



Implementation of the Circular of the Minister of Manpower Number M/HK.04/III/2020 at PT Gajah Tunggal Tbk

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ABSTRACT

Research reviewing the implementation of the Circular Letter of the Minister of Manpower (SE Menaker) Number M/3/HK.04/III/2020 on Worker Protection and Business Continuity in the Framework of Prevention and Countermeasures of Covid-19 in PT Gajah Tunggal Tbk aims to find out the extent of the effectiveness of implementing the policy in the industry, especially in PT Gajah Tunggal Tbk. The Ministry of Manpower as one of the main stakeholders of the man power in Indonesia, confirming worker protection and also business continuity in the midst of a pandemic that is a global issue of employment problems. The research method used is qualitative deskriptif. The results of the study showed that the implementation of SE Menaker went well, as evidenced by the enthusiasm of the company and employees in raising mutual awareness for the realization of synergy of workers and companies during the pandemic, taking various preventive measures to prevent Covid-19 by following the government's advice, not to find unilateral job cuts or layoffs. based on agreements, and pay cuts during pandemic times for both healthy workers, sufferers, and Covid-19 survivors

INTRODUCTION

The phenomenon of *Coronavirus disease 2019 (Covid-19)* forces world countries to be adaptive in social and even political life which is useful to minimize casualties and spread. In the context of employment, the Indonesian government through the central and regional governments is quite active in making policies, including the issuance of the Circular Letter of the Minister of Manpower of the Republic of Indonesia (SE Menaker RI) Number M / 3 / HK.04 / III / 2020 concerning Worker / Labor Protection and Business Continuity in the Framework of Covid 19 Prevention and Control. This SE is intended for governors throughout Indonesia to implement and convey to mayors / regents and stakeholders in the regions. As a regional authority, the governor is considered to have the legitimacy to appeal to the SE, especially to companies in the local area, as well as part of the tripartite wage council, thus it is hoped that the message conveyed by the central government in this case the Ministry of Manpower of the Republic of Indonesia (Kemnaker RI) can be implemented as expected, especially in the context of worker protection during a pandemic.

In order for this SE to be seen its effectiveness in the field, this research is carried out by checking or observing directly to the *grassroots* in the company, namely by making workers as informants which, in the context of research, become primary data in the study of the effectiveness of *this policy*.

This SE is in line with the Healthy Workers Movement program which is an implementation of the Healthy Living Community Movement (Germas), as reported by Tempo Magazine (13-19/07/20), Minister of Manpower Ida Fauziah said that the main purpose of this healthy worker movement in the workplace is to socialize a culture of healthy living, as well as eliminate unhealthy behaviors and habits from workers / workers. This is considered very useful in limiting the spread of Covid 19.

SE M/3/HK.04/III/2020 discusses several matters of urgency between workers and employers during a pandemic. Such as, among others, an appeal for companies in the spread of Covid-19, to strive for handling and prevention in the work environment for workers / workers, in addition to wage protection where the issue is also the issue of Termination of Employment / Layoffs which is quite prominent and sensitive when a pandemic occurs.

LITERATURE REVIEW

In the *management view*, the policy-making process in the context of SE Menaker until its implementation can be seen from Terry's distinctive theory with four actions (Adnan and Hamim, 2013), namely *planing*, *organizing*, *actuating*, and *controlling*. This is sequentially done as an effort to be able to achieve organizational goals, or in the context of SE, as expected. Management in public services, when viewed from several countries, one of them has a focus on political substance which is certainly not far from the perspective of public policy which, in principle, deals with management in public services in the context of policy (Ibrahim & Supriatna, 2019: 56).

Practical management approaches and models can be implemented in public service studies, and in the direction of implementing management in accordance with competence, professionalism and accountability.

Although SE is not included in laws and regulations (Anggono, *hukumonline.com* 2015), SE is included in the category of policy regulations (*beleidsregel*) or pseudo-laws and regulations (*pseudo wetgeving*) which are considered non-binding, but the nature of appeals is an important area of policy, especially if we look at it from the context of *stakeholders* related, for example, between the Ministry of Manpower as an element of the government together with regional officials (Governors, regents / mayors) with companies and workers / workers (tripartite). Then the SE made by the Ministry of Manpower is an effort to prevent the spread of *Covid-19*, and of course it is in line with the government' s main policy concentration during the pandemic.

In the context of human resource management (HRM), which according to Hasibuan (2019: 10) as effectiveness and efficiency in managing roles and labor relations so that company goals are achieved. The context of regulating is also interpreted by Hasibuan as a science and art by also optimizing the goals of employees and society, meaning not only the interests of the company. Researchers will elaborate more deeply on how the company's strategy in implementing this SE so that efforts to protect workers are achieved. *The view* of HRM which is a pressure point in this study can also be seen from Hamali (2016: 2) who said that HRM in terms of motivation, skills, organizing and workforce development is a strategic approach, the contextualization can also be seen from how the organizing management made by the company to break the spread of the Covid-19 virus.

METHODOLOGY

The research method used is qualitative with a descriptive approach, this method is a response to the perspective of seeing changing phenomena (Sugiyono, 2014: 1). Social reality, in this research approach, is seen as a whole, dynamic, complex and full of meaning. Qualitative research is more descriptive, data is not expressed with numbers, but can be collected with pictures or words (Sugiono, 2014: 9).

Data collection techniques in this study are adjusted to the mainstream rules of qualitative research, namely observation, interviews, documentation and triangulation or combination (Sugiono, 2014: 63).

The four data collection techniques were used as information miners for informants in this study, namely HR and workers at PT Gajah Tunggal Tbk. In interviewing both, a triangulation technique was carried out where researchers confirmed the company's answers to the workers, processed them objectively in order to obtain relevant conclusions.

Direct observation was carried out by researchers at PT Gajah Tunggal Tbk on October 26, 2021, by looking at several socializations carried out by the company to reduce the spread of *COVID-19*. Also document some things that are considered appropriate.

The data obtained is then processed by paying attention to triangulation techniques, then combining it with secondary sources in the form of appropriate online opinions, online news and websites.

RESULTS

Seeing the phenomena that occur in the field, the implementation of SE is indeed not without criticism. This is when viewed from the many unilateral layoffs from companies whose finances were affected by *Covid-19* or even *collapsed* due to a decrease in production during the pandemic, resulting in a decrease in profits and the impact on reducing employees. Some large companies even laid off their employees and reduced payroll during the peak of the pandemic. In early to mid-2020, as reported by *liputan6.com* (7/20) there were several large companies that laid off their employees such as Gojek with 430 employees, PT Shyang Yao Fung shoe manufacturer Adidas with 2,500 employees, as well as Garuda Indonesia and Express Taxi which also made salary reductions.

Regarding the wage process that could lead to layoffs and salary reductions is actually regulated by this SE, of course, with a *win-win solution* that looks at business continuity and workers. If polemics occur, the Ministry of Manpower suggests that it be resolved by agreement between employers and workers/laborers.

At PT Gajah Tunggal Tbk, a company that is randomly selected as the locus of research, SE Menaker has been implemented since it applies as a *policy appeal* from the Ministry of Manpower to governors throughout Indonesia as *stakeholders*. Although it is admitted that there is no specific direction from the governor, it can be said to be only a response to the pandemic as a global phenomenon.

In the company that was established in 1951 (www.gt-tires.com), researchers interviewed and confirmed several things related to the substance of SE M/3/HK.04/III/2020, observing directly to the field regarding the efforts made by the company in socializing it.

PT Gajah Tunggal Tbk as part of the essential sector industry, in its application continues to operate during the pandemic by implementing *Work From Office (WFO)* and *Work From Home (WFH)*.

Two alternating models that are quite popular during this pandemic, are carried out without reducing the number of working hours, only repeating the shift work strategy considering that there are indeed parts that operate 24 hours *non-stop*, of course, the quantity of workers is reduced considering the restrictions in closed rooms.

The impact, as experienced by other companies during the peak of the pandemic, was a declining number of production, not to mention when some employees were indicated to be infected with *Covid-19* which required them to self-isolate at home.

Based on information from informants, it was stated that when the pandemic occurred, the number of employees infected with *Covid-19* was quite high, even though all preventive efforts had been made by the company.

The most common effort is to socialize the appeal for workers to strictly implement health protocols such as maintaining distance, wearing masks, and washing hands with soap and running water. The appeal is in the form of

banners and posters scattered in almost every corner and strategic open space that can be reached visually.

There are also some new habits that have become a problem such as insulation in open spaces, canteens and parks. Then routinely socialization of new habit patterns will be heard through loudspeakers (*toa*) at certain hours, this is done by the *Health Safety Environment* (HSE) division which is responsible for controlling employee health.

The HSE Division together with the security unit (security guard) also routinely go around controlling workers who are not disciplined in the health process, to be reminded further.

"Socialization is still there, from the HSE *safety* team to the security team, every certain hour especially rest hours, the morning before entering sometimes *there are some who are still outside that always patrol* and give advice and drill *washing hands, keep your distance, don't crowd*. And in the *plan* section itself (worker/production workshop buildings) there is a *TOA* whose certain hours are also set which are health protocol issues." (Excerpt of interview with Suparjo, employee, 26/10)

Some things affirmed by PT Gajah Tunggal Tbk are when employees are infected with *Covid-19*. If there is a suspicion of infection or direct contact with the patient, the company facilitates *antigen* swab tests and *Polymerase Chain Reaction* (PCR). If confirmed infected, workers will be asked to carry out unassisted self-isolation while continuing to continuously report health developments to the company. When workers isomant, their rights such as salary remain in place and no deductions are made.

Spiritual funds will also be provided if employees die due to *Covid-19*.

"If the company's policy is a fixed salary without deductions during isoman. For isoman support itself, there is no special place, but there are references from us to in hospitals or places that can be for isoman yes. From the company's procedures, there must be a special addition to *Covid-19*. In the company regulations there is, spiritual money, test money for *PCR* and *Antigen*." (Excerpt from interview with Feriadi, *HR Training and Development*, 26/10)

Although informants could not provide the exact number of casualties that were considered confidential that had occurred so far, it was admitted that the casualties due to *Covid 19* were quite large.

However, the informant said that after the incident, the company carried out *very strict tracing*, every time there was an indication, symptom, or close contact with the patient, the company immediately referred him to the company's clinic for examination and if the *PCR result was* positive, it was immediately required to isomant. Because after all, employees are valuable assets that determine the amount of production, which also converts it with profit as the lifeblood of the business. *Strict tracing* is carried out along with intense socialization and also the division of *Work Form Office (WFO)* and *Work Form Home (WFH)* according to needs to be more efficient.

In the midst of the WFH and WFO rules set, alleged violations also often occur, for example there are employees who are not suitable to be present at

WFO. *The punishment* carried out by the company is the same as before the pandemic, which is adjusted to the category of absenteeism. So on a regular basis, the sanction of no-show and also delay that does not change, namely around salary deductions, is given a warning letter until the end of dismissal if not present for a certain period of time without permission adjusted to company rules.

Delays will be detected by the system used with zoning. Employees will be seen to be present on time based on their zone, attendance that occurs outside the zone that has been *set* will be considered as absenteeism.

So there are indeed several rules that existed before the pandemic but were still enforced during the *Covid-19 pandemic*. Like the zoning system earlier, because it is not disturbed by the tight pattern of the process set, it is only combined so that then there is no crowd.

These policies, after being confirmed to employees, are considered rational enough for the sake of mutual interest, so there are no protests or demonstrations from employees, especially related to fair payroll without any cuts and no layoffs during *Covid-19*.

The company's policy, which when viewed from SE Menaker M/3/HK.04/III/2020 has many suits, can be seen from the matrix that will explain in detail, below.

DISCUSSIONS

This part allows you to elaborate on your results findings academically. You must not put numbers related to your statistical tests here; instead, you have to explain that numbers here. You have to compile your discussion with academic supports to your study and a good explanation according to the specific area you are investigating.

Table 1. Substance of SE Menaker M/3/HK.04/III/2020
**Substance of SE Menaker
M/3/HK.04/III/2020** **Company Policy**

"Conduct guidance and supervision of the implementation of laws and regulations in the field of Occupational Safety and Health (K3)." (Point I number 1)	Coaching and supervision/ <i>controlling</i> and patrolling along <i>with punishment</i> are carried out by HSE and company clinics in collaboration with security guards and HR.
"Disseminate information to all levels of the organization and related parties within the area of guidance and supervision." (Point I number 2)	Socialization is often carried out, both through the dissemination of messages (banners, posters, etc.) related to the health process, the distribution of voice messages through loudspeakers at certain hours.

<p>"Record and report to relevant agencies every case or suspected case of <i>Covid-19</i> in the workplace." (Point I number 3)</p>	<p>Carried out by the company's HSE division and clinics, as well as for HR and supervisors so that the data can also be used for incentives and others.</p>
<p>"Ordering every Company Leader to anticipate the spread of <i>Covid-19</i> to workers/laborers by taking preventive measures such as clean and healthy living behavior by integrating in the K3 program, empowering the Occupational Safety and Health Advisory Committee (P2K3) and optimizing the function of occupational health services." (Point I number 4)</p>	<p>Not much different from point I number 2, where each company leader is responsible for carrying out the process as strictly as possible.</p>
<p>"Encouraging every company leader to immediately make a preparedness plan in facing the <i>Covid-19 pandemic</i> with the aim of minimizing the risk of transmission in the workplace and maintaining business continuity." (Point I number 5)</p>	<p>This is done by being integrated into the HSE division which has authority in health-related companies.</p>
<p>"In the event that there are workers/laborers or employers who are at risk, suspected or experiencing illness due to <i>Covid-19</i>, then handling measures are carried out according to health standards issued by the Ministry of Health." (Point I number 6)</p>	<p>If there is a suspicion, tracing will be carried out, followed by antigen and <i>PCR examinations</i>. If tested positive, the employee will isolate,</p>
<p>"For workers/laborers who are categorized as People Under Monitoring (ODP) related to <i>Covid-19</i> based on a doctor's statement so that they cannot enter work for a maximum of 14 (fourteen) days or according to the standards of the Ministry of Health, the wages are paid in full." (Point II number 1)</p>	<p>No salary cuts were made even though employees who tested positive for <i>Covid-19</i> isolated.</p>
<p>"For workers/laborers who are categorized as suspected cases of <i>Covid-19</i> and quarantined/isolated according to a doctor's statement, their wages are paid in full during the quarantine/isolation period." (Point II number 2)</p>	<p>In line with point II number 1, whether suspect or positive, wages or salaries are still paid in full.</p>

<p>"For workers/laborers who do not come to work due to <i>Covid-19</i> illness and proven by a doctor's statement, the wages are paid according to laws and regulations." (Point II number 3)</p>	<p>In line with point II number 1, whether suspect or positive, wages or salaries are still paid in full.</p>
<p>"For companies that restrict business activities due to government policies in their respective regions for the prevention and control of <i>Covid-19</i>, causing some or all of their workers/laborers not to come to work, taking into account business continuity, changes in the amount and method of payment of workers/laborers' wages are carried out in accordance with the agreement between employers and workers." (Point II number 4)</p>	<p>The commitment of management in the company is to continue to fully pay employees during the pandemic. As an essential sector, the company continues to operate and carry out production despite being circumvented by the WFO-WFH scheme as a restriction on activities. So there is no polemic or unilateral agreement regarding payroll, but full payroll that occurs, the same as before the pandemic.</p>

As a large company, PT Gajah Tunggal, Tbk manages 17,883 employees recorded on December 31, 2020, a decrease of 1.83% from 2019 of 18,217 which is certainly not easy to manage its process during the *Covid-19* pandemic, but the facts found during field observations are quite good, even though there are cases of death with a fairly high number.

The company is tackling the dangers of *Covid-19* quite intensely, *managed* quite well on awareness that may not even know so much detail related to this SE. This is based on the researchers' conclusions during observations and interviews. In the context of public policy, this is dilemmatic, because the message conveyed by this SE from the Ministry of Manpower to the Governor is not so optimal, even though the goal is achieved.

Related to this, there are at least two possibilities. The first is the lack of socialization of SE requested by the Ministry of Manpower to the Governor, then forwarding it to the regents/mayors, then disseminating it to local companies. The second is actually this SE has been well socialized from the Ministry of Manpower level to the Governor, Regent / Mayor and to the company, but not to the level of company management that takes care of technical matters. Because after all, when viewed from a technical perspective, the presence or absence of this SE, socialization and prevention efforts are still carried out. Only related to the pattern of resolving wage disputes specifically from SE, it is not so polemic because there are no salary cuts and layoffs in this company (PT Gajah Tunggal, Tbk).

CONCLUSIONS AND RECOMMENDATIONS

In the context of management governance, it can be seen that PT Gajah Tunggal Tbk has carried out four stages of management, namely *planing*, *organizing*, *actuating*, and *controlling*. Manage well, starting from the beginning of conceptualizing efforts to socialize health protocols, organizing employees through work restrictions, conducting direct socialization with health program patrols and supervision through the system for employees.

From the *view* of Hasibuan HRM, the company can arrange in such a way that it is then in accordance with the company's initial goals. The strategy - which borrows Hasibuan as an art - to *manage* employees with the role of *covid-19* and its consequences as the main issue is labor protection and company-employee relations. Meanwhile, from HRM Hamali, strategic approaches are carried out by the company to optimize the role of each unit or part of the company, such as the HSE division, HR, security guards to employees with good labor organizing management to stop the spread of the *Covid-19 virus*.

From the public policy approach, the output seen from SE is actually quite effective, but it has not been confirmed - at least in this study - whether then the role of governors and regents / mayors is significant considering that in the public policy approach, the policy delivery process is also considered urgent. Companies and employees are quite enthusiastic in implementing health procedures that are very relevant to SE Menaker. Preventive measures were also carried out according to applicable procedures, there were no salary cuts and layoffs either unilaterally or by agreement during the pandemic.

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