

## ASSESSING THE FULFILLMENT OF THE RIGHTS OF NON-CIVIL SERVANT GOVERNMENT EMPLOYEES IN BAWASLU BOALEMO REGENCY

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### ABSTRACT

This research aims to find out and analyze How the Implementation of Article 88 Paragraph (1) of Law No. 13 of 2003 on the Fulfillment of The Rights of Non-Civil Servants in Bawaslu Boalemo Regency and What Factors Hinder the Fulfillment of The Rights of Non-Civil Servant Government Employees in Bawaslu Boalemo Regency. The research adopted by researchers is an empirical law researcher with a sociological juridical research model. using the type of approach Perundang-undangan and the case approach. In addition, the research conducted by researchers will be *descriptive*. Based on the results of research and discussion resulted in conclusions. Fulfillment of the Rights of Non-Civil Servant Government Employees (PPNPN) in Bawaslu Boalemo Regency has not been able to be adjusted with UMP Gorontalo Province this is because the Wages paid by the government to PPNPN employees are adjusted to the SBM (Input Fee Standard) that has been set by Bawaslu RI even in Perbawaslu who regulates the basics of maximizing salaries by the local UMP Regional. In the payment of PPNPN income, the Work Unit must pay attention to the ceiling in DIPA which is the highest limit in disbursing PPNPN income funds. Disbursement of funds must not exceed the DIPA ceiling limit. Second, factors that hinder the fulfillment of the rights of non-civil servants (PPNPN) in Bawaslu Boalemo regency are (1) Bawaslu Boalemo regency is not a PPNPN institution; (2) Bawaslu Boalemo Regency Has Not Become an Independent Working Unit; (3) There has been no Adjustment of Wage Related Budget by the Planning and Budgeting Section.

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## I. INTRODUCTION

Today human life has a very diverse need to be able to meet the needs that humans are required to work. Work is one way that a person does to earn income to meet all the needs of his life, either by working for others or working on his own business.<sup>1</sup>

This agreement between the employer and the worker creates an employment relationship. The creation of a labor relationship between labor or employees and employers, giving rise to agreements that have been made and agreed upon by each party to obtain their rights.

The agreement that arises results in the creation of an employment agreement. An employment agreement is an agreement that arises as a result of an employment agreement between employers and employees that contains binding labor bonds for the parties involved in agreeing. The attachment of the parties to an employment agreement, resulting in the obligation between each party to implement the agreement made because the agreement already applies as *rendang-Undang* for the parties who make it.<sup>2</sup> There are two models of employment agreements in employment law, namely the Certain Time Work Agreement or contract employees which are hereinafter referred to as the Certain Time Work Agreement, and the Non-specific Time Work Agreement or permanent employees which are hereinafter referred to as the Non-Certain Time Work Agreement.

The implementation of the CCP is still polemic due to the many violations that occur in the implementation of this agreement. Problems in the implementation of the CCP can be seen from the deviation from its implementation or agreements that are not by the Law.

The legal system embraced by the Indonesian nation today is the continental European legal system.<sup>3</sup> The Constitution of the Republic of Indonesia of 1945 states that every citizen is entitled to a job and livelihood that is worthy of humanity, based on this, law No. 13 of 2003 on Employment (State Gazette of the Republic of Indonesia Year 2003 Number 39) hereinafter referred to as the Employment Law is the main legal basis in the field of employment in addition to the Constitution of the Republic of Indonesia year 1945.

Law is a bulwark of protection for employees in Indonesia. Related to this, the author conducted a study in Bawaslu Boalemo Regency. The number of

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<sup>1</sup> Zainal asikin, 2012, *Dasar-Dasar Hukum Perburuhan*, Rajawali Press, Jakarta, hlm 1

<sup>2</sup> I Made Udiana, 2011, *Rekonstruksi Pengaturan Penyelesaian Sengketa Penanaman Modal Asing*,

Udayana University Press, Denpasar, hlm. 10

<sup>3</sup> Abdoel Djamali, 2014, *Pengantar Hukum Indonesia*, cet. 20, Rajawali Pers, Jakarta. hlm. 69.

PPNPN employees in Bawaslu Boalemo amounted to 10 people consisting of 7 technical staff and 2 security and 1 Waitress / Concierge staff. In Bawaslu Regulation No. 1 of 2020 on Working Procedures and Relationship Patterns of Election Supervisory Agencies, and Provincial Election Supervisors and District/City Election Supervisory Agencies, District/ District Election Supervisory Committee, Village/Village General Election Supervisory Committee, Overseas Election Supervisory Committee, and Polling Station Supervisor. In this regulation, workers are known as contract workers or PKWT who do not have a Work Agreement with a working period of 1 year and are referred to as Non-Civil Servant Government Employees (PPNPN).<sup>4</sup>

PPNPN rights and obligations are regulated in this Regulation. But in this Regulation does not regulate in detail the right of PPNPN as a worker. For example, the right to annual leave and maternity leave. Arrangements on the rights and obligations of PPNPN workers are also regulated in the Circular Letter of the General Election Supervisory Agency of the Secretary-General No. 0258/Bawaslu/SJ/PR.03.00/X/2019 on Pokok-Pokok policy drafting RKA-K/L Fiscal Year 2020 for Bawaslu, Bawaslu Province, and Bawaslu Regency/City. In the Circular Voice, it is explained that PPNPN WORKERS can get a salary by the local UMP, but the Operational Instruction of Activities (POK) does not transfer it. In POK the amount of wages or salaries of PPNPN Workers under the local UMP area. This is contrary to Law No. 13 of 2003 tentang employment and the main points of Bawaslu policy. In Article 88 Paragraph (1), Paragraph (2), and Paragraph (3) Letter a Reads:

Article (1)

"Every worker has the right to earn an income that meets a decent livelihood for humanity."

Article (2)

"To realize income that meets a decent livelihood for humanity as referred to in paragraph (1), the government sets a policy of wages and protecting workers/workers".

Chapter (3) letter a

"wage policies that protect workers as referred to in Paragraph (2) include a. minimum wage"

Furthermore, in Article 89 Paragraph (1), Paragraph (2), and Paragraph (3) of Law No. 13 of 2003 concerning Employment Mentions:

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<sup>4</sup> Obeservasi Results Initial Researchers in the Administrative Department of Bawaslu Boalemo Regency in 2020

1. The minimum wage as referred to in Article 88 paragraph (3) letter a may consist of:
  - a. minimum wage by province or district/city;
  - b. minimum wage based on the sector in the province or district/city.
2. The minimum wage as referred to in paragraph (1) is directed to the achievement of the needs of decent living.
3. The minimum wage as referred to in paragraph (1) is determined by the Governor taking into account the recommendations of the Provincial Wage Board and/or the Regent/Mayor.

From the description above it is clear that the wages or salaries that must be paid according to Law No. 13 of 2003 on Employment to workers must be by the local UMP stipulated by the Governor. In Circular Letter No. 0258/Bawaslu/SJ/PR.03.00/X/2019 On The Basics of RK-A/L Drafting Policy for the Fiscal Year 2020 for Bawaslu, Bawaslu Province and Bawaslu Regency/City in roman number II point 5 letter b mentions that the salary/wage given to non-civil servant technical access is adjusted to the local UMR area. Based on the Decree (SK) of the Governor of Gorontalo Number 356/15/X/2019 dated October 31, 2019, stipulated that the UMP of Gorontalo Province Rose 16.98%. If in 2019, the amount of UMP Rp. 2,384,020. So in 2020 to Rp. 2,788,826. The decree is set to start on January 1, 2020. Salary or wages received by non-civil servants bawaslu regency/city in Gorontalo province according to POK is Rp. 2,360,160.00 / month. The salary or wages are given to non-civil servants in Bawaslu Regency / City in Gorontalo Province below from UMP Gorontalo Province whereas in Circular Letter No. 0258 / Bawaslu / SJ / PR.03.00 / X / 2019 About the Basics of The Policy of Drafting RK-A / L Fiscal Year 2020 For Bawaslu, Bawaslu Province and Bawaslu Regency / City stipulated that salaries or wages for non-civil servant technical implementers in Bawaslu Regency / City must be by the local UMP area.

In addition, PPNPN employees do not sign a Letter of Employment agreement as mandated by law. PPNPN workers only sign integrity facts and decrees for 1 year of employment. this is contrary to the laws and regulations on employment and legal protection of PPNPN workers in the bawaslu environment is not implemented properly. Therefore, the protection of PPNPN Workers with the employment agreement system should get more attention. This protection aims to protect workers' rights and prevent workers from discrimination to create worker welfare.

Based on the description above can be formulated the problem as follows; (1) How is the Implementation of Article 88 Paragraph (1) of Law No. 13 of 2003 on the Fulfillment of the Rights of Non-Civil Servant Government Employees in Bawaslu Boalemo Regency? (2) What Factors Hinder the Fulfillment of The Rights of Non-Civil Servants in Bawaslu Boalemo Regency?

## 1. Research Methods

The research adopted by researchers is an empirical law researcher with a sociological juridical research model. using the type of approach Perundang-undangan and case studies. In addition, the research conducted by researchers will be *descriptive*, where this study can provide a clear and precise picture of the Implementation of Article 88 Paragraph (1) of Law No. 13 of 2003 on the Fulfillment of the Rights of Non-Civil Servant Government Employees in Bawaslu Boalemo Regency, as well as What Factors Inhibit Fulfillment of the Rights of Non-Civil Servant Government Employees in Bawaslu Boalemo Regency. The data collected in this study is sourced from several types of data, namely: (1) The primary data source is data obtained from the main source. Primary data is obtained from respondents and informants and sources. The source of data in empirical legal research comes from field data. Field data is data that comes from respondents and informants including experts as sources, and (2) Overall data retrieval in the form of existing documents, literature studies, report books, and research results that are indirectly found in the study. Data collection techniques in the form of interviews and literature studies and data analysis using descriptive methods.

## II. Results and Discussions

### A. Implementation of Article 88 Paragraph (1) of Law No. 13 of 2003 on the Fulfillment of The Rights of Non-Civil Servants in Bawaslu Boalemo Regency

When talking about the law, of course, it cannot be separated from the rights and obligations that everyone has. Indonesia is a law that adheres to Pancasila democracy, thus it can be interpreted that Indonesia's highest power is in the hands of the people. But in its implementation, it cannot fully provide freedom without restrictions. Because a person's rights will be limited to the rights that others have. That way, in fulfilling their rights and obligations, must be balanced and fair so that they can prosper the community by Pancasila's 5th precept.

The thing that has always been in the national spotlight is about the fulfillment of citizens' rights due to the government. One of them is the right of labor in Indonesia because the workforce is closely related to wages that will be used for everyone's living needs so that employment is an essential aspect for the State to be able to prosper the people. Therefore, the government is required to be able to fulfill workers' rights for the welfare of their workers.

In the implementation of national development, the workforce has a very important role and position as a development actor and goal and is required to

participate and play an active role with entrepreneurs in efforts towards improving and improving the nation's standard of living by increasing production and productivity of work. To increase the productivity of workers in achieving successful development, there needs to be the protection of the workforce as a whole, especially the protection of wages, because wages are one of the goals achieved by workers themselves, in addition, wages are also very basic in the working relationship.

The working relationship that has been established by workers with employers, created after an agreement between workers and employers, whether made in writing or unwritten, but most importantly in the agreement will be stated by the worker about his ability to work for the employer by receiving a certain amount of wages, in addition, the employer will also state his ability to employ the worker at wages.

In Government Regulation of the Republic of Indonesia No. 78 of 2015 on Wages explained that Wages are the rights of workers/workers received and expressed in the form of money in return from employers or employers to workers/workers who are determined and paid according to an agreement, agreement, or regulation of the invitation, including benefits for workers/workers and their families for a job and/or services that have been or will be done.<sup>5</sup> Wages are the rights of workers/workers received and expressed in the form of money in return from employers or employers to workers/workers who are settled and paid according to an employment agreement, agreement, or legislation, including benefits for workers/workers and their families for a job and/or services that have been or will be done.<sup>6</sup>

In-Law No. 13 of 2003 on Employment (Article 88), it is affirmed that every worker/worker is entitled to income that meets a decent livelihood for humanity. In the sense that the number of wages received by workers/workers from the results of their workers can meet the living needs of workers/workers and their families reasonably, including clothing, food, boards, education, health, recreation, and old age guarantees.

The policy of setting the minimum wage in the framework of wage protection today still encounters many obstacles as a result of the realization of uniformity of wages, either regionally / provincial or district/city, and the provincial sector or district/city, or nationally.

In establishing wage policy, it is necessary to strive systematically with labor development efforts, especially the expansion of employment opportunities, increased production, and improved the standard of living of workers/workers by their minimum living needs.

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<sup>5</sup> Peraturan Pemerintah Republik Indonesia Nomor 78 Tahun 2015 tentang Pengupahan

<sup>6</sup> Pasal 1 angka 30 Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan

With Law No. 13 of 2003 on Employment has been established minimum wage based on the need for a decent living, taking into account productivity and economic growth which includes:

1. Minimum wage by province or district/city
2. Minimum wage based on the sector in provincial or district/city.

The minimum wage is set by the Governor for the province, and by the Regent / Mayor for the district/city area, by paying attention to the recommendations of the Wage Council.

PPNPN is a worker in a government agency who is not related to a third party but is not registered as a civil servant. By the Regulation of the Director-General of Treasury Number PER-31/PB/2016 dated June 29, 2016, on The Procedure for Payment of Income for Non-Civil Servants Charged to the State Revenue and Expenditure Budget referred to as Non-Civil Servant Government Employees or better known as PPNPN are non-permanent employees, honorary employees, special staff and other employees paid by the State Budget or APBD. 7 categories of PPNPN exist in government and are recognized by the government, namely:

1. Government Employees with Employment Agreements or PPPK
2. Expert staff or special staff of non-civil servants who devote themselves to Government Agencies or Ministries of State.
3. Non-civil servants or a commissioner who served in non-structural institutions
4. Midwife or Doctor PTT
5. Teachers and Lecturers Are Not Fixed
6. Stewards, janitors, drivers, security, and other office operational workers who are in certain work units with employment contracts against PPK or KPA.
7. Other non-civil servants whose source of salary comes from the State Revenue and Expenditure Budget (APBN).

The rights of Non-Civil Servant Government Employees (PPNPN) are not specifically regulated in Regulation 1 of 2020 on Working Procedures and Relationship Patterns of The General Election Supervisory Agency, Provincial Election Supervisory Agency, District/City Election Supervisory Agency, District General Election Supervisory Committee, Village Village Election Supervisory Committee, Foreign Election Supervisory Committee, and Polling Station Supervisors poured out in Integrity Facts. The rights of non-civil servants are:

1. Getting Wages
2. Get incentives every month that is in touch with job performance
3. Get annual leave, and;
4. Getting Social Security

The obligations of Non-Civil Servant Government Employees (PPNPN) are not specifically regulated in Regulation 1 of 2020 on The Working Procedures and Relationship Patterns of The Election Supervisory Agency, The Provincial Election Supervisory Agency, the District/City Election Supervisory Board, the District General Election Supervisory Committee, the Village Village General Election Supervisory Committee, the Overseas Election Supervisory Committee, and the Polling Place Supervisor who is poured out in integrity facts. The obligations of non-civil servants are:

1. Arrive on time
2. Wearing a predetermined uniform
3. Perform the task well
4. Coordinate and cooperate with fellow employees and civil servants
5. Fill out a list of attendances every weekday
6. Maintaining and maintaining work equipment assets and workloads

By the definition of PPNPN which refers to non-civil servants, the income or wages of these workers follow the SBM or Standard Input Fee based on PMK in 2020. In the SBM it is stated that the lowest limit of PPNPN pay cannot exceed the value of the Budget Ceiling that has been set in PMK NUMBER 119 / PMK. 02/2020 on standard input costs in the fiscal year 2021. Wage / Salary Payment Standards for PPNPN must be by the Amount of Regional UMP or UMP of their respective Regional Provinces. In this PMK the standard wage or salary set, especially for technical staff of the work unit, is Rp 3,820,000 or as low as adjusted to the local Regional Provincial UMP.

Regarding benefits, one of the obtained is BPJS Kesehatan. This has been regulated by Presidential Decree No. 19 of 2016 where the cut in health contributions for PPNPN is 2% of PFK receipts. So if the income of a PPNPN reaches a maximum of Rp 8 million, the cut is around Rp 160,000. The implementation of article 88 Paragraph (1) of Law No. 13 of 2003 on employment in Bawaslu Boalemo Regency is not by what is stipulated by law.

Bawaslu Boalemo has 10 PPNPN employees who have different duties. Whereof the 10 PPNPN consists of 1 person pramobakti concurrent cleaning *service*, 2 *security* people, and 7 technical staff. PPNPN salary in Bwaslu Boalemo varies consisting of:

- a. Staf Teknis: Rp. 2,360,000
- b. *Security*: Rp. 2,660,000
- c. Concierge: Rp. 2,515,000
- d. *Cleaning Service*: Rp. 2,515,000

Wages paid by the government to PPNPN employees are adjusted to the SPM and submitted in the middle of the month for the month of the grant. Related to



whether or not this wage is given depends on the SBM applied to each agency. For Bawaslu Boalemo Regency SBM set in terms of SPM submission wages/salaries cannot exceed the SBM that has been determined by Bawaslu. Based on the results of the Research Interview with Mr. Aldiyanto Ahmad, SH as a staff of Bawaslu Boalemo, he stated that the wages/salaries received every month are less than UMP Gorontalo Province which is approximately Rp 2,360,000 (two million three hundred and sixty thousand rupiahs) if seen is not feasible because the wages/salaries obtained have not been able to meet all the needs of the back, food, housing, and other necessities. But as workers, we can only accept it because it is already stated in the performance agreement signed by me with bawaslu in this case the secretariat coordinator. The ninja agreement contains rights and obligations that we must carry out, in the perkin, there is also the amount of wages/salaries and benefits that we will receive at the beginning of the month for 12 months.<sup>7</sup>

Furthermore, according to Mr. Ridwan Dahiba, S.Sos as The Coordinator of The Secretary of Bawaslu Boalemo Regency on October 26, 2021, he stated that related to wages earned by PPNPN employees of Bawaslu Boalemo Regency was not by the local UMP but, in addition to the wages of PPNPN employees also get performance incentives paid every month after wages or salaries entered the account of PPNPN employees. The amount of wages is Rp 750,000.00 (seven hundred thousand rupiahs) / month. But in the receipt of this incentive is adjusted to the performance of PPNPN employees for example calculated according to the presence of hours of entry and return hours, and the performance of PPNPN employees in addition to PPNPN employee incentives also get holiday circumcision, 13th salary, and operational costs per service in and out of town.

Furthermore, Mr. Ridwan Dahiba also argued that indeed in the Circular Of The General Election Supervisory Agency of the Secretary-General No. 0258 / BAwslu / SJ / PR.03.00 / X / 2019 about the main policies of the Preparation of RKA-K / L Fiscal Year 2020 for Bawaslu, Bawaslu Province, and Bawaslu Regency / City stated that the number of wages/salaries for PPNPN employees at the level of Bawaslu Regency / City The maximum is by the local provincial UMP, why we cannot implement this because wages/salaries for PPNPN employees are adjusted to SBM (Standard Input Fee) that has been set by Bawaslu fear when we follow the provision of wages/salaries adjusted to UMP employees will experience TGR when there is an examination from bpk because it is for the number of wages/salaries of each employee Bawaslu PPNPN Bawaslu Regency / City adjusted to SBM (standard cost). Input) for that when we apply for salary Waupun will submit revisions for the salary is still adjusted to SBM and budget constraints that have been determined. Moreover, they are known as contract employees who are evaluated once a

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<sup>7</sup> Results of Research Interview with Mr. Aldiyanto Ahmad, SH staff of HPPS Bawaslu Boalemo Regency on October 26, 2021

year. The PPNPN employees are regulated by the regulations of each agency although the Regulation of the Minister of Finance states that wages/salaries must be adjusted to the minimum wage of the local area but also in POK Bawaslu regulate the number of wages/salaries for PPNPN. In the payment we can not pay salaries beyond SBM, this is also in line with budget constraints especially in pandemic conditions like this many budgets are recommended.<sup>8</sup>

Furthermore, based on the Results of Research Interviews with Mr. Anwar Hasan as Bawaslu Boalemo Staff he stated that it is true that the wages/salaries we receive below from UMP Gorontalo Province but that is by the performance agreement that we signed after we received the decree even if implied in the needs of my family, this is less especially in the circumstances of a pandemic like this. If I think we are PPNPN employees in Bawaslu Boalemo, it is the same as workers who are categorized as CCP workers because we receive so every year after evaluation. I worked in Bawaslu boalemo for almost 3 years were in 2019. After the end of 2019 I and other PPNPN employees also took the evaluation exam after the evaluation exam in early 2020 in January was issued again skin 2020 from January to December 31, 2020, it was done continuously this year 2021 will be carried out evaluation exam again and we PPNPN employees must take the exam if we still want to work at this institution.<sup>9</sup>

Furthermore, based on the results of the researcher's interview with Mrs. Nolvionita Sofyan, SH as an HPPS staff argued that this wage is not by the burden of work charged to us, where we are required to work full-time while the wages we get I think less. The performance agreement regulates the rights and obligations of PPNPN employees, the right to wages, performance incentives, annual leave, and maternity leave while we must work full-time.<sup>10</sup>

Payment of PPNPN income is paid every month by the decree/employment agreement/contract and transferred directly (LS) to the account of each PPNPN. But if because of a case this income payment cannot be paid every month, the payment can be made simultaneously or can be stamped. Payment of PPNPN income is made no later than the next 15 months so that sicker in filing SPM (Warrant of Payment) and making payment of PPNPN income is done regularly every month (not quarterly) and on time at the beginning of the month. Payment made after the end of the month except against certain PPNPN which has approval from the Director-General of Treasury can be paid earlier than the first business day of the beginning of the following month by Article 3 of the Regulation of the Director-General of Treasury Number PER-31 / PB / 2016. In addition to getting the salary of PPNPN Employees also get

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<sup>8</sup> Results of Research Interview with Mr. Ridwan Dahiba, S.Sos as Coordinator of Secretary of Bawaslu Boalemo Regency on October 26, 2021

<sup>9</sup> Results of Research Interview with Mr. Anwar Hasan, SH as Secretary Of Bawaslu Staff of Boalemo Regency on October 26, 2021

<sup>10</sup> Results of Research Interview with Mrs. Nolvionita Sofyan as Secretary Of Bawaslu Staff of Boalemo Regency on October 26, 2021

performance incentives, BPJS health, Holiday Allowance, 13th Salary, and Operational Costs in and out of town if PPNPN Employees do work outside the office.<sup>11</sup>

The provision of Incentives is adjusted with the discipline of the presence and performance of PPNPN employees and for the distribution of the 13th Salary and Tunjangan Hari Raya by the amount of Wage / Salary PPNPN. Furthermore, for BPJS health paid from the income received PPNPN, subject to a cut of health contributions of 5% with a composition of 3% borne by the employer (Government) and by 2% borne by PPNPN cut from the income received each month. Payment of 3% contributions to the employer is made by the Directorate of Treasury Systems as the Budget User Power of the Special Transaction Budget Section

Based on the above description, the researchers argued that indeed the wages set by Bawaslu against PPNPN employees in Bawaslu Boalemo Regency are contrary to Article 88 Paragraph (1) of Law No. 13 of 2003 on employment. In the provisions of this article, it explain that "Every worker/worker has the right to earn income that meets a decent livelihood for humanity." While the wages/salaries earned by PPNPN employees are not by UMP Gorontalo Province. Whereas in the Regulation of the Minister of Finance and POK, it is clear that income or salary/wages for PPNPN must be adjusted to the local UMP Area.

## **B. Factors That Hinder the Fulfillment of The Rights of Non-Civil Servant Government Employees (PPNPN) in the Environment of Bawaslu Boalemo Regency**

The factors that hinder the fulfillment of the rights of Non-Civil Servant Government Employees (PPNPN) in Bawaslu Boalemo Regency are:

### **1. Bawaslu Boalemo is not a priPPNPNe institution.**

Bawaslu Boalemo is an independent non-governmental body that oversees the participation of elections and elections. In contrast to priPPNPNe institutions/companies that are required to pay the wages of their employees as low as possible by the Provincial Minimum Wage (UMP) or the Minimum Wage of the District / City (UMK), Bawaslu Boalemo Regency which is a non-governmental institution has not been able to be the same for several budget-related considerations.

The amount of wages given to PPNPN Bawaslu Boalemo Regency is adjusted to the amount of budget derived from the State Budget (APBN) given to Bawaslu which is further received by PPNPNPN by the Input Cost

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<sup>11</sup> The Results of The Interview of Researcher Ibu Renata as Treasurer of Bawaslu Gorontalo Province on November 5, 2021

Standard (SBM) of each agency. For Bawaslu Boalemo in the submission of wages/salaries by SPM (Pay Warrant) is adjusted with the SBM that has been determined by Bawaslu in this case attached to the Head of Budget Users who is also the Head of the Provincial Bawaslu Secretariat.<sup>12</sup>

In the payment of PPNPN income, the Work Unit must pay attention to the ceiling in dipa which is the highest limit in disbursing PPNPN income funds. Disbursement of funds must not exceed the DIPA ceiling limit. For this reason, the wages/salaries for PPNPN employees should not exceed SPM even in the regulations on the policy basics of maximizing salaries by the local UMP Regional. Based on the results of the researcher's interview with Ridwan Dahiba S.Sos as Corset Bawaslu Boalemo He Stated in essence the amount of wage/salary payments for PPNPN must be guided by park about SBM. In other words, the appointment and manufacture of working bonds with PPNPN are carried out by the POK work unit.<sup>13</sup>

### **1. Bawaslu Boalemo Regency Has Not Become an Independent Work Unit**

Bawaslu Boalemo Regency was previously the Panwaslu boalemo regency which is an election organizing institution that is *Ad Hoc*. Furthermore, in 2018 based on Law number 7 of 2017 on General Elections, all Panwaslu at the District / City level changed to Bawaslu Regency / City, including Boalemo.

Since turning into Bawaslu at the election stage in 2019, all issues of financial administration and budgeting still stick to Bawaslu Gorontalo Province. So that in routine spendings such as employee spending, funds for the activities of all divisions and secretariats, capital expenditures, to travel expenses of employees and commissioners still have to coordinate and wait for approval from the Head of Finance and Head of The Secretariat of Bawaslu Gorontalo Province.

The impact of the inexpressibility of budget usage arrangements by the District / City makes Bawaslu Boalemo Regency must adjust the budget ceiling approved by Bawaslu Gorontalo Province in every budget use. In other words, Bawaslu Regency / City only uses the budget according to the amount of allocation given by Bawaslu Province.

This is different if Bawaslu Boalemo Regency has become an independent skier, where all financial administration affairs are handled directly. The status of The Coordinator of the Secretariat (Corset) will be changed to the

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<sup>12</sup> Results of Research Interview with Mr. Ridwan Dahiba, S.Sos as Coordinator of Secretary of Bawaslu Boalemo Regency on October 26, 2021

<sup>13</sup> Results of Research Interview with Mr. Ridwan Dahiba, S.Sos as Coordinator of Secretary of Bawaslu Boalemo Regency on October 26, 2021

Head of the Secretariat who can manage the entire affairs of financial administration itself.

Based on the results of the researcher's interview with Mr. Ridwan Dahiba as the Corset of Bawaslu Boalemo Regency on October 26, 2021, he stated that one of the factors of the salary/wage of PPNNPN has not been in line with the UMP of Gorontalo Province that bawaslu Boalemo is not yet an independent work unit, the arrangement and planning of bawaslu boalemo anggrana still sticks in Bawaslu Gorontalo Province, if we have self-satire then all the financial planning we can do alone, KPPN ourselves even related to the salaries/wages of PPNNPN employees we can adjust to UMP Gorontalo Province.

### **1. There has been no Adjustment of Wage-Related Budgets by the Planning and Budgeting Section**

The task of the budgeting planning section of Bawaslu is to prepare plan materials, programs, and budgets, financial management, monitoring and evaluation of program implementation, activities, and budgets, and the preparation of reports.

In 2019, Bawaslu RI conducted an evaluation related to the amount of PPNNPN salaries of Bawaslu Provinces in Indonesia, including Gorontalo Province. The goal is to see if the PPNNPN salary in Bawaslu Regency / City and Bawaslu Province is by the UMP of each region.

Ahead of the full report, Bawaslu Gorontalo Province sent data on the amount of salary for PPNNPN Bawaslu Regency / City in Gorontalo worth Rp. 2,360,000, - (two million three hundred and sixty rupiah), this amount is known not by UMP Gorontalo which was then estimated at Rp. 2,700,000,- (two million seven hundred thousand rupiah). Meanwhile, the amount of salary for PPNNPN Bawaslu Gorontalo Province was reported at Rp. 2,788,000. (two million seven hundred and eighty-eight thousand rupiahs).

The planning and budgeting section of Bawaslu RI did input the amount of PPNNPN SALARY for Bawaslu Gorontalo by the initial data sent, without reconfirming the amount of UMP Gorontalo. So that starting from January 2020, the payment of PPNNPN salary for Bawaslu Regency / City worth Rp. 2,360,000, - (two million three hundred and sixty rupiahs), and salary for PPNNPN Bawaslu Gorontalo Province reported at Rp. 2,788,000,- (two million seven hundred and eighty-eight thousand rupiah).<sup>14</sup>

The planning and budgeting section of Bawaslu Regency / City in Gorontalo Province which in this case the task is attached to the Secretariat Coordinator proposed the addition of salaries for PPNNPN to the Head of the

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<sup>14</sup> The results of the Researcher's Interview with Mr. Aldiyanto Ahmad as Bawaslu Boalemo Staff on October 26, 2021

Bawaslu Secretariat of Gorontalo Province as the authority on the Budget User Power (KPA) so that the amount of salary adjusted to the amount of UMP.

At the time of the proposal, it was in with the transition of officials in Bawaslu Gorontalo Province. Secretariat head Jusuf Latjuba, who is only a few months into office, was replaced by Nikson Entengo in November 2020. In the same month, all Secretariat Coordinators submitted proposals related to the addition of PPNPN pay for 2021 to the old Secretariat Head. The proposal, at the time the old official left Bawaslu Gorontalo Province, was not submitted to the new official. This change of position and lack of coordination is what then causes this proposed salary addition to not be realized.

Based on the research interview with Mr. Ridwan Dahiba, S.Sos as Coordinator of the Bawaslu Boalemo Secretariat, he stated that for PPNPN salary we have proposed to be adjusted to UMP Gorontalo Province but for the amount of 2022 hold salary has been set following the salary in 2021 this has been stipulated in POK in 2021.<sup>15</sup>

Budget adjustment related to salary/wages of PPNPN Bawaslu Boalemo can be adjusted with UMP Gorontalo Province because, in the Regulation of the Minister of Finance and Principals of Bawaslu Policy, it is clear that the maximum salary is adjusted to the Local UMP but the coordinator of the secretariat of bawaslu regency/city only reaches the stage of proposing the amount of salary that decides is Bawaslu RI.

#### **IV. Conclusion**

The fulfillment of the Rights of Non-Civil Servant Government Employees (PPNPN) in Bawaslu Boalemo Regency has not been adjusted to the UMP of Gorontalo Province this is because the wages paid by the government to PPNPN employees are adjusted to the SBM (Input Cost Standard) that has been set by Bawaslu RI even in the Regulation that regulates the basics of maximizing salaries by the local UMP Regional. In the payment of PPNPN income, the Work Unit must pay attention to the ceiling in dipa which is the highest limit in disbursing PPNPN income funds. Disbursement of funds must not exceed the DIPA ceiling limit. For this reason, the wages/salaries for PPNPN employees should not exceed SPM. When paid by the amount of UMP as a result of PPNPN employees in the future get a claim for compensation (TGR) related to the excess pay/wages.

Factors That Hinder the Fulfillment of The Rights of Non-Civil Servant Government Employees (PPNPN) in the Environment of Bawaslu Boalemo

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<sup>15</sup> Results of Research Interview with Secretariat Coordinator Bawaslu Boalemo on October 26, 2021

Regency, namely (1) Bawaslu Boalemo is not a private institution; (2) Bawaslu Boalemo Regency Has Not Become an Independent Working Unit; (3) There has been no Adjustment of Wage Related Budget by the Planning and Budgeting Section.

#### V. Recommendations

1. There should be an adjustment of the Budget related to salary/wage VAT in the district/city in Gorontalo province so that wages/salaries can be adjusted to the Gorontalo Provincial UMP.
  - a. Bawaslu is an independent non-governmental institution, preferably in the preparation of the Budget related to the amount of salary/wages that can be adjusted to the UMP of each region in Indonesia.

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