorating May Day in Sukabumi City

Source: Bandung 24 hours

Quoted from Bandung 24 hours in 2024, a number of laborers / workers who attended the May Day activities conveyed the demands and expectations of all industrial relations disputes in the Sukabumi City area. This Labor Day moment is used to be a place to convey hopes and demands for the creation of a healthy work environment.

In the authority of the government which has full authority as a facilitator for labor issues, it is strengthened in pasal 8 Undang-Undang nomor 2 tahun 2004, namely "Dispute resolution through mediation is carried out by mediators who are located in each office of the agency responsible in the field of Regency / City labor".

Table 1. Data on the Results of Settlement of Industrial Relations Disputes in Sukabumi City in 2021-2023

No.	Year	Bipartite	Completion Result				Not completed
			Mediation	PHI	Recommended	Company	
1.	2021	-	15	3	-	-	-
2.	2020	-	13	-	-	-	-
3.	2023	2	5	-	3	1	1

Source: Sukabumi City Manpower Office 2023

Based on Table 1 in 2021 the number of cases that have been resolved in the mediation stage is 15 cases of various kinds of cases that occur but the dominant one is wages. Meanwhile, in 2022 13 cases were resolved through the mediation process. And in 2023 the number of cases that were not resolved was 1 case, namely related to inappropriate wages given to workers in a cafe in the city of Sukabumi.

Based on the data above, it can be obtained that the number of cases of disputes between workers and companies in 2021-2023 continues to exist every year. If labor disputes with industrial companies that occur in Sukabumi City as described above are not addressed, it will cause a decrease in the number of public trust, especially industrial workers. In this case, it is very necessary to implement, handle and resolve in accordance with the applicable laws and regulations in this country. In order to create a more calm, orderly and organized situation that will create effective and efficient handling and can create a peaceful atmosphere between the two parties, especially labor and industrial companies.

The first step in resolving industrial relations is the bipartite process, failing which the parties have an equal opportunity to seek the assistance of the local Manpower Agency. The employment agency will provide a section for the parties to settle the dispute through conciliation or arbitration. If the parties do not choose either then the Manpower Agency delegates the case to a mediator to resolve through mediation. If between the two parties do not implement the recommendations made and do not carry out according to the collective agreement then a Tripartite effort is made.

The implementation of tripartite based on the Decree of the Mayor of Sukabumi City Number 188.45/138-Disnaker/2022 on the Establishment of Tripartite Cooperation Institution of Sukabumi City Period of Service 2022-2025 resolves problems with deliberation. Tripartite means not going directly to the industrial relations court and the last resort is through mediation at the district / city

and provincial labor offices that are not in litigation settlement which has many obstacles in the field.

Tripartite settlement is a forum for communication, consultation and deliberation on employment issues whose members consist of elements of employers' organizations, trade unions and the government. The main task of this Tripartite settlement is to provide consideration of advice and opinions to the government and related parties in the preparation of labor issues policies.

Based on the phenomenon of the problem above, the researcher felt interested in conducting research on this matter, to find out the extent of the role of the Sukabumi City Manpower Office in the Implementation of Dispute Resolution. therefore the researcher proposed a study entitled "The Role of the Sukabumi City Tripartite Cooperation Institution for the 2022-2025 Period of Service in Resolving Industrial Relations."

The first research that is used as a reference is research conducted by Muslikah in 2020 on "Tripartite Settlement Model in Industrial Relations Disputes at Dinperinaker Purworejo". This study aims to analyze and identify obstacles in the settlement of tripartite disputes in industrial relations at the Purworejo Industry and Manpower Office. The dispute resolution mechanism by the Dinperinaker uses a tripartite method consisting of conciliation, mediation, and arbitration. The method used in this research is the normative juridical method. The results showed that the settlement process with conciliation negotiations was carried out through deliberations mediated by a conciliator appointed by the parties.

The difference between Nafsiyatul Muslikah's research and the researcher's is that it lies in the topic of the research problem and has similarities in discussing tripartite and industrial relations.

Research conducted by Rahmi Hidayat in 2023 on "Legal Certainty of Tripartite Decisions in Settling Industrial Relations Disputes Based on Undang-undang Nomor 2 Tahun 2004 concerning Industrial Relations Dispute Resolution". Disputes regarding termination of employment have so far occurred mostly due to the act of termination of employment carried out by one party and the other party cannot accept it, termination of employment can occur at the initiative of the employer or worker / laborer. The conclusion of this research is that the legal certainty that has been decided through the industrial relations court that after being taken by the tripartite path that has brought together the two parties.

The difference in research conducted by Rahmi Hidayat with researchers is the topic of research problems and has similarities in discussing industrial relations settlements.

Research conducted by Randy in 2021 on "Tripartite Dispute Resolution in Industrial Relations Disputes in Outsourcing Companies Judging from Undang-Undang 30 tahun 1999". This paper is intended to discuss juridically normative issues of dispute resolution at the tripartite level in outsourcing companies supported by field data from the South Tangerang labor office as supporting data. This data certainly cannot represent the same conditions for similar disputes in the territory of the Unitary State of the Republic of Indonesia, but it is hoped that it can contribute to the implementation of tripartite industrial relations dispute resolution in outsourcing companies.

The difference between the research conducted by Randy and the researcher lies in the place of research and has research similarities that discuss the tripartite in resolving industrial relations.

Based on the description above, what distinguishes previous research from the research that researchers will conduct at this time is that the focus of this research is the role of the Tripartite Cooperation Institution in resolving labor relations that often occur in Sukabumi City.

RESEARCH METHOD

In order for the purpose of a study on the role of tripartite cooperation institutions in the process of resolving labor relations disputes, researchers use a research method that will facilitate researchers in solving problems, so as to make the research process run properly. This research method uses qualitative research methods using a descriptive approach (Creswell, 2019). The informants in this research are the Head of the Sukabumi City Manpower Office, Head of the Industrial Relations and Social Security Division, Head of the Industrial Relations Dispute Resolution Section, Elements of the Indonesian Employers Association (APINDO) of Sukabumi City, the All Indonesian Workers Union (SPSI) of Sukabumi City, Elements of the Sukabumi City Chamber of Commerce and Industry (KADIN) Organization, and Workers/Laborers.

The data collection techniques used in this research are observation, interviews, and documentation. In qualitative research, everything starts based on valid data. The triangulation approach is then used to validate the data that has been analyzed in this study plan (Sugiyono, 2016). Data analysis techniques are mostly carried out simultaneously with data collection. According to Miles & Huberman (2014), data analysis includes three streams of activities, namely data reduction, data presentation, and conclusion drawing/verification.

RESEARCH RESULTS AND DISCUSSION

Role is a dynamic aspect of position (status). This means that if someone carries out their rights and obligations in accordance with their position, that person is carrying out a role. Regarding this role, Heroepoetri, Arimbi and Santosa divide roles into several dimensions as follows:

a. Role as a Policy

The policy dimension in this study refers to a set of rules and procedures that govern the boundaries and activities undertaken in the settlement of industrial relations disputes in Sukabumi City. In this dimension, it will answer the question of what policies are issued by the government and whether these policies are in accordance with the intended targets. In this sense, the policy dimension will provide an understanding of the regulatory framework applied by the tripartite cooperation institution and the Sukabumi City Manpower Office. It will also discuss the extent to which the policy has succeeded in achieving its stated objectives. During the field interview process, researchers interviewed informants 1, 2 and 3 with the following questions:

"What are the policies that have been carried out in the process of resolving industrial relations disputes, especially in the city of Sukabumi?"

Answer from informant 2

"Related to policies in industrial relations, especially disputes, refer to the Keputusan Wali Kota Sukabumi Nomor 188.45/138 – Disnaker/2022 concerning the Establishment of the Sukabumi City Tripartite Cooperation Institution for the 2022-2025 Service Period with the implementation of these policies can create harmonious working relationships".

Based on the interview from informant 2, it can be interpreted that in every process of solving industrial relations problems, it is always based on the applicable law, namely the Keputusan Wali Kota Sukabumi Nomor 188.45/138 – Disnaker/2022 concerning the Establishment of the Sukabumi City Tripartite Cooperation Institution for the 2022-2025 Service Period. Thus the policy runs properly. Furthermore, researchers asked the same question to informants 1 and 3. Informants 1 and 3 added that to resolve industrial relations disputes, legal awareness from companies is needed to provide workers' rights in accordance with applicable regulations.

This is the same as the third previous research which has similarities with this research. The third previous study made the law a reference in Tripartite Dispute Resolution in Industrial Relations Disputes.

b. Role as a Communication Tool

The role of tripartite cooperation institutions is very necessary for communication tools to facilitate negotiations, work agreements or work agreements that are so important. Tripartite cooperation institutions, which involve the government, employers, and workers, play a crucial role in creating a harmonious and productive work environment. Effective communication tools are essential to ensure that negotiations, work agreements and agreements can take place smoothly and effectively. The researcher asked informant 4 the following question:

Has the company made efforts to reach a collective agreement? What kind of efforts did the company make?

"In the first step, of course, before holding a meeting or dialog, we also identify what the problem is, then the company usually holds a meeting and dialog with the workers, then drafts an agreement or document that includes all the things that need to be agreed upon."

Based on the interview from informant 4, it can be interpreted that the company always holds a meeting at the beginning of the work agreement, but the company parties do not first explain how and what the process of the agreement and work agreement is. In the context of tripartite cooperation institutions, the use of appropriate communication tools-such as digital communication management systems, virtual meeting platforms, or clear written documents-can greatly support the achievement of common goals and maintain productive relationships between the parties involved.

c. Role as a Strategy Tool

The role of the tripartite negotiation track as a strategic tool to improve industrial relations and manage potential conflicts is very important. The tripartite negotiation track serves as a tool to build consensus among the government,

employers and workers. By involving all parties, this strategy helps to create agreements that are more inclusive, take into account each other's interests, and achieve common goals. tripartite bargaining not only serves as a dispute resolution tool, but also as a strategic tool that can improve collaboration and manage industrial relations more effectively. This contributes to the creation of a more stable and productive work environment, and promotes sustainable economic growth. The researcher asked informant 5 the following question:

What is the strategy planned by the tripartite cooperation institution for the future in efforts to prevent and resolve industrial relations disputes?

"For this strategy, perhaps my friends and I from the SPSI often hold dialogues at least twice a year to discuss issues related to industrial relations. It could be other topics such as wages, or pkwt"

Based on the interview with informant 5, it can be interpreted that this tripartite cooperation institution holds meetings more or less annually. This meeting aims to facilitate dialog between the three parties, namely the government, employers and trade unions. By holding these regular meetings, the tripartite cooperation institution can be more responsive to the dynamics that occur in the field, so as to ensure the maintenance of stability and welfare in industrial relations. It also helps in creating a more harmonious working environment and minimizing the possibility of future conflicts.

d. Role as a Dispute Resolution Tool

In the last dimension that the researcher used in the study, the role as a dispute resolution tool is very important, and the tripartite bargaining track can serve as one of the main mechanisms to achieve this goal. The tripartite negotiation track creates a platform for constructive dialogue between disputing parties. Through open communication, the concerns and interests of each party can be expressed, which results in a better understanding of the root causes of the problem:

Do you know about the tripartite negotiation track?

"I am actually a little unfamiliar with tripartite negotiations, when there is a dispute at work I communicate with the labor union"

Based on the interview from informant 7, it can be interpreted that as an individual who is less familiar with tripartite negotiations, this is very natural, especially if you more often communicate directly with trade unions in dealing with workplace disputes. although communication with trade unions is a very important step, being aware of tripartite negotiations and their potential involvement can provide a broader perspective in efforts to resolve workplace issues.

At times, the situation on the ground may require adjustments to the decisions that have been made. The willingness of all parties to adapt and renegotiate if necessary can strengthen decision implementation. The researcher asked informant 6 the following question:

With the issuance of the Tripartite decision, can the disputing parties resume their duties and work in accordance with their obligations?

"the main goal is of course to resolve or restore a normal situation so that a harmonious atmosphere can be created".

Based on the interview with informant 6, it can be interpreted that decisions resulting from tripartite negotiations generally aim to resolve disputes and

restore normality, so that the disputing parties can return to their duties and work in accordance with their obligations. However, the successful implementation of such decisions depends on several factors. Therefore, although the issuance of a decision from the tripartite negotiation track provides hope for getting work activities back on track, the successful implementation of the decision depends heavily on the commitment and proactive actions of all parties involved.

Factors affecting the role of the Sukabumi City Tripartite Cooperation Institution for the 2022 - 2025 Period of Service in Settling Industrial Relations Disputes

After the researcher provides research questions to find out what role the tripartite cooperation institution plays in the settlement of industrial relations disputes. In addition, researchers also want to know the driving factors and inhibiting factors in the settlement of industrial relations disputes.

1. Supporting Factors

The supporting factors in the efforts of tripartite cooperation institutions to resolve industrial relations disputes are as follows:

- 1) The preparation of legal products in order to support the smooth development of industrial relations.

2. Inhibiting Factors

In addition to the supporting factors possessed by tripartite cooperation institutions, tripartite cooperation institutions also have the following inhibiting factors:

- 1) Lack of coordination between employers, workers and the government can lead to confusion and conflict.
- 2) Unclear or insufficient information regarding the rights and obligations of each party can exacerbate the dispute situation.
- 3) If one or more parties do not actively participate in the dispute resolution process, the effectiveness of the dispute resolution may be reduced.
- 4) The large number of disputes that must be handled at the same time can cause delays in case resolution.

CONCLUSION

Based on the results of research that has been carried out by researchers for approximately 8 months by collecting data / information on the role of tripartite cooperation institutions as measured using role theory according to Heroepetri, Arimbi and Santosa, the following conclusions can be drawn:

1. Role as a policy

Tripartite cooperation institutions ensure that laws and policies related to workers' rights are good enough. Tripartite cooperation organizations can help formulate fair and balanced policies that take into account the interests of all parties (workers, employers, and government). Policies developed by Tripartite Cooperation Institutions play an important role in creating a framework that supports effective dispute resolution.

2. Role as a strategy

The Tripartite Cooperation Institution in Kota Sukabumi uses certain strategies to handle and resolve workers' rights disputes. However, there is no strategy for planning and implementing specific actions aimed at addressing conflicts preventively or reactively. By designing appropriate strategies, the Tripartite Cooperation Agency has not been able to optimize the dispute resolution process, reduce the negative impact of conflicts, and create sustainable solutions.

3. Role as a communication tool

The Tripartite Cooperation Institution is good enough as a communication tool between parties involved in disputes. As a communication tool, the Tripartite Cooperation Institution has not provided a platform for workers, employers, and the government to dialogue, express views, and find solutions together.

4. Role as a dispute resolution tool

The Tripartite Cooperation Institution plays a direct role in dispute resolution through mechanisms designed to address conflict. As a dispute resolution tool, the Tripartite Cooperation Agency engages in mediation, negotiation, and problem-solving processes to reach an agreement that satisfies all parties. This role involves specialized skills and methods to resolve disputes fairly and efficiently.

BIBLIOGRAPHY

- Creswell, J. W. (2019). *research Design pendekatan metode kualitatif, kuantitatif, dan campuran*. pustaka pelajar: Yogyakarta.
- Hidayat, R. (2023). Kepastian Hukum Putusan Tripartit Dalam Penyelesaian Keputusan Wali Kota Sukabumi Nomor 188.45/138 –Disnaker/2022 Tentang Pembentukan Lembaga Kerja Sama Tripartit Kota Sukabumi Masa Bakti 2022-2025
- Miles, M.B. Huberman, A.C. (2014) *Analisis data kualitatif : Buku sumber tentang metode-metode baru*. Jakarta : UI-Press
- Muslikah, N. (2020). Model Penyelesaian Tripartit dalam Sengketa Hubungan Industrial di Dinperinaker Purworejo. *Amnesti: Jurnal Hukum*, 2(1), 24-32.
- Perselisihan Hubungan Industrial Berdasarkan Undang-Undang Nomor 2 Tahun 2004 Tentang Penyelesaian Perselisihan Hubungan Industrial. SeNaSPU: Seminar Nasional Sekolah Pascasarjana , 1(1), 177–180. <https://journal.unilak.ac.id/index.php/Senaspu/article/view/12983>
- Randy, V. S. H. (2021). Penyelesaian Sengketa Tripartit Dalam Perselisihan Hubungan Industrial Pada Perusahaan alih Daya dilihat dari UU 30 Tahun 1999. *Jurnal Paradigma Hukum Pembangunan*, 6(02), 34-56.
- Sugiyono. (2019). *metode penelitian kuantitatif, kualitatif, dan R&D*. alfabeta : bandung. Soerjono Soekanto, *Sosiologi Suatu Pengantar*, (Jakarta: Rajawali Pers, 2013), h. 213.
- Undang-Undang no 13 Tahun 2003 Tentang ketenagakerjaan (UU 13/2003)
- Undang-Undang Republik Indonesia No. 2 Tahun 2004 Penyelesaian Perselisihan Hubungan Industrial.