

Juridicial Implication of Legal Politics of Minimum Wage in Indonesia

Zainul Akhyar^{1*}, Sudarsono², Abdul Rachmad Budiono³, Rachmad Safa'at⁴

1. Doctoral Candidate majoring Law, Faculty of Law, Brawijaya University, Malang

2. Professor of Administrative Law, Faculty of Law, Brawijaya University, Malang

3. Associate Professor of Labor Law, Faculty of Law, Brawijaya University, Malang

4. Associate Professor of Labor Law, Faculty of Law, Brawijaya University, Malang

ABSTRACT

A matter of basic law which relates to the wage policy that has less attention to the humanity and justice principle is the emerge of juridicial implication towards the another related rule. Therefore, the description and analysis that should be done are revealing critically the existing legal norms related to the policy of minimum wage determination. Based on the analytical result, it can be concluded that the validity of a legal norm can be determined by another legal norm, and that legal norm becomes the basis of validity of the first legal norm. It means that in the concept of law, there is actually a hierarchy of law. The law which has low degree is actually the rule of the legal norm which is above on it. The effect of legal politics of payroll which exists in Law No. 13 of 2003 on labor especially on minimum wage which is unclear/blurred is the effect of legal politics that less pay attention to the justice and humanity, that is why the juridicial implication towards the rule that is below it is more hazy and it eschews more from the hope of expected law, that is justice and humanity, and the last consequence is juridicially the emerge of suit in the court claimed by the Indonesian laborers.

Keywords: Juridicial Implication, Legal Politics, Minimum Wage

INTRODUCTION

In the Constitution 1945 of Indonesia, Article 27D states that every citizen has the right to get the reasonable occupation and subsistence. The mandate of this constitution indicates that the workers/laborers should get the wage as the source of reasonable income to meet the living needs for him/her and also the family. What is mandated in the constitution (Constitution 1945 of Indonesia) in fact is not correctly interpreted to the Law article 13 year 2003 about labor. One of the Articles is Article 89 (point 2 and 4) that states *the minimum wage is the wage that is accepted by the worker as the basis to meet the minimum physical needs of single worker for a month*. Then the minimum wage for the workers is "aimed" at the achievement of reasonable living needs; and is not "based" on the reasonable living needs. The problems of payroll policy in Indonesia if it is seen from the existing rule, seems to show the vagueness or haziness and that condition will give unfortunate effect in developing the system of healthy payroll policy; because what is mandated in the Constitution 1945 of Indonesia (the highest hope of law) is not implemented properly and correctly into the rule of constitution below it, even variety of more operational rules are more keeping at a distance from that hope of law. That condition shows that there is an existence of unhealthy legal politics of payroll, it is due to Padmo Wahyuno... *"legal politics is the basic policy that decide the aim, form or the content of the law that will be arranged"*¹. Such phenomenon of legal politics is interesting and important to be investigated deeply to know objectively the juridicial aspect related to the policy of legal politics of minimum wage in Indonesia.

That problem illustrates that there is more basic legal matters related to the juridicial implication of payroll policy that has less attention to the justice and humanity principle. *Juridicial implication is the effect of legal politics of minimum wage towards the rules below it until the suits and the verdict of the case appear*. Hence, to open the cover of problem the writer tries to see the juridicial implication of legal politics that exist by analyzing the norms of labor laws. The question that needs to be explored is *how is the juridicial implication of legal politics of minimum wage in Indonesia*. To answer that question, the description and analysis that will be done is revealing critically the existing legal norms related to the policy of minimum wage determination. Consequently, the approach that is used in this writing is normative law approach, which is scrutinizing norms that exist as the implication of legal politics which has less attention to the justice and humanity principle.

MEANING OF JURIDICIAL IMPLICATION OF LEGAL POLITICS IN CONSTITUTIONAL STATE PERSPECTIVE

Indonesia is the country which attempts to reach the prosperous, fair and wealthy society based on Pancasila and Constitution 1945 of Indonesia. To achieve that goal, the role of law as the law and country instrument is important. It can be seen from the Article 1 point (3) of Constitution 1945 of Indonesia ...

¹ Imam Syaukanie dan A. Ahsin Thohari; *Dasar-Dasar Politik Hukum* (Jakarta: Raja Grafindo Persada, 2013) hlm 27-29

“Indonesia is a constitutional state”¹. According to Mahfud MD, Indonesia constitutional state is ... “constitutional state which takes integrative concept, that is *rechtsstaat* that is combined with “rule of law”². It means that the certainty of law should be enforced to ensure that justice in society can be upheld.

Classically, the definition of constitutional state is state which is based on the law and it is not based on authority. The law has a role to keep and maintain justice in society, because ... “justice is an absolute demand for humanity, because the injustice is the unexpected thing”³. The infraction of justice is a form of human rights suppression. Such a thing cannot be corrected in a constitutional state, because that constitutional state, has three main pillars, which are “authority limitation, the protection for human rights and free justice without interventions of any sides and powers”⁴.

Indonesia country as a constitutional state, means that law becomes the main instrument in society and civilization life. Law must be enforced and obeyed in order to be well regulated and make safety, peaceful, and prosperous life. It means that law has a significant function. The existence should be set up as the commander, chief of life, the way that should be passed by and together hold the rule of law tightly together which has been decided as basis of life. To reach such goals the law should be well-regulated, regularly consistent, credible and the value of advantage is believed and can be guaranteed philosophically, juridically, and sociologically. In that relation, the law must reflect the existence of good organization. Hans Kelsen says that ... “law regulates its formation because a norm of law decide the way to form another norm of law, and also until in certain degree it decides the content of that another norm of law”⁵. The validity of norm of law can be determined by another norm of law, and that becomes the basis of validity of the first stated norm of law. It means that in concept of law refers to Hans Kelsen that there is actually hierarchy of law. The law which degrees is below it essentially as the command of norm of law which is above it. Such an arrangement of law is illustrated with the existence of law which is superordinate and the law which is subordinate.

Hans Kelsen’s opinion about that levels of law indicates that the clarity of rule and norm above becomes an essential thing in order the norm which is below it can be the operation of the rule that has higher degree are not erroneous in interpreting the former. If the rule that is above it is unclear, blurred, the thing that will happen is operation of rule on lower degree will be more hazy and vague. Therefore, the rule that is more operational and positioned in lower place will be hazier so that it will stay away from the real aim of the hope of law that is expected by the society. The hope of law that is expected is justice, humanity, certainty, and the guarantee of safety, peaceful, and prosperous feeling in a life that becomes the highest aspiration of every people.

Based on theoretical framework of constitutional state and rule of law as stated by Hans elsen, it can be understood that juridicial implication of a legal politics in making the rule that has less attention to the justice and humanity is a whole rules that is operated by the vague rule and neglect the justice and humanity principle will certainly give effect to the emerge of rules that substantially stay away from the hope of law that is expected, which is the condition of life that has justice and enforces the prestige of humanity.

The theory of constitutional state and rule of law Hans Kelsen gives the signs in explaining and understanding how the operational law is enforced in a country, although it does not explain in detail about the variables that become the determiner fact of colorful law that happens in life. In writer’s perspective, after learning the process and mechanism of labor law related to the payroll system, at least there are five (5) layers of law that can be described on how the process of law can be operated in a country. Those five layers are: **first** is called as “ideality of law” layer, which means law is ideal, it is placed on human’s thinking, such as thinking of law refers to the scientist, cultural observer, priest, government. Next, at the **second** layer it is called “the formality of law” layer that is thning of the ideality of law which has been put into legal document becoming formal law. In this layer, it tends to the fight of importance from any components of power in society. In this domain, the fight of legal politics will color the content of that law; **the third** layer when the formality of the law “will be enforced”, there will be “law perception” from every sides that is related and important to that law. On this stage, law is susceptible to be decided by the current power. Law can be the color such as yellow if the power dominating is yellow, and so on. Based on that result of law perception then move to the **fourth** layer that is “the operation of law” and this is very dependent on they who uphold it. That operation result is the last layer, **the fifth** “attention of law”, which is an indicator to measure how the law is expected and wanted. On this last

¹ Sekjen MPR, 2003. *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 dan Undang-Undang Republik Indonesia Nomor 24 Tahun 2003 Tentang Mahkamah Konstitusi*.

² Sekjen MPR, 2003. *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 dan Undang-Undang Republik Indonesia Nomor 24 Tahun 2003 Tentang Mahkamah Konstitusi*.

³ Titon Slamet Kurnia, *Konstitusi HAM, Undang-Undang Dasar Negara Republik Indonesia dan Mahkamah Konstitusi Republik Indonesia*, (Yogyakarta: Pustaka Pelajar, 2014) hlm 35

⁴ Miriam Budiardjo. *Dasar-Dasar Ilmu Politik*. Jakarta: Penerbit PT. Gramedia Persada, 1981.

⁵ Hans Kelsen; *Teori Umum Tentang Hukum dan Negara*, (Bandung: Penerbit Nusa Media, Cetakan ke IX, 2014) hlm 179

stage, it becomes the verification site whether that law is in line with the hope of law that is expected. The problems that is interesting to be understood from the present layers in that operation of law is there is frequently a long distance between one layer and another. That condition happens because of the influencing variables in legal process. As a result, the law tends to be unresponsive to what expected is, whereas the highest aspiration of law is justice and humanity through the guarantee of law certainty, because the law is a medium that can be forced, because behind the law there are the authorities given to the institution to uphold and enforce that law in order to be effectively implemented in a constitutional state.

JURIDICIAL IMPLICATION OF LEGAL POLITICS OF MINIMUM WAGE THAT IS STATED IN THE LABOR LAWS

Legal politics of minimum wage determination that has less attention to the justice and humanity principle in fact cause a juridicial implication towards the existing rules which is below it, that is the emerge of legal norms which stay away from the expected ideal law. The juridicial implication as the impact of legal politics of minimum wage arrangement can be described as follows:

1. The Juridicial Implication Towards The Regulation Of Minister of Manpower and Transmigration Number 7 Of The Year 2013 About Minimum Wage

Refers to Act No. 13 of Year 2003 on Manpower ... "A wage is the right of the worker/ labourer that is received and expressed in the form of money as remuneration from the entrepreneur or the employer to workers/ labourer, whose amount is determined and paid according to a work agreement, consensus, or laws and regulations, including allowances for the worker/ labourer and their family for a job and or service that has been performed or will be performed"¹. As source of income, wage is aimed at achieving welfare of workers/laborers so it can directly or indirectly increase the work productivity in a safe and healthy working environment. To give protection towards the workers/laborers, government makes the payroll policy and one of it is minimum wage policy.

Minimum wage is assumed as source of income used to meet the proper living for humanity. It is supported by The Article 3 point (1) Regulation Of Minister of Manpower and Transmigration Number 7 of Year 2013 states that ... "the minimum wage decision is based on the decent living needs by considering the productivity and economic growth"². The definition of minimum wage "is based" on living needs; what is stated above in The Article 3 point (1) on minimum wage, seems that it is not in line with the content of The Article 3 point (2) that states the minimum wage as meant in The Article 3 point (1) aimed at achieving decent living needs. Then in The Article 3 point (4), to achieve the decent living needs as meant in The Article 3 point (2), the governor decide the stages of achievement of decent living needs in a form of map of achievement ways of decent living needs for such labor intensive-industrial company and for another company by considering the condition of world of business ability. Map of achievement ways of decent living needs is arranged with the steps as follows:

- a. Decide the year of minimum wage achievement as same as decent living needs
- b. Predict the grade of decent living needs until the end of the year of achievement
- c. Predict the amount of minimum wage every year
- d. Decide the percentage of achievement of decent living needs by comparing between prediction of minimum wage and prediction of decent living needs grade every year.

The regulation on "map of achievement ways of decent living needs" as stated above shows vagueness/haziness in defining minimum wage that should be aimed to meet the decent living needs. That vagueness is an impact of the unclear rule that is above it. It can be understood because according to theory of law about "rule of law" stated by Hans Kelsen,.. "the norm that is below it is the command of the above norm"³. If the above norm is blurred, the norm that is below it will be more blurred. It means that it will be far away from the ideal law that is expected.

2. The Juridicial Implications of the Decree of Minister of Manpower and Transmigration No. 13 Year 2012 on Components and Implementation of Phases of Achievement for Decent Living Needs (DLN)

The Decree of the Minister of Manpower No: Dec-17 / Min / VIII / 2005 on Components and Implementation of Phases of Achievement for Decent Living Needs. In Article 1 (paragraph 1) states that the DLN is the standard needs to be met by a single worker / labor to be able to have a decent living physically, non-physically and socially, to the needs of one month.

¹ *Himpunan Undang-Undang Ketenagakerjaan*; (Yogyakarta: Penerbit Buku Biru; 203) hlm 14.

² *Undang-Undang Ketenagakerjaan, Edisi Terbaru*, (Bandung: Fokus Media; 2014) hlm 272

³ Hans Kelsen; *Teori Umum Tentang Hukum dan Negara*, (Bandung: Penerbit Nusa Media, Cetakan ke IX, 2014) hlm 179

Article 1 (1) of Decree No: Dec-17 / Min / VIII / 2005 seems increasingly asserted that the minimum wage for workers / laborers in Indonesia is not intended to meet the needs of decent living, but merely "redirected" to the attainment of the needs of decent living , That means it was created and conditioned by systematically through a more operational regulation. It means that there is a will and desire expressly that the worker / laborer has not been positioned as the party that need attention, support and protection through the law to improve the welfare of their lives and their families, although it has been stated in the constitution as a right that should be recognized and guarantees in life.

What is stipulated in Decree No: Dec-17 / Min / VIII / 2005 amended by the Decree of the Minister of Manpower and Transmigration Republic of Indonesia Number 13 Year 2012 on Components and Implementation of Phases of Achievement for Decent Living Needs. The meaning of "Decent Living Needs" has more different formulation on the Decree of the Minister as contained in article 1 (paragraph 1) that the DLN is standard needs of a single worker/ labor to have a decent living physically for human for the needs of one (1) month. The meaning of the needs for decent living measured only by the fulfillment of the physical needs for humans in these regulations are not in line with the concept of humanity as basic values of Pancasila, the philosophy of state in principle to 2 "Just and Civilized Humanitarianism" and then written normatively into section 28D of Constitution of 1945. It means that the rules (laws) which is defined as the base in the provision of wages that are listed in the decree of the minister of manpower and transmigration No. 13 in 2012 on the fate of the workers / laborers in Indonesia is not in line with the constitutional mandate. It can be interpreted as a form of neglect and oppression of the rights of citizens (human rights).

3. The Juridical Implications of the Decree of Minister of Manpower and Transmigration of Republic of Indonesia Number: Dec-231 / Min / 2003 on Procedures for Suspension of Implementation of the Minimum Wages (MW)

The regulation issued by the government about the suspension of the implementation of the minimum wage actually gives more free opportunity against the companies to release the relevant companies implement the minimum wage within a certain time. This opportunity is ultimately used by many companies to set them free of the responsibility of the welfare of the workers / laborers in Indonesia. According to the Employers' Association, the responsibility of improving the welfare of workers should be part of the responsibility of government as a constitutional mandate.

The opportunity to suspend the implementation of the minimum wage legally through regulations issued by the government is ultimately utilized by entrepreneurs. This is evidenced by many companies that applied for the suspension of the implementation of the minimum wage. Data from the Ministry of Manpower and Transmigration in 2014 states that there were 414 companies proposed the suspension of the implementation of the minimum wage, and 315 companies were approved, 89 companies were rejected, 2 companies were ineligible and 8 companies were the companies retracted the petition. In West Java province, a number of companies were also busy to apply the suspension of the implementation of the minimum wage to the Governor of West Java. The Governor of West Java approved and issued a decree by Governor Decree No. 561 / Dec 56. Bangsos / 2013 on Granting Suspension Permit of Implementation of Minimum Wage of Regency / City in West Java.

4. The Juridical implication of The Decree of President of Republic of Indonesia No. 107 in 2004 on Wage Council

Wage Council as mentioned in Article 6 paragraph (2) of Decree of President No. 107 in 2004 ... "that the Wage Council membership ratio composition is 2: 1: 1, they are government, employers and trade unions"¹. Furthermore, according to the Minister of Manpower and Transmigration of Republic of Indonesia No: Dec-03 / MIN / I / 2005 on Procedures for the Proposed Membership of the National Wage Council, said: "Members of the board remuneration amounted to 23 people consisting of 10 elements of the government, 5 elements of trade unions, 5 elements of employers' organizations and 3 elements of universities and experts"².

The text above is basically an overview of the juridical implication as a result of statutory provisions in the field of labor is unclear and vague and has an impact on the lack of attention to the values of justice and humanity. Factually, comparison of the number of board membership reflects the disproportionate wage, but the wage board is an institution which is very important in order to formulate and recommend on a good wage policy concerning the preparation of the components of DLN as well as the amount of rupiah value of each component of the DLN. The common initial process and the conflicts of interest are in the process of drafting of recommendations of the minimum wage which is made in Wage Council. Disproportionate Wage Council

¹ Keputusan Presiden Republik Indonesia Nomor 107 Tahun 2004 *tentang Dewan Pengupahan*

² Peraturan Menteri Tenaga Kerja dan Transmigrasi Republik Indonesia Nomor: Per-03/MEN/I/2005 tentang Tata Cara Pengusulan Keanggotaan Dewan Pengupahan Nasional

Membership Number Comparison is resulting in an imbalance in the Wage Council itself. This is the cause of the product of recommendation draft less approved by the workers / laborers. Product of recommendation of Wage Council has been disproportionate, unable to side with the weak (workers / laborers), and this is in line with what is proposed by Sumanto ... "that corporations make the government in a difficult position in defending the needs of the workers"¹. Corporation capabilities are superior and state dependence (the government) to make the corporation has a high bargaining power when dealing with the government; as a consequent, the position of workers receives less attention. Due to more workers become frustrated in the search for justice and it makes the worker / laborer to do various demonstrations, strikes as a form of their opposition to the policy which has less attention to justice and humanity, because legally that ... "the rule of Indonesia stated that no one could be enslaved or slaves"². Indonesia is a country of laws that should protect and preserve human dignity.

5. The Juridicial implication of the Industrial Relations Harmony Due to the Emergence of Lawsuit of the Trade Unions (SP) and the Employers' Association (APINDO)

A policy system is created and enforced. It has been prepared basically and planned optimally and the mission of the policy directly or indirectly is generally oriented towards something that is positive or beneficial. In other words, the policy was planned, developed and implemented for the purpose of goodness. However it is also important to realize that when a policy is implemented, it will certainly have an impact or implications arising from this policy.

Generally, there will always be an implication of anything done, whether it is personal /private or it is collective institutional. It is impossible for an action or a policy done by human has zero implication. Therefore minimizing an implication that is not good is a matter that should be considered before any action or policy is implemented.

An action or policy may be implicated commonly in two things; ie there is positive impact or implication and there is also a possibility of negative implication. What the implication of a policy happened is and how it is could not be known certainly if the policy is not carried out, it means an implication will only be known objectively when the policy is being run. In this paper, the implication of minimum wage policy, much elaborated, is the downside, according to the point of view to be seen from a policy that ignores the principles of justice and humanity.

The description below will explain how the impact or implication of minimum wage policy that ignores the principles of justice and humanity. In general, the last juridicial implication of the birth of various laws on the minimum wage is the emergence of various lawsuits in court, either in the Industrial Relations Court (IRC), the General Court (Civil and Criminal) as well as at the State Administrative Court (Administrative Court). A number of lawsuits that could be addressed in this paper illustrates that there is dissatisfaction of the workers / laborers and employers as a result of wage policy set by the government. A number of lawsuits to court as indicated below is a juridicial implication of minimum wage fixing that has less attention to the principles of justice and humanity, among them the following:

- (1) The judge's decision.... "Penalizing entrepreneurs as a result of not Implementing Minimum Wage Policy"³.
- (2) Lawsuit to the Industrial Relations Court (IRC) against the Company as a result of ... "On the Wage Discrimination Treatment of Workers"⁴.
- (3) Workers Union Lawsuit Against ... "Decree of Governor on Suspension Permit of implementation of the Minimum Wages (MW) "⁵.
- (4) Lawsuit of Employers Association (EA) Against ... "Decree of West Java Governor on UMK Bekasi"⁶.

6. Juridicial Implication towards the Work Agreement between Company and Workers/Laborers

The condition of legal relation in work agreement (between the entrepreneur and laborer) is not merely protected appropriately although there is an agreement. It happens in a company PT Bulungan Citra Argo Persada, an oil palm company located in East Kalimantan. That company makes an agreement with workers/laborers to clean the 3 hectare weeds in a day (7 hours of working). However, practically that target cannot be reached by the workers so that the company pays them with the wage below the standard of minimum

¹ Sumanto, *Hubungan Industrial; Memahami dan Mengatasi Potensi Konflik Kepentingan Pengusaha-Pekerja Pada Era Modal Global*; (Yogyakarta: Center of Academic Publishing Service; 2014) hlm 23

² R. Joni Bambang S; *Hukum Ketenagakerjaan*, (Bandung: Penerbit Pustaka Setia; 2013) hlm 75

³ TURC.or.cid. New, diakses tanggal 2 Oktober 2015, Vonis Pidana Upah, Mulai Tegaknya Hukum Perburuhan.

⁴ Solidaritas Net/2015/02, Buruh Gugat Perusahaan Atas Diskriminasi Upah, 2015.

⁵ Jabar, Tribun.News.com/2015 *Buruh Gugat Gubernur Jabar ke PTUN, Tolak SK Penangguhan Upah Minimum*.

⁶ www.republika.co.id, 315 Perusahaan Disetujui Kabulkan Penangguhan Upah Minimum, 2015.

wage. The amount of minimum wage standard based on the rule is Rp 2.200.000,- but the wage that they give is about Rp1.500.000,- up to Rp 1.800.000,-. Consequently, the workers/laborers bring suit to PHI and that makes the industrial relation unhealthy.

The thing that is done by the worker is the legal right toward all sides that neglect the appropriateness norm in work relation. Indonesia is a constitutional state, and it cannot be accepted to do over the limit of appropriateness to anyone, because principally the appropriateness is legal moral. Eventhough there is already rule of working, but that rule still cannot be accepted if we break the appropriateness. The question that is interesting to be explored is that why there is a work agreement that is substantially breaking the values of appropriateness. It is due to the regulation that exists in labor constitution that states, wage is the right of worker that is accepted in a form of fee of money given by the work giver setted and paid based on the work agreement between the work giver and the worker/laborer. In this field, the work giver certainly has the power and ability to force the target of work production that should be conducted by the worker that is in the form of agreement. In that work agreement, it also decides the mechanism of work wage that is accepted by the worker when the worker has done the job that is ordered by the work giver. The chance of making a work agreement that should be arranged based on the framework of morality and good law for the work giver that is in fact used incorrectly, which is by forcing the achievement of work target over the limit of appropriateness through the use of powerful position of the work giver and the worker. The work giver has positioned itself as the superordinate, while the worker is in the subordinate position. In imbalance position the weak side (worker/laborer) has not power to reject the idea of agreement of the work giver. Consequently, the arranged work agreement is not made imperfectly so that the content of work agreement breaks the appropriateness values, and principally that value is the legal morality that should be upheld as the form of appreciation towards the humanity prestige.

REFERENCES

- Didik Sukriono, *Restorasi Rechtsidee dan Moral Konstitusi Untuk Membangun Karakter Institusi Hukum dalam Perspektif Pendidikan Hukum Yang Humanis*, ditulis dalam buku *Membangun Negara Hukum Yang Bermartabat*, Malang: Setara Press, 2014
- Hans Kelsen; *Teori Umum Tentang Hukum dan Negara*, Bandung: Penerbit Nusa Media, Cetakan ke IX, 2014
- Miriam Budiardjo. *Dasar-Dasar Ilmu Politik*. Jakarta: Penerbit PT. Gramedia Persada, 1981.
- Sekjen MPR, 2003. *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 dan Undang-Undang Republik Indonesia Nomor 24 Tahun 2003 Tentang Mahkamah Konstitusi*.
- Titon Slamet Kurnia, *Konstitusi HAM, Undang-Undang Dasar Negara Republik Indonesia dan Mahkamah Konstitusi Republik Indonesia*, Yogyakarta: Pustaka Pelajar, 2014
- Himpunan Undang-Undang Ketenagakerjaan*; Yogyakarta: Penerbit Buku Biru; 203
- Undang-Undang Ketenagakerjaan, Edisi Terbaru*, Bandung: Fokus Media; 2014
- Peraturan Menteri Tenaga Kerja dan Transmigrasi Nomor 7 Tahun 2013 tentang Upah Minimum (UM)
- Keputusan Presiden Republik Indonesia Nomor 107 Tahun 2004 tentang Dewan Pengupahan
- Imam Syaukanie dan A. Ahsin Thohari; *Dasar-Dasar Politik Hukum*; Jakarta: Raja Grafindo Persada, 2013
- Peraturan Menteri Tenaga Kerja dan Transmigrasi Nomor 13 Tahun 2012 tentang Komponen dan Pelaksanaan Tahapan Pencapaian Kebutuhan Hidup Layak (KHL)
- Keputusan Menteri Tenaga Kerja dan Transmigrasi Republik Indonesia Nomor: Kep-231/Men/2003 tentang Tata Cara Penangguhan Pelaksanaan Upah Minimum (UM)
- TURC.or.cid. New, diakses tanggal 2 Oktober 2015, Vonis Pidana Upah, Mulai Tegaknya Hukum Perburuhan.
- Solidaritas Net/2015/02, Buruh Gugat Perusahaan Atas Diskriminasi Upah, 2015.
- Jabar, Tribun.News.com/2015 *Buruh Gugat Gubernur Jabar ke PTUN, Tolak SK Penangguhan Upah Minimum*.
- www.republika.co.id, 315 Perusahaan Disetujui Kabulkan Penangguhan Upah Minimum, 2015.