

---

## ROLE OF THE INDUSTRIAL AND LABOR SERVICES OF KAMPAR REGENCY IN INDUSTRIAL RELATIONS DISPUTE SETTLEMENT

---

Afrinaldy Rustam<sup>1</sup>, Nadya Anastasya Wiyanto<sup>2</sup>

<sup>1,2</sup> Universitas Islam Negeri Sultan Syarif Kasim Riau. Jl HR. Subrantas KM 15 Kelurahan Tuah Madani Kecamatan Tuah Madani Pekanbaru, Indonesia

Corresponding Author Email: [ocu\\_1974@yahoo.com](mailto:ocu_1974@yahoo.com)

---

### ABSTRACT

---

**Received: May 2023**

**Accepted: June 2023**

---

**Keywords:**

*Industrial Relations  
Solution Dispute.*

Industrial Relations Disputes are differences of opinion that result in disputes between employers or associations of employers and workers or laborers or trade unions or labor unions due to rights disputes, interest disputes, employment termination disputes, or disputes between trade unions or labor unions in one company. The Department of Industry and Labor of Kampar Regency is a government agency that directly handles industrial relations issues in Kampar Regency. This research aims to find out the role of the Department of Industry and Labor of Kampar Regency in the process of resolving industrial relations disputes. Besides that, the author also wants to know the obstacles in the process of resolving industrial relations disputes. The research technique used is a qualitative research method with direct interviews, observation, and documentation related to the research. From this research technique, informants were obtained, consisting of the Head of the Department of Industry and Labor of Kampar Regency, the Head of the Industrial Relations Division, the Head of the Industrial Relations Section, the Mediator, the company, and the workers. Based on the research conducted, it is found that the functional officer, namely the section head, is a mediator who has a role in fostering industrial relations. The Department of Industry and Labor of Kampar Regency lacks technical personnel, namely mediators, only numbering 1 (one) person. While this is not in accordance with the many complaints of disputes that enter the Department of Industry and Labor of Kampar Regency, other obstacles in the process of industrial relations dispute resolution, namely disputes that cannot be resolved by the mediator, are an obstacle for the mediator.

---

## 1. INTRODUCTION

Industrial relations is a relationship that is formed between actors in the process of producing goods or services, consisting of elements of employers, workers, and the government who are bound by the 1945 Constitution of the Republic of Indonesia (Dermawan & Sarnawa, 2021). Achieving a decent life in a work relationship is not easy. In the process of solving it, many problems are experienced between workers and employers (Nurmasari, 2019).

Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes (UU PHI), in Article 1 Paragraph 1, provides the following definition of industrial relations: "Industrial Relations Disputes are differences of opinion that result in disputes between employers or employers' associations and workers, laborers, or labor unions because they have rights, interests, termination of employment relations, or apply between workers, labor unions, and one company" (Rahadi et al., 2021).

Based on Kampar regent regulation number 90 of 2021 concerning the position, organizational structure, duties, functions, and work of the Industry and Labor Office of Kampar Regency, in the sixth part of Article 13,

1. The Head of the Development of Industrial Relations and Labor has the task of implementing development in the field of industrial relations and employment.
2. To carry out the tasks referred to in paragraph (1), the Head of the Industrial and Labor Relations Development Division carries out the following functions:
  - a. Coordinate activities in the field of industrial garden development and employment;
  - b. Provide technical guidance and development on industrial relations;
  - c. Provide technical guidance and development in the field of labor protection;
  - d. Make proposals for pre-regional regulations relating to employment or their main duties;
  - e. Make a report on the implementation of midwives' duties to the Head of Service; and
  - f. Implementation of other tasks given by the Head of Service in accordance with the field of duties and functions.

In this case, the role of the Kampar District Office of Industry and Labor is to settle industrial relations through mediation. Mediation is a way to resolve industrial relations disputes, which include rights disputes, disputes over termination of employment, and disputes between workers. Settlement through mediation is carried out through deliberation mediated by a neutral mediator (Article 1, point 11 of Law No. 2 of 2004). What is meant by "mediator is an employee of a government agency in the field of manpower who fulfills the requirements as a mediator stipulated by the Minister to be tasked with carrying out mediation and has the obligation to provide written recommendations to the disputing parties to resolve disputes under their authority (Article 1 point 12 of Law No. 2 of 2004) (Pradima, 2013).

However, in the Kampar Regency Office of Industry and Labor, there are several problems that hinder the mediation process to resolve industrial relations. Obstacles found in the Office of Industry and Labor of Kampar Regency are caused by the lack of trust of one party in the mediator and the imbalance in the number of mediators with the problems being handled. The following is the list of problems that will come to the Kampar District Office of Industry and Labor in 2020–2022.

**Table 1. Number of Complaints on Industrial Relations Dispute Cases from 2020 to 2022**

No	Year	Number of PHI Cases	Completion Rate			
			PB Mediation	PB Bipatrit	recom mendation	Treatise
1	2020	79	29	3	38	1
2	2021	43	11	2	16	1
3	2022	38	16	0	22	0

Source : Data on Mediation Case Reports from the Office of Industry and Labor in Kampar Regency, 2020 to 2022

It can be seen that in 2020, the level of settlement by recommendation or letter issued by the Industry and

Manpower Office of Kampar Regency due to the absence of an agreement between workers and companies was higher, namely 38 cases, while the settlement rate was carried out by mediation in only 29 cases. In 2021, there were 16 cases that could not be resolved through mediation and 16 cases issued letters of recommendation by the Industry and Manpower Office of Kampar Regency. In 2022, there were 22 recommended settlements and only 16 cases that could be resolved through mediation.

It can be concluded that the settlement of most cases issues recommendations compared to collective agreements. This is because in the settlement process through mediation at the Kampar District Office of Industry and Labor, there are several obstacles, such as the difficulty of getting an agreement between the two parties due to sticking to each other's egos, the mediation hearing being postponed due to each other's busyness, so a new schedule needs to be made for mediation hearings, and the lack of a mediator at the Office of Industry and Labor in Kampar Regency. The researcher identified that in the process of resolving industrial relations disputes at the Kampar Regency Office of Industry and Manpower, there was no seriousness in handling or making mediation decisions by the Kampar Regency Office of Industry and Manpower. There is limited regulation and law enforcement, with regulations that are weak or inadequate in protecting labor rights and do not have the resources or will to enforce the law.

Research purposes.

1. To analyze the role of the Department of Industry and Labor of Kampar Regency in the implementation of industrial relations dispute settlement in Kampar Regency.
2. To analyze the inhibiting factors of the Kampar District Office of Industry and Manpower in the implementation of the settlement of industrial relations disputes.

## 2. METHODS

The research used is qualitative with a descriptive approach. According to Sugiyono, qualitative research is a method that is based on the philosophy of post-positivism, which is useful in viewing natural research objects to analyze causal relationships between research object variables so that research is independent and dependent (Sugiyono, 2012).

In this study, the approach used was a qualitative one, meaning that the data collected was not in the form of numbers but rather came from observations, interview scripts, notes, and other official documents. So the aim of this qualitative research is to describe the empirical reality behind the phenomenon in depth, detail, and thoroughness.

The schedule for carrying out this research starts on November 30, 2022. The research location that is being researched is the office of the Office of Industry and Labor in Kampar Regency. Which is located at Jalan Prof. M. Yamin SH No. 278 Bangkinang town, Kampar. This research was conducted until March 13, 2023.

The type of research in this study uses a qualitative descriptive method, which can be concluded as a method that aims to describe or describe the situation in the field in a systematic manner with facts of proper interpretation and interrelated data, not only to seek absolute truth but in essence to seek observational understanding.

### 3. RESULTS AND DISCUSSION

#### Definition of role

According to Soerjono Soekanto (2013; 210) Role is a dynamic aspect, if a person carries out his rights and obligations according to his position, then he carries out a role. The difference between position and role is for the sake of knowledge. These two things cannot be separated because they are interdependent. While status is a number of rights and responsibilities that a person has. If a person fulfills the rights and responsibilities associated with his position, then that person carries out a function. In essence, a role can also be thought of as a specific set of behaviors engendered by a particular position. Top, middle, and lower level leaders who will play the same role are also influenced by the personality of a person in carrying out that role. A role is an action or behavior performed by someone with a high social status.

The role that exists in a person must be distinguished from the position in social interaction. A person's position in society (social position) is a static element that indicates a person's place in community organizations. Role refers more to function, adjustment, and as a process so that someone occupies a position in society and carries out a role.

There are three important things that cover the role according to Soerjono Soekanto, namely:

1. Role includes norms associated with a person's position or place in society. Role in this sense is a series of rules that guide a person in social life.
2. Role is a concept of what behavior can be carried out by individuals in society as an organization.
3. Role can also be said as individual behavior, which is important for the social structure of society.

Based on the three scopes above, it can be concluded that roles in this case include concepts carried out by someone in society according to their position, aspects of assessing someone's behavior in society related to their position, and the three aspects of someone's behavior that are important to the social structure of society. , based on the three scopes above.

#### The Government's Role in Industrial Relations

In article 3 of the work copyright law, Indonesia has guaranteed that every citizen gets a job, and receives fair and proper compensation and treatment in a work relationship. In industrial relations, settlement is when disputes over rights, disputes over interests, termination of employment relations, and disputes between trade unions within one company are resolved solely through mediation by one or more neutral mediators. In Law 13 of 2003 and Law 2 of 2004 concerning Employment and Industrial Relations Dispute Settlement. The following are the main points of dispute between employers and workers/labourers:

1. Remuneration/wages
2. Social Security
3. Behavior in assignments that are sometimes considered not in accordance with a person's personality
4. The work given does not match the capacity to work or the perceived ability to work
5. There are individual problems

In accordance with the provisions of Law Number 2 of 2004 concerning the settlement of industrial relations, the Kampar District Office of Industry and Manpower has an important role in resolving industrial relations disputes through a mediation process, not only government mediation,

but also must support arbitration, conciliation and bipartite settlement processes. This process also has a major influence on the resolution of an industrial relations problem and the process that is often used to solve this problem is mediation. The smoothness of mediation greatly influences the role of the mediator (Pdima, 2013) .

The statement above contains the meaning that through mediation, conciliation, bipartite, and arbitration, the Office of Industry and Manpower of the Kampar Regency plays an important role in resolving disputes arising from industrial relations. The role of the mediator greatly influences the smooth running of mediation, which is a process often used to resolve industrial relations issues. In order to realize harmonious and productive industrial relations, the government needs to support mediation and other methods of dispute resolution in industrial relations. It is important for the government to ensure support for the process of resolving industrial relations disputes through mediation and other processes in order to create harmonious and productive industrial relations. Not only mediation, but the government must also support other dispute resolution processes to ensure the creation of harmonious and productive industrial relations in accordance with the provisions of Law Number 2 of 2004 concerning the settlement of industrial relations.

At the Office of Industry and Labor of Kampar Regency there are still obstacles in resolving industrial relations disputes, it can be seen from cases that can be resolved or not and cases that have been completed or are still being processed, can be seen in table 1.2 below:

**Table 2. Number of PHI (Industrial Relations Disputes) Cases in 2020 to 2022**

No	Year	Number of PHI Cases	Completion Rate					
			PB Mediation	PB Bipartit	recommen dation	Treat ise	Proc ess	finish ed
1	2020	79	29	3	38	1	8	71
2	2021	43	11	2	16	1	5	15
3	2022	38	16	0	22	0	12	38

Source : Data on Mediation Case Reports from the Office of Industry and Labor in Kampar Regency, 2020 to 2022

It can be seen that there are still unresolved cases; namely, in 2020, out of 79 complaints, 38 were issued letters of recommendation, which means the cases were not resolved, and 29 were resolved through mediation. Furthermore, in 2021, out of 43 complaints, there were 16 cases that could not be resolved, then letters of recommendation were given, and 11 cases that could be resolved through mediation. Then, in 2022, out of 38 complaints, 22 cases that could not be resolved were given letters of recommendation, and only 16 cases could be resolved through mediation. In the last 3 years, you can see that the Industry and Manpower Office of the Kampar Regency has seen more cases that cannot be resolved and letters of recommendation given than cases that can be

resolved through mediation. This is due to the presence of prestige, ego, and different perceptions from the parties disputing.

In 2020 to 2021, there are still cases that have not been resolved or are still in process; namely, in 2020, there are 8 cases that are still being processed, in 2021, there are 5 cases that are still being processed, and in 2022, there are 12 cases that are still in the process of being resolved. This settlement process is still being processed due to obstacles in its settlement, namely the lack of a number of mediators, which only amounted to one person, which has an influence on the process of resolving industrial relations disputes. This means a lack of seriousness and weak or inadequate regulations in protecting workers' rights, as well as a lack of seriousness in upholding workers' rights. Kampar Regency Industry and Manpower Office must have strong regulations to deal with industrial relations disputes; otherwise, it is likely that there will be a lack of seriousness in resolving these disputes.

### **Definition of industrial relations**

Industrial relations are relations within the industry that are created by the diverse and complex attitudes and approaches of both management and employees in relation to industrial management. Attitude refers to a person's mental state. Individuals may not always be fully aware of their own attitudes. Attitudes must be inferred from the tone of verbal expressions or perhaps from the overt behavior of the individual. Attitude is the psychological expression of a person that sets him up to take a certain (external) approach or makes him behave in a certain way. Attitudes between employers and employees influence each other and determine natural relationships (Rahadi et al., 2021). In Article 3 of the Job Creation Law, Indonesia has guaranteed every citizen of the country the right to obtain a job, as well as compensation and fair and decent treatment in the work relationship. In industrial relations, settlement is when rights disputes, interest disputes, termination of employment, and disputes between trade unions and labor unions in an enterprise are resolved solely through mediation by one or more neutral mediators. In Law 13 of 2003 and Law 2 of 2004, on Employment and Settlement of Industrial Relations Disputes.

### **Industrial Relations Disputes**

Industrial Relations Disputes, according to Law No. 2 of 2004 concerning the Settlement of Industrial Relations, are differences of opinion that result in conflict between employers or groups of employers and workers or labor unions because of differences or disputes regarding interests, rights, termination of employment, and disputes between unions or workers in only one company.

The following is an explanation of the four types of industrial relations disputes:

#### **1. Interest Dispute**

Disputes over interests are disputes related to discrepancies in understanding the terms of work that are not regulated in agreements, work agreements, or collective bargaining agreements (Oktav, 2011).

(Article 1, point 3 of Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes) According to

Iman Soepomo, based on the above understanding of conflict of interests, there is a mismatch in understanding changes in working conditions and labor conditions. Meanwhile, according to Mumuddi Khan, conflicts of interest "involve agreement over the formulation of standards, terms, and conditions of employment, as exists in a deadlock in collective bargaining negotiations."

#### **2. Rights Dispute**

According to Article 1 Number 2 UUPPHI, rights disputes are differences of opinion arising from non-fulfillment of rights, such as differences in the implementation or interpretation of statutory provisions, work agreements, company regulations, or collective bargaining agreements. Prof. SH Iman Soepomo, in Go (2011): 27, said that rights disputes arise when one party to a work agreement neglects to carry out the terms of the agreement or violates legal requirements. According to the previous definition, rights disputes are disputes that occur because rights are not fulfilled, due to differences in interpretation of statutory provisions, work agreements, company regulations, or joint agreements (Fikriyah, 2020). As a result, if a rights dispute arises, the party whose rights have been violated can sue the aggrieved party.

#### **3. Labor Relations Disputes**

Specifically, disputes that arise because there is no conformity of opinion regarding the termination of employment relations by one of the parties (Article 1 point 4 of Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes) According to Djumaldji and Wiwoho (Rahadi et al., 2021), termination of employment (PHK) is an unexpected event. Especially for workers, termination of employment will have a psychological and financial impact on them and their families because:

- With termination of employment, workers lose their livelihoods.
- To find a new job to replace it requires a large fee, and
- Losing living expenses for himself and his family before getting a new job to replace it.

Disputes over layoffs are the most common type of dispute. The employer, for various reasons, issues a letter of dismissal to certain workers if the employer considers that the worker can no longer work according to the company's needs, but layoffs can also be carried out at the worker's request because the employer does not carry out the obligations that have been laid down. agreed upon or act arbitrarily toward workers.

#### **4. Disputes between trade unions and labor unions within one company**

Specifically, disputes between trade unions or labor unions and other trade unions or labor unions only within one company arise because there is no conformity in understanding regarding membership, implementation of rights, and obligations of work unions (Article 1 point 5 of Law Number 2 of 2004 concerning Settlement of Disputes in Industrial Relations, hereinafter referred to as UU PPHI).

### Settlement of Industrial Relations Disputes

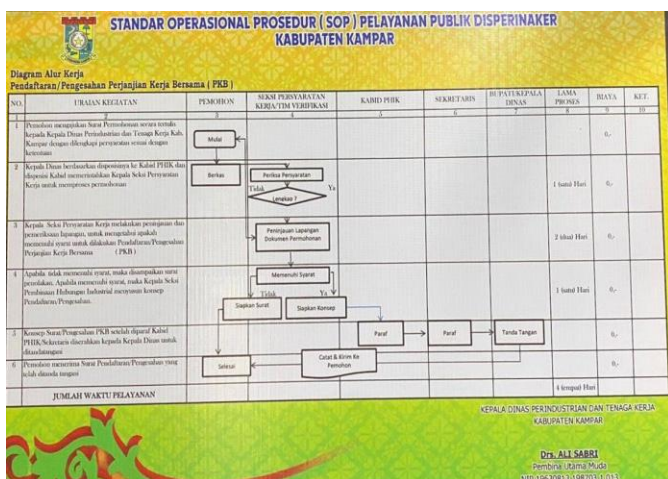
The settlement of industrial relations disputes carried out by companies requires proper and careful handling. The main step that must be taken in dealing with an industrial relations dispute is to find out the actual circumstances of the case in order to limit long-term, irritating employment disputes. The company must clarify the reasons and factors causing the dispute before deciding what action to take for settlement. This clarification step is very important to avoid potential negative impacts on the business, including financial losses for both the company and the employees concerned. The following is the mechanism for resolving industrial relations disputes:

**Figure 1. Industrial relations dispute settlement mechanism.**



For cases of industrial relations disputes that occurred in Kampar Regency, complaints were received by the Industry and Manpower Office of Kampar Regency, and the procedure for submitting complaints can be seen in the flowchart for registering the ratification of the Collective Labor Agreement below.

**Figure 2. The flow of registration for ratification of the Collective Labor Agreement**



At this stage, workers or companies that complain about their problems must prepare relevant documents, such as work contracts, proof of payment of salaries, or other documents showing disputes that have occurred, and then

consult with the Office of Industry and Labor of Kampar Regency.

It can be concluded above that the flow and procedure for complaints of industrial relations disputes are in accordance with the Law on the Settlement of Industrial Relations Disputes, where workers or companies first conduct bipartite, and if the settlement does not reach an agreement, one of the parties brings evidence of the results of a bipartite settlement or minutes to the Industry Office and the Kampar Regency Workforce to carry out a tripartite settlement where workers and companies are first given the choice to

choose the handling of the problem case by using mediation, conciliation, or arbitration, but in the implementation of services at the Kampar District Office of Industry and Manpower for the choice of handling, this has not provided conciliation and arbitration, so that workers or companies can only choose mediation for dispute resolution.

### Obstacles to Resolving Industrial Relations Disputes

In industrial relations disputes, the company's workers or unions may be called upon to join in a mediation or arbitration process to seek a fair solution for all parties involved. The summons of the worker parties can be carried out by the parties involved in the dispute, such as employers or companies, trade unions, or the government. The purpose of this summons is to gather information, listen to views, clarify the position of each party in the dispute, and find the right way out.

In Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes, Article 15, it is stated that "Dispute settlement through mediation is carried out by mediators who are in each office of the agency responsible for the district or city manpower sector. After receiving the delegation of mediators, immediately conduct a mediation hearing. The mediator completes his duties no later than 30 working days after receiving the delegation of dispute resolution. Furthermore, the next steps in the mediation process were explained by Efrinawati, SE, as the Head of the Industrial Relations Disputes Section, who said that:

"After receiving the complaint, the functional leader will dispose of the case complaint to be handled by the mediator and call for a mediation hearing. Regulated mediation was carried out for 30 working days, but sometimes here the problem is that we need functional staff or mediators, which in Kampar district is still minimal. There are thousands of companies in Kampar, and how many hundreds of disputes can I handle with only one mediator? The main problem is that you have to add the HR of the mediator; if there are more mediators, then the settlement process will be even easier, but if it's just me, I can't while in 1 day there are 4-5 complaints coming in. Now in scheduling, this process can't or is not able to be sufficient to achieve 30 days unless the mediator has a maximum of 100 people, meaning he can handle disputes in Kampar Regency.

At this calling stage, the workers' parties are usually represented by representatives of the trade union or the workers themselves, depending on the situation and the rules in force. During the meeting, workers can present their arguments and problems, while employers or companies can also give their comments and offer alternative solutions.

At this calling stage, the workers' parties are usually represented by representatives of the trade union or the workers themselves, depending on the situation and the rules in force. During the meeting, workers can present their arguments and problems, while employers or companies can also give their comments and offer alternative solutions.

#### 4. CONCLUSION

It can be concluded that the Office of Industry and Labor of the Kampar Regency is experiencing obstacles, namely a lack of technical staff and a mediator with only one person, which is inconsistent with the large number of cases of industrial relations disputes that have entered the Office of Industry and Labor of the Kampar Regency. Settlement of disputes at the Industry and Manpower Office of Kampar Regency for the last 3 years with mediation from 2020–2022 can resolve complaints of disputes, with a maximum of 89 recommendations compared to collective agreements. However, in the settlement process through mediation at the Industry and Manpower Office of Kampar Regency, there were several obstacles, such as the difficulty of getting an agreement between the two parties due to sticking to each other's egos, the mediation session being postponed due to each other's busyness, so a new schedule was needed for the mediation session, and the lack of mediators in the Office of Industry and Labor in Kampar Regency.

#### REFERENCES

- Dermawan, FA, & Sarnawa, B. (2021). The Role of the Office of Manpower in the Mediation Process for Resolving Industrial Relations Problems. *Media of Law and Sharia* , 2 (3), 272–287. <https://doi.org/10.18196/mls.v2i3.12076>
- Fikriyah, K. (2020). THE ROLE OF THE MEDIATOR IN THE SETTLEMENT OF INDUSTRIAL RELATIONS DISPUTES IN THE COVID-19 PANDEMIC TIME (Case Study: Gresik District Manpower Office). *Journal of Research Innovation* , 1 (3), 1–4.
- Nurmasari, YAM (2019). Settlement of Industrial Relations Disputes Through Mediation in Tembilahan District. *Publica: Journal of Public Administration* , 5 (2), 181–189.
- Oktav, Z. (2011). Industrial relations. In *Industrial Relations Guidelines*.
- Pradima, A. (2013). Alternative Settlement of Industrial Relations Disputes Outside the Court. *DiH: Journal of Legal Studies* , 9 (17). <https://doi.org/10.30996/dih.v9i17.251>
- President of the Republic of Indonesia. (2004). Law of the Republic of Indonesia Number 2 of 2004 concerning Settlement of Industrial Relations Disputes. *President of the Republic of Indonesia* , 1 , 1–103. <https://www.dpr.go.id/dokjdih/document/uu/2.pdf>
- Rahadi, DR, Susilowati, E., & Farid, M. (2021). *Industrial Relations: Concepts and Theories* (September Issue).
- Sugiyono. (2012). *Quantitative, qualitative and R&D research methods* . Alfabet.