

Job Loss Guarantee: Legal Aspects and Implementation in Jakarta, Indonesia

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Abstract

The Indonesian government added the Job Loss Guarantee program as an additional social security for employment based on Government Regulation Number 37 of 2021. This program is expected to provide assistance to workers who have just lost their jobs by providing benefits in the form of cash assistance, access to job market information so that workers can look for work new jobs, and job training so that workers are more mature in preparation for getting new jobs after experiencing layoffs. Further research is needed regarding legal aspects and their implementation in Indonesia, especially in Jakarta. The research method that will be used is an empirical juridical research method. The results of this research are that the legal aspect of implementing the job loss guarantee program based on this Government Regulation is a consequence of the enactment of Law Number 11 of 2020 concerning Job Creation which amends Article 18 of Law Number 40 of 2004 concerning the National Social Security System by adding a new type. The new social security program is job loss guarantee and adds new norms by adding Article 46A which regulates: Workers/laborers who experience termination of employment are entitled to job loss guarantee organized by the employment social security administration body with the principle of social insurance based on an insurance mechanism. with payment of contributions between workers and employers with benefits in the form of training and certification, cash and placement facilitation. Second, the implementation of job loss guarantees in Jakarta, based on employment conditions in February 2023, the number of working population in the DKI Jakarta area was recorded at 4.86 million people and workers whose employment was terminated throughout 2023, from January to May amounted to 127 and then increased more significantly in June as many as 683, in July – August as many as 1,105 and in September as many as 1,259 workers had their employment terminated. The regulation of terms and conditions for job loss guarantee in this Government Regulation still needs to be refined. Job loss guarantee benefits should be alternative or optional, not cumulative. Every worker who loses their job should be able to enjoy one or more of the three job loss benefits. Depends on the cause of the worker losing their job.

Keywords: job loss guarantee, employment social security, labor law

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1. Introduction

The Government of the Republic of Indonesia has issued a systematic, comprehensive and futuristic national industrial development plan in the form of the National Industrial Development Master Plan 2015 – 2035. The vision for national industrial development is to become a strong industrial country characterized by, among other things: “First, a strong, deep, healthy and just national industrial structure. Second, an industry that is highly competitive at the global level. Third, industry based on innovation and technology.”¹

In order to realize the above vision, national industrial development carries out a mission, one of which is to realize national industry as a pillar and driver of the national economy, including the regional economy. This mission requires that all elements of industrial potential need to be used as the basis for industrial development, which in the end can realize prosperity and welfare of society in an equitable manner.² However, according to Z Rajagukguk: “Indonesia is a country with the most rigid labor regulations in the world. These rigidities include strict hiring rules, strict termination requirements and restricted employment relationships.”³ Law Number 11 of 2020 concerning Job Creation answers substantial questions regarding the rigidity of the job market. The concept of flexibility and high turnover in the job market is a key issue in the framework for attracting investors.

The government said that in an effort to maintain a balance between the need to expand employment opportunities which require investment, and efforts to protect existing workers, comprehensive regulatory reform is needed, including in the employment sector. One way is to expand the Employment Social Security System by adding a new form of employment security called job loss security. This new guarantee is expected to provide:

¹ Januarta, M. I., & Yasin, M. (2024). “Kontribusi Industri Nasional Terhadap Pembangunan Di Indonesia”. *Jurnal Ekonomi dan Pembangunan Indonesia*, 2(1), 47-55.

² Saragi, D. R. R., & Sihombing, H. (2024). “Faktor-Faktor Yang Mempengaruhi Penyerapan Tenaga Kerja di Indonesia.” *EKOMA: Jurnal Ekonomi, Manajemen, Akuntansi*, 3(2), 1224-1233.

³ Rajagukguk, Z. (2016). Pasar Kerja Fleksibel Versus Perlindungan Pekerja di Indonesia. *Jurnal Kependudukan Indonesia*, 5(2), 1-28.

“assistance to workers who have just lost their jobs by providing benefits in the form of cash assistance, access to labor market information so that workers can look for new jobs, and job training so that workers are more mature in preparing to get a new job after being laid off. work relationship.”¹

The implementation of job loss guarantee 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 government's current commitment is to issue Government Regulation Number 37 of 2021 concerning the Implementation of Job Loss Guarantees. Therefore, further research is needed regarding legal aspects and their implementation in Indonesia, especially in Jakarta, considering that researchers live in Jakarta, making this research easier. The formulation of the problem is first, what are the legal aspects of implementing job loss guarantee based on government regulation number 37 of 2021? Then, how is it implemented in Jakarta?

2. Research methods

Research on legal aspects and implementation of legal provisions requires a research method with the type of juridical-empirical legal research. This research method examines the legal provisions in Government Regulation Number 37 of 2021 as primary legal material in this research, including regulations or other legal materials. However, there are not necessarily things that are normative or juridical, but this research method will look at how the law actually works in society. The main thing in its implementation is whether it is in accordance with the legal ideals, namely justice, certainty and benefit. However, researchers limited themselves in their data collection activities only to the study location in the city of Jakarta, Indonesia.

The data collection technique is data from library materials and data obtained relating to employment in Jakarta. The data collection procedure starts from observing library materials, documentation, distributing questionnaires and the results will be explained descriptively-analytically. The purpose is to describe existing facts and then carry out analysis based on positive law and existing legal theories.

3. Result and discussion

3.1. Legal Aspects of Job Loss Guarantee based on Indonesian Government Regulations

The issuance of Indonesian Government Regulation Number 37 of 2021 concerning the Implementation of the Job Loss Guarantee Program as a consequence of the enactment of Law Number 11 of 2020 concerning Job Creation which amends Article 18 of Law Number 40 of 2004 concerning the National Social Security System by adding a new type of program The new social security is a guarantee of job loss and adds new norms by adding Article 46A which regulates:

- (1) Workers/laborers who experience termination of employment have the right to receive job loss guarantee.
- (2) Job loss guarantee is administered by the employment social security administration body.

The addition of new norms to protect workers/laborers who experience layoffs is due to data from the World Bank which states that: “Companies that fulfill compensation payments when layoffs occur are only around 40%.”² This is due to the high termination compensation in Indonesia. Then, the large contribution that must be paid by employers to register their workers in the social security program, while workers whose employment relationships are terminated cannot be guaranteed optimal continuity of work. In order to fulfill employment termination compensation optimally, it is necessary to adjust employment termination compensation to be repositioned with the new social security program.³

This new social security program, called the job loss guarantee program, is carried out using social insurance principles as well as the new norm in Article 46B which regulates:

- (1) Job loss guarantee is administered nationally based on social insurance principles.
- (2) Job loss guarantee is provided to maintain a decent standard of living when workers/laborers lose their jobs.
- (3) Further provisions regarding procedures for providing job loss guarantee are regulated by Government Regulation.

The principle of social insurance in old age security is based on an insurance mechanism with contribution payments between workers and employers. The degree of decent living referred to in the provisions of this new norm is the amount of the job loss guarantee program that is able to meet the basic needs of workers and their

¹ Siregar, R. A., Wijayati, A., Widyani, I. D. A., & Sinaga, H. S. R. (2022). “Penyuluhan Hukum Jaminan Kehilangan Pekerjaan Kepada Masyarakat Pancoran, Jakarta Selatan.” *Jurnal Pengabdian Pada Masyarakat METHABDI*, 2(1), 1-5.

² Soleh, A. (2017). Masalah ketenagakerjaan dan pengangguran di Indonesia. *Jurnal Ilmiah Cano Ekonomos*, 6(2), 83-92.

³ Widyani, I., Panjaitan, H., Wijayati, R. A., Saragih, R., & Murniarti, E. (2021). “Sosialisasi Kebijakan Pemerintah Bagi Pekerja/Buruh Yang Diputuskan Hubungan Kerjanya Akibat Pandemi Covid-10.” *Jurnal Pengabdian Kepada Masyarakat MEMBANGUN NEGERI*, 5(2), 290-300.

families¹.

Other new norms are in Articles 46C to 46E, which regulate as follows:

Article 46C

Job Loss Guarantee participants are anyone who has paid contributions.

Article 46D

(1) Job loss guarantee benefits in the form of training and certification, cash and placement facilitation.

(2) The benefits as intended in paragraph (1) are regulated by Government Regulation.

Article 46E

(1) The amount of the job loss guarantee contribution is a certain percentage of wages.

(2) Further provisions regarding the amount of job loss guarantee contributions as referred to in paragraph

(1) are regulated by Government Regulation.

There are provisions in the norms that regulate participants in the job loss guarantee program: “every person who has paid contributions is in line with the principle of mandatory participation which requires the entire population to become social security participants, which is implemented in stages.” Apart from that, contributions are also part of the principles of social insurance.

In practice, the job loss guarantee program or another term that is often used in various other countries is employment insurance in several countries. The components of the social security program that are required for workers/laborers whose employment relationship is terminated are temporary cash assistance, certification and placement. So it would be very good if the government would regulate the benefits of job loss guarantees in the form of job training and certification, cash and placement facilitation. Likewise with the new norm in Article 46E above, the amount of the job loss guarantee contribution is an application of the principles of social insurance.²

The existence of a new social security program in the form of job loss guarantee which will be administered by the Social Security Administering Body gives rise to legal implications by changing or revising a law, especially Law Number 24 of 2021 concerning the Social Security Administering Body, especially Article 6 and Article 9, which adds to the redaction of job loss guarantee as an addition to the new social security implemented specifically by the social security administering body in the field of employment.³

Government Regulation Number 37 of 2021 provides a definition of Job Loss Guarantee as stipulated in Article 1 Number 1 as: “social security provided to Workers/Labourers who experience Termination of Employment in the form of cash benefits, access to job market information, and Job Training.” This government regulation issued for the implementation of the job loss guarantee program will explain further what legal arrangements are regulated in this government regulation, especially those relating to the regulation of participation and registration procedures, contributions and sources of funding, as well as the benefits, as follows:

3.1.1. Membership and Registration Procedures

Regarding participation, the registration procedures are regulated in Chapter II from Article 4 to Article 10. In essence, participants in job loss guarantee are: “workers/laborers who are new or have been included by employers in the social security program and meet the requirements (eligibility)”, are as follows:

- a. Indonesian citizenship is proven by a population identification number;
- b. Aged less than 54 (fifty four) years at the time of registration;
- c. Have a working relationship with an employer either based on a fixed-term work agreement or an indefinite-term work agreement;
- d. Checking social security program participation, namely workers who work in medium and large scale businesses have been included in all Indonesian social security programs or at least in the national health insurance program, death insurance, work accident insurance and old age insurance for working workers on a small and micro business scale.

3.1.2. Contributions and Sources of Funding

Concerning contributions and payment procedures are regulated in Chapter III Article 11 to Article 17, while funding sources for job loss guarantees are regulated in a separate chapter, namely Chapter V in Articles 42 to Article 43. Job loss guarantee program contributions are 0.46% of wages a month. The wages used as a basis for calculation are the last wages recorded at the Employment Social Security Administration Agency and do not exceed the ceiling wages set by statutory regulations, namely IDR 5,000,000.00 (five million rupiah). Job loss guarantee comes as an additional benefit because there are no contributions.

¹ Ulkhofifah, N. (2022). “Implementasi program jaminan hari tua pada Badan Penyelenggara Jaminan Sosial (BPJS) Ketenagakerjaan Cabang Cilandak” (Doctoral dissertation, Universitas Nasional).

² Pratiwi, N. P. (2022). “Tinjauan Yuridis Perlindungan Hukum Terhadap Pekerja Yang Kehilangan Pekerjaan Berdasarkan Peraturan Pemerintah Nomor 37 Tahun 2021 Tentang Penyelenggaraan Program Jaminan Kehilangan Pekerjaan” (Doctoral dissertation, Universitas Islam Riau).

³ Harahap, M., Pratitis, S. A., & Sitorus, A. P. (2022). “Aspek Hukum Ketenagakerjaan Terhadap Jaminan Hak Kehilangan Pekerjaan Berdasarkan UU No. 11 Tahun 2020 Tentang Cipta Kerja.” *Law Jurnal*, 2(2), 116-122.

The source of funding comes from Article 42, namely: “comes from the initial capital of the Central Government, recomposition of death insurance contributions and work accident insurance, and/or operational funds from the Employment Social Security Administering Agency.” The Central Government covers contributions of 0.22% of a month's wages using initial capital prepared by the State. Contribution recomposition is the transfer of a certain percentage of existing social security program contributions, in this case the death insurance and work accident insurance program contributions are 0.1% and 0.14% respectively. Regarding funding sources, the initial capital of the Central Government has been budgeted at 6 trillion rupiah, which comes from the State Revenue and Expenditure Budget.¹

3.1.3. Program Benefits

Regarding the job loss guarantee program, it is regulated in Chapter IV starting from Article 18 to Article 41, which basically regulates the benefits in 3 (three) benefits, namely, cash benefits, benefits from access to job market information, and job training benefits.

a. Benefits of Cash

Organized by the Employment Social Security Administering Agency, participants are “entitled to cash benefits every month for a maximum of 6 (six) times with the provision that the benefit amount is 45% of wages for the first 3 (three) months and for the following 3 (three) months is 25% of wages. The wages used as the basis for payment of benefits are the last wages recorded at the Employment Social Security Administering Agency and do not exceed the upper wage limit of Rp. 5,000,000.00 (five million rupiah).”²

b. Benefits of Access to Job Market Information

Benefits of Access to Job Market Information. Organized by the Ministry of Manpower and includes 2 (two) services, namely: (1) labor market information services in the form of providing job vacancy data; and (2) job guidance services in the form of self-assessment and career counseling.

c. Benefits of Job Training

Benefits of Job Training. Benefits are provided only to those who have not yet found a job and have received a recommendation from a career counselor.

3.2. Implementation of the Job Loss Guarantee Program in Jakarta, Indonesia

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

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

Table 1. Development of Employment Conditions February 2019 – February 2023

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:

A. Activation Status

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

Table 2. Number of BPJS Employment Participants in Jakarta based on Activity Status as of August 2023

¹ Ragiliawan, Z., & Gunawan, B. T. (2021). “Jaminan Kehilangan Pekerjaan (JKP) Dalam Perspektif Belanja Negara.” *Jurnal Ketenagakerjaan*, 16(1), 48-60.

² Nisa, H. T., Aldianto, G. N., & Saputra, E. (2023). “Optimalisasi Manfaat Jaminan Kehilangan Pekerjaan (JKP) Bagi Karyawan PKWT.” *Journal of Management and Social Sciences*, 2(1), 252-262.

B. Number of Companies and Active Social Security Participants for Wage Earning Workers

No	Wage Recipient	Amount	Not a Wage Receiver	Amount
1.	Registered Company	118.875		
2.	Labor (people)			
	- Employment injury security	5.117.552	- Employment injury security	760.759
	- Death security	5.117.552	- Death security	760.759
	- Old-age security	4.654.209	- Old-age security	120.868
	- Pension security	4.256.514	- Pension security	-

Table 3. Number of Registered Companies and Workers Participating in BPJS Employment Jakarta as of August 2023

The data that researchers obtained from the Employment Social Security Administering Agency only includes 4 (four) employment social guarantees, including: Employment Injury Security, Death Insurance, Old Age Security, and Pension Security. There is no data regarding Job Loss Guarantee participation. Meanwhile, there is other data from the Employment Social Security Administering Agency, namely the number of workers whose employment was terminated in the period January – September 2023 in Jakarta, as follows:

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

Table 4. Number of laid-off workers in Jakarta Per January to September 2023

Based on the data above regarding workers whose employment was cut 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 as many as 1,259 workers were cut off. it works. This means that there are 1,259 unemployed workers who meet the requirements and should be able to receive benefits from the job loss guarantee program in Jakarta.

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

Conceptually, social security for workers who are victims of this work is quite good, such as benefits in the form of cash for at least six months, which can at least temporarily support the living needs of workers and their families until they find a new job. However, setting the terms and conditions for job loss guarantees in Government Regulation Number 37 of 2021 seems rushed. Just to meet the three month deadline since the Job Creation Law was passed. According to researchers, this provision needs to be refined. Job loss guarantee benefits should be alternative or optional, not cumulative. Every worker who loses their job should be able to enjoy one or more of the three job loss benefits. Depends on the cause of the worker losing their job.¹

Workers who die, of course, only receive cash benefits for their heirs. Likewise with workers who experience total disability and are completely unable to carry out work activities. Workers who resign should still receive job loss benefits because they still have the ability to work again. Moreover, in many cases, workers who resign are also due to industrial relations disputes with employers.

The provision of job loss guarantee benefits for contract workers also needs to be improved. Limiting job loss guarantee benefits only to contract workers who are fired midway is clearly an ambiguous provision. It is also inconsistent with the aims and objectives of the job loss guarantee program. Contract workers, whether they are fired in the middle of the road or those who end the term of their work contract, are equally interested in returning to work so that they fulfill the requirements for entering the job loss guarantee program.²

Moreover, contract workers whose employment relationship ends according to the limited term of the

¹ Abdullah, J. (2018). Bentuk-Bentuk Jaminan Sosial Dan Manfaatnya Bagi Tenaga Kerja Dalam Hukum Ketenagakerjaan Indonesia. *YUDISIA: Jurnal Pemikiran Hukum Dan Hukum Islam*, 9(1), 121-135.

² Hutabarat, M. J. C. (2022). Pergeseran Perubahan Filosofi Program Jaminan Hari Tua BPJS Ketenagakerjaan. " *Dharmasiswa* " *Jurnal Program Magister Hukum FHUI*, 2(1), 26.

employment contract or those which are terminated midway basically both receive compensation as regulated in Article 17 of Government Regulation Number 35 of 2021 concerning Specific Time, Outsourcing, Time Work Agreements, Work and Rest Time, and Termination of Employment So it is not unreasonable to be treated differently for the job loss guarantee program.¹

This job loss guarantee program actually has the potential to be more profitable for workers who are fired for making serious mistakes or committing criminal acts. With cash benefits for six months, it is clearly much more profitable when compared to the severance pay value in government regulations. What is important is that the application for job loss benefits does not exceed the specified time limit, namely a maximum of three months after the termination of employment.

The condition of having paid contributions for one year or at least six consecutive months before termination of employment means that workers can enjoy the benefits of job loss guarantee only in the coming year. If the job loss guarantee program is also intended as a form of compensation for the reduced value of employment termination compensation in this government regulation, it would be appropriate if the terms and conditions for job loss guarantee beneficiaries in the government regulation are revised.

Apart from that, there are several articles that need to be highlighted, especially regarding the implementation of the benefits of this job loss guarantee program, namely: Article 37 which reads: “(1) In the event that the Employer does not include Workers/Labourers in the job loss guarantee program and Termination of Employment occurs, Employers are obliged to fulfill the rights of workers/laborers in the form of: a. cash benefits with benefit calculations as intended in Article 21 paragraph (1) which are given all at once; and b. benefits of job training as intended in Article 30 paragraph (2). The obligation to fulfill the rights of workers/laborers as intended in paragraph (1) is excluded for entrepreneurs in micro businesses.”²

According to researchers, the above provisions must be accompanied by an active role of labor inspectors to socialize and ensure that the above provisions are enforced, because there are still many companies that have not registered their workers in the job loss guarantee program and vice versa, not many workers are aware of the job loss guarantee program and are still views old age security as a 'cushion' in the event of termination of employment.

Then, in Article 40 which reads: “The right to job loss guarantee benefits as intended in Article 18 is lost if the Worker/Labourer: a. not submitting a claim for job loss guarantee benefits for 3 (three) months after the Termination of Employment; b. have found a job; or die.” The provisions requiring workers to submit benefit claims within 3 (three) months seem unrealistic. Because generally workers who experience termination of employment will often fight for their interests to have their termination of employment annulled, whether efforts are carried out bipartite, tripartite, or even through the dispute process in the industrial relations court. This often takes months, even up to a year.³

According to researchers, there needs to be clarity on norms relating to the effective date of termination of employment, whether from the date of the employment termination letter from the employer or from the date of a court decision which has permanent legal force. If things like this are not clarified by the government as a regulator, it will result in harm to the interests of workers/laborers who experience termination of employment and do not receive the benefit of job loss guarantees just because of the late date for submitting benefit claims.

By definition, job loss guarantee is referred to as social security for workers who experience layoffs. The terms and conditions for beneficiaries of job loss guarantee should not reduce the essence of the job loss guarantee in question. There is sufficient time for the government to immediately improve government regulation number 37 of 2021 so that the job loss guarantee program meets its original aims and objectives. Social security for victims of employment termination without exception.

4. Conclusion

The legal aspect of implementing the job loss guarantee program based on government regulation number 37 of 2021 is a consequence of the enactment of Law Number 11 of 2020 concerning Job Creation which amends Article 18 of Law Number 40 of 2004 concerning the Social Security System Nationally by adding a new type of social security program, namely job loss guarantee and adding new norms by adding Article 46A which regulates: Workers/laborers who experience termination of employment have the right to receive job loss guarantee organized by the guarantee administration body social employment with social guarantee principles based on an guarantee mechanism with payment of contributions between workers and employers with benefits

¹ Tamba, T., Izziyana, W. V., & Juita, S. R. (2023). Aktualisasi Perlindungan Hukum atas Jaminan Kehilangan Pekerjaan Perspektif Hukum Positif di Indonesia. *Humani (Hukum dan Masyarakat Madani)*, 13(1), 202-208.

² Agusmidah, A., & Reynaldo, V. (2024). The PARTICIPATION IN JOB LOSS SECURITY PROGRAM AS UNEMPLOYMENT BENEFIT FOR NON WAGE RECIPIENT PARTICIPANT: Bahasa Indonesia. *Mendapo: Journal of Administrative Law*, 5(2), 106-131.

³ Maysa, S. Y. (2024). *Analisis Pemenuhan Hak Jaminan Bagi Tenaga Kerja Yang Telah Di PHK Ditinjau Menurut Peraturan Pemerintah Nomor 37 Tahun 2021 Tentang Penyelenggaraan Program Jaminan Kehilangan Pekerjaan (Studi Kasus di Kota Banda Aceh dan Aceh Besar)* (Doctoral dissertation, UIN Ar-Raniry Banda Aceh).

in the form of training and certification, cash and placement facilitation.

Implementation of job loss guarantees in Jakarta, based on employment conditions in February 2023, the number of working population in the DKI Jakarta area was recorded at 4.86 million people and workers whose employment was terminated throughout 2023, from January to May amounted to 127 then increased more gradually. significantly in June there were 683, in July – August there were 1,105 and in September as many as 1,259 workers had their employment terminated. The provisions for job loss guarantee terms and conditions in Government Regulation Number 37 of 2021 still need to be refined. Job loss guarantee benefits should be alternative or optional, not cumulative. Every worker who loses their job should be able to enjoy one or more of the three job loss benefits. Depends on the cause of the worker losing their job.

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