



Legal Protection of Workers/Labor in Determining the Minimum Wage of West Java Province In 2023 Linked to Government Regulation Number 36 of 2021 Concerning

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ABSTRACT: With several current laws, legal protection is an attempt to safeguard the government or other authorities. Any person who works and is paid a salary or other sort of pay is a worker or laborer. Wages are the legal entitlements that employees and laborers have when they are paid by business owners or employers in the form of money. The purpose of this study is to ascertain how Government Regulation No. 36 of 2021 concerning Wages relates to legal protection for workers/laborers in setting the minimum salary for West Java province in 2023. The study's findings revealed that Government Regulation No. 36 of 2021 concerning Wages—which serves as the basis for determining the minimum wage—does not include the survey known as the Decent Living Needs (KHL), which was formerly conducted annually as required by Minister of Manpower Regulation No. 21 of 2016 concerning Decent Living Needs but is now only reviewed every five (five) years. There will no longer be a KHL survey following the passage of Law Number 11 of 2020 about Job Creation in conjunction with Government Regulation No. 36 of 2021 concerning Wages.

Keywords: Employment Relations, Entrepreneurs, Legal Protection, Minimum Wages, Workers.



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INTRODUCTION

Legal protection can be understood as all of or a collection of actions taken to safeguard the government or other authorities through several current laws. In other words, one of the purposes of the law itself is to safeguard people ([Pasjaqa & Prekazi, 2023](#); [Ruslana et al., 2020](#); [Utami, 2020](#)). Legal protection is described by the Legal Dictionary as coercive laws that control how people behave in public. These rules were established by official authorities, and breaking them would result in consequences.

Because this policy is connected to the living requirements of workers/laborers, the policy defining the Minimum Wage in Indonesia, especially in the province of West Java, annually becomes a significant issue. Workers and laborers are the backbone of employers and business owners since

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without them, neither can produce goods or provide services. Any person who works and is paid a salary or other sort of pay is a worker or laborer. In Indonesia, the terms "worker" and "laborer" have distinct legal meanings depending on the era. During the old order, the term "laborer" was used, but during the new order, the term "worker" was used ([Telaumbanua, 2019; Vig, 2018](#)).

Employers are people, businesses, organizations, or other entities that hire employees and give them wages or other types of payment ([Helfen et al., 2018; Hurl, 2016; Meltzer et al., 2022](#)). According to the provisions of Article 1 Number 5, an entrepreneur is defined as one of the following: a. individuals, partnerships, or legal entities who own and operate their own business; b. individuals, partnerships, or legal entities who independently own and operate their own legal business; c. individuals, partnerships, or legal entities located in Indonesia who act as agents for companies as defined in Letters a and b and which are domiciled outside the territory of Indonesia. Then, the worker/laborer and the entrepreneur or employer agree to a Work Document, which is an agreement defining the terms of employment and outlining the parties' respective rights and obligations ([Chen & Wang, 2019](#)).

A relationship between the business owner or employer and the employee or laborer is then established as a result of the employment agreement. The interaction between the government, workers, and employers is known as employment relations. Entrepreneurs play the role of employer, employees play the role of wage earner, and the government plays the role of rule maker for both employers and employees. The working connection between employers and employees illustrates the relationship between superiors and subordinates in situations where subordinates are unable to participate in the creation of regulations. Wages are crucial to employment because they determine a person's motivation for working ([Béthoux & Mias, 2021; Kirov & Thill, 2018](#)).

Therefore, all issues relating to employment are covered under employment law. Everything in this context refers to the period before, during, or immediately following work. According to this definition, the areas of labor law that are most strictly controlled are those that apply to those who are actively working ([Telaumbanua, 2019](#)).

Although the element of agreement between those who bind themselves in the Employment Agreement is essential and determines the birth of the employment relationship so that the Employment Agreement has a civil character, in terms of giving wages, the entrepreneur cannot be given complete control. Wages are a very important component in an employment relationship so the government also participates in regulating it ([Thamrins, 2017](#)). Here, the government must step in to protect laborers who aren't on an equal footing with business owners or bosses.

Wages are compensations that an employer offers to a worker in exchange for the services they provide in carrying out the particular work in question. The worth of the goods or services the employee produces determines how much they will be paid by the company. Someone's pay or awards increase in direct proportion to the value of the items or services they produce.

According to Article 1 Letter (a) of the General Conference of the International Labor Organization (ILO), also known as the Indonesian Labor Organization, "Wages" include regular, basic, or minimum wages or salaries, as well as any other income paid directly or indirectly, in cash or kind, by the employer to the employee concerned for the work performed by the employee. ([International Labour Conference, 2017](#)).

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The concept of wages from the perspective of the worker is typically based on the amount, whereas from the perspective of the employer, it is typically correlated with productivity. Thus, when determining salaries, employers or employers should take into account two factors, namely the principles of justice and feasibility. (1) The principle of justice does not imply that each worker or laborer receives the same amount. Wages are determined by taking into account the contributions and/or sacrifices workers and laborers make while performing their jobs. The wage a worker or laborer receives depends on how much they provide and/or make sacrifices. (2) The comparison of whether or not the salaries are reasonable serves as the basis for determining the appropriateness of compensation in a corporation. Wages can be looked at from two angles to determine their appropriateness. When workers or laborers in one firm are compared to workers or laborers in other similar companies, there is a fundamental difference in the magnitude of their earnings or wage scale. The second aspect is the wage disparity, measured on a scale of 1 to 5, between a worker's or laborer's pay and that of other employees of the same business.

The adoption of Law Number 11 of 2020 Concerning Job Creation (as revised by Law Number 6 of 2023 Concerning Job Creation) and Government Regulation Number 36 of 2021 Concerning Wages has led to numerous wage disputes among companies, employees/laborers, and the government in the workplace. Many employees/laborers, in particular in the Subang Regency area, are against numerous of the new rules included in the Jo Regency Subang. According to Indah Anggoro Putri, Director General of Industrial Relations Development and Social Security for Workers (PHI and Jamsos), Government Regulation Number 36 of 2021 about salaries mandates that the policy of setting Minimum Wages be one of the nation's strategic objectives. In order to control the minimum wage, the government exists. Along with protecting the rights of workers and business owners, the government is also concerned with maintaining an organization. The minimum wage was established to protect employees and laborers with less than a year of experience from earning unfairly low compensation. The minimum wage is also meant to be an instrument for the development of Indonesia's economy and the eradication of poverty. Only local wages—the Provincial Minimum Wage and the Regency/City Minimum Wage—are subject to regulation, according to Government Regulation Number 36 of 2021 concerning Wages. There is no sector-based minimum wage requirement under Government Regulation Number 36 of 2021.

Because each region has a varied level of life, the minimum wage is set differently in each one. There are places where the cost of living is high and places where it is low, such as urban and rural areas. These two situations are different because the cost of living is higher in urban areas. Workers will decline an offer if the wage standard is inadequate and cannot cover the cost of living in the region. The inefficiency of workers and laborers is one of the factors that can harm their reputation.

The Director of Employment Relations and Wages at the Ministry of Manpower and Transmigration of the Republic of Indonesia claims that the objective of the minimum wage formula in Government Regulation Number 36 of 2021 is to reduce the wage gap between regions, and this is done by using the average household consumption approach in each region. The minimum wage is additionally determined to advance worker/labor welfare while still taking into account the company's capabilities and national conditions. The Central Statistics Agency's economic and employment data are used to do this. Based on information from the Central Statistics Agency for the West Java Province, On November 5, 2021, it had updated employment growth statistics. In the third quarter of 2021, West Java Province BPS reported economic growth of 3.43 percent (q-to-q) over the third quarter of 2020 and 0.72 percent over the first quarter of

2021. Furthermore, the open unemployment rate in West Java decreased by 0.64 percentage points between August 2021 and August 2020.

The author is interested in researching legal protection for workers/laborers in calculating minimum wages in Subang Regency based on the backdrop given above.

METHOD

To collect data for this study, a descriptive analysis research method with a normative judicial approach was used. The methodology used in this study is an approach to statutory rules, legal theories, and legal concepts that govern legal protection laws for wages and minimum wage determination ([Vibhute & Aynalem, 2009](#)). Secondary and tertiary legal literature were employed as the data sources. In addition, researchers also make use of secondary data gathered through fieldwork and library research to supplement secondary information discovered through library research relevant to the research object. The truth that has been discovered from the research findings is then applied to all data that has been obtained and gathered, understood, and organized methodically.

RESULT AND DISCUSSION

Realizing national objectives and ideals founded on Pancasila and the 1945 Constitution of the Republic of Indonesia, which was stated in the fourth paragraph of the Preamble to the 1945 Constitution as follows: "Then from that, the Unitary State of the Republic of Indonesia was established. In order to establish an Indonesian State Government that defends the entire Indonesian country, Indonesian National Independence was articulated in The Constitution of the State of Indonesia, which was created within the framework of the United Nations and all of Indonesia's blood, to advance the country's well-being, educate its citizens, and assist in establishing a global order based on liberty, unending peace, and social justice that includes the rights of all Indonesians.

As a result, the Constitution of the Republic of Indonesia, which was created inside the framework of the Republic of Indonesia, was written with the sovereignty of the people as a state attribute that distinguishes the nation from the alliance. The fourth paragraph outlines the course Indonesia would take to achieve its goal of achieving independence, which is a universal right. - Other collaborations([Fajar, 2004](#)).

As stated in the 1945 Constitution of the Republic of Indonesia, sovereignty is the highest power exercised by the state on behalf of its holder, namely the people. Without sovereignty, there is no state, and as a result, the government, as the head of the organization, is formed and determined by the sovereign, namely the people as a whole through their general will (volunteer general).

Based on Article 1 paragraph (3) of the 1945 Constitution, which states: "The State of Indonesia is a Rule of Law," the preamble to the constitution states that Indonesia is a rule of law".

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If we examine the Preamble and Body of the 1945 Constitution carefully, we can see that Indonesia adheres to a material legal state, also known as a welfare state ([Susanto, 2015](#)), a prosperity state ([Indrati, 1998](#)), a state of administrative law (*verzorgingstaat*), or, to borrow Giddens' term, a social investment state ([Sukardja, 1995](#)), which was established by the favor, grace, and pleasure of Almighty Allah, ([Atmosudirdjo, 1981](#)) namely the people, whose sovereignty is in their hands and is carried out by the 1945 Constitution. The Indonesian State is legal as its framework.

According to, the constitution generally states that the state's primary objective is to guarantee and safeguard the rights of the people, with the creation of general welfare for citizens serving as the supreme law (*solus populu suprema lex*) ([Fajar, 2004](#)). The state's mission to create prosperity for residents functions as an ark that carries passengers from all societal levels to the harbor of prosperity (a safe, just, and prosperous society spiritually and physically).

The formation of an Indonesian government with all its attributes that can act as a subject of public law, an actor, the most legitimate institution, and has public legitimacy with its function of being able to provide social welfare that makes the people happy in fulfilling (to fulfill), to protect (to protect), to respect (to respect) the basic, economic and cultural rights of its citizens. ([Suharto, 2010](#))

The important reality is that the authorized authorities hold the power regarding the obligations and roles of every apparatus in executing good governance to fulfill the obligations and realize the ideals of the nation. A free, independent country based on order toward prosperity, the state is thus an entity, facility, vehicle, and social institution created by humans to serve their essential requirements rather than those of life as a national objective ([Busroh & Busroh, 1992](#)) as a national goal. which generally refers to an ideal model of development that is focused on increasing welfare through giving more importance to the state in providing national and comprehensive social services to its citizens ([Huda, 2005](#)), as a consequence of Article 1 paragraph (3) of the 1945 Constitution which is mandatory upheld by every citizen, namely the supremacy of law, equality before the law, and law enforcement in a way that does not conflict with the law ([Manan, 2009](#)).

The purpose of the law is to safeguard individuals against threats and deeds that could endanger their lives and give them pain and suffering from other people, society, and authority. In addition, the law serves as a tool for ensuring justice and achieving prosperity for all. To safeguard the populace, the state must offer legal protection. Law enforcement personnel must not misinterpret the legal protections provided to the public and must not inflict harm. Legal protection can also refer to the defense provided by the law against anything ([Mertokusumo, 2009](#)).

The Concept of Legal Protection in Employment Law

The definition of "protection" in the General Indonesian Dictionary is "a way; a procedure; the act of safeguarding" ([Purwadarminta, 2006](#)). Therefore, in general, the act of protecting or offering aid in the legal field is referred to as legal protection. In addition to the penalties for breaking the law that goes along with this legal protection, workers and laborers have several fundamental rights that must be upheld ([Adisu & Jehani, 2006](#)).

The socioeconomic disparity between workers/laborers and business owners encourages the government to protect workers/laborers, which is one manifestation of increasing workers/laborers' dignity in the form of protecting their rights as stipulated in work agreements,

company regulations, and/or collective work agreements ([Fuady, 2012](#)). From the creation of laws to their implementation, there must be legal protection for workers and workers/laborers ([Suriaatmadja, 2013](#)). Based on this, it necessitates governmental action to carry out legal protection, which is defined as protection by the use of the law or protection supplied by law to defend particular interests, especially by transforming the necessary interests into a legal right. When it comes to the idea of legal protection for employees, legal rights are defenses against the activities of businesspeople or employers before, during, and following employment (post-employment) ([Ujang Charda, 2015](#)).

The protection of workers is intended to guarantee the fundamental rights of workers/laborers and guarantee opportunities and treatment without discrimination on any basis to realize the welfare of workers/laborers and their families while still paying attention to developments in the business world, according to Law Number 13 of 2013 concerning Employment, which serves as the constitutional foundation for the field of employment:

"that the protection of workers is intended to guarantee the basic rights of workers/laborers and guarantee opportunities and treatment without discrimination on any basis in order to realize the welfare of workers/laborers and their families while still paying attention to developments in the business world."

1. Wage Concept

Wages are the legal entitlements that workers and laborers have to compensation from business owners or employers that is expressed in monetary terms and is determined and paid by a work agreement, agreement, or statutory regulations. Certain employment agreements may also include allowances for workers laborers and their families. When an employee and their employer or business partner get into an employment relationship, wages are earned by the employee and cease when the employment relationship does. Wage policies are implemented to provide workers with a salary that allows them to live comfortably.

The following pay policies are in place: 1) Minimum salary; 2) Overtime pay; 3) Compensation for missed work due to absence; 4) Wages for failing to report to work because of extracurricular activities; 5) Compensation for using the right to a break from work; 6) How salaries are paid; 7) Penalties and wage deductions; 8) A proportional pay scale and framework; 9) Wages used to calculate severance pay; and 10) Wages used to determine income tax ([Telaumbanua, 2019](#)).

In addition, workers and laborers are entitled to fair pay. A worker's or laborer's "decent pay" is the amount they receive from the products of their labor to fairly support themselves and their families. Wages and non-wage income are sources of decent income.

- The collective work agreement, corporate policies, or work agreements regulate wages. There are two types of wages: 1) Wages without allowances and 2) Base pay and set benefits. If a basic wage and fixed allowances are part of the wage component, the basic wage must make up at least 75% of the basic amount and fixed allowances. 3) Base pay, fixed and non-fixed allowances. Basic wages must be at least 75% of the basic amount and fixed allowances in wage components that include basic wages, fixed allowances, and non-fixed allowances.
- Non-wage income in the form of allowances for religious holidays. Other than allowances for religious holidays, employers and business owners can offer non-wage income in the following ways: 1) Bonuses can be offered to employees in exchange for company earnings. The work agreement, corporate policies, or collective work agreements specify how bonuses are calculated for each employee. 2) Cash replacement for workplace amenities. Companies may

offer workspaces to (a) employees in particular roles or occupations; and (b) all employees. The corporation may offer work facility funding if there aren't enough or enough work facilities for employees. The work agreement, corporate regulations, or collective work agreements regulate the provision of work facilities and the payment of compensation for those facilities. 3) Service charges for some companies. The company is in charge of managing and collecting service fees for certain enterprises. After taking into account utilization, enhancing the quality of human resources, and removing the danger of loss or damage, service fees in some businesses must be allocated to employees. The Minister of Manpower and Transmigration has the authority to issue ministerial regulations that govern provisions relating to service fees for particular firms.

- Employers are required to pay employees during religious holidays. Allowances for religious holidays must be paid no later than seven days before the holiday. Regulations issued by the Minister of Manpower and Immigration govern the provisions surrounding religious holiday allowances and payment procedures.

2. Wage Protection

Every employee has a right to get the same pay for equally valuable work. Based on this, wages are determined:

- Wages based on units of time are determined daily, weekly, or monthly. If wages are determined daily, the calculation of daily wages is as follows:
 - 1) For companies with a working time system of 6 days a week, the monthly wage is divided by 25; or
 - 2) For companies with a 5-day workweek system, a month's wages are divided by 21.Based on the wage structure and scale, the amount of wages is calculated using units of time. Employers are required to develop a compensation structure and scale that takes into account a worker's class, position, length of service, education, and ability. All workers must be informed of the scale and wage structure. The company must attach the compensation structure and scale at the time of application: a) Approving and renewing corporate policies and b) Registering, extending, and renewing collective bargaining agreements.
- Wages based on output units are calculated by the agreed-upon work outcomes. Based on the outcomes of an agreement between the worker/laborer and the entrepreneur, the entrepreneur determines the amount of wages to be paid. The calculation of workers' average earnings over the previous three (three) months is used to establish monthly wages based on units of output to implement statutory provisions.

3. Method of payment of wages

- The worker or laborer in question must be paid their wages. According to Telambanua (2019), employers are required to give documentation of wage payment, which includes information on the earnings received by the worker/laborer at the time the wages were paid. With the employee's permission, wages may be paid to unrelated parties. One (1) wage payment is the only time the power of attorney is effective.
- Wages must be paid by the employer at the time that the employee and employer have agreed upon. The payment of wages is governed by the work agreement, corporate policies, or collective work agreement if the specified day or date falls on a holiday, a day off, or a weekly rest day.

- Payment of wages by the employer is made no sooner than once a week or no later than once a month unless the work agreement is valid for less than one week.
- Wages of workers and laborers must be paid in full in each period and on the date of payment of wages.
- Wage payments must be made in the Rupiah currency of the Republic of Indonesia. Wage payments are made at the places regulated in the work agreement, company regulations, and collective work agreements. If the place of payment of wages is not regulated in the work agreement, company regulations, and collective labor agreement, then payment of wages is made at the place where the worker usually works.

4. Wage Review

- Wage reviews are carried out periodically to adjust prices for living necessities and/or increase work productivity by considering the company's capabilities.
- Wage reviews are carried out in work agreements, company regulations, and collective work agreements.

5. Minimum Wage Protection

Minimum wage protection has been regulated in the Republic of Indonesia Government Regulation Number 36 of 2021 concerning Wages as follows:

Chapter 23

- (1) The minimum wage is the lowest, namely: a. Wages without allowances; or b. Basic wages and fixed allowances
- (2) If the wage component in the company consists of a basic wage and non-fixed allowances, the basic wage must be at least the minimum wage.
- (3) Employers are prohibited from paying wages lower than the minimum wage.

The minimum salary is set according to the inflation rate in the relevant district or city, or the rate of economic growth in each region. According to the following regulations and city minimum wage protections:

Chapter 30

- (1) The governor can determine the district/city minimum wage with certain conditions.
- (2) Certain conditions as intended in paragraph (1) are: a. The average economic growth of the district/city concerned for the last 3 (three) years from available data for the same period, is higher than the average provincial economic growth; or b. The value of economic growth minus inflation for the relevant district/city for the last 3 (three) years from the 28 data available for the same period, is always positive and higher than the provincial value.

Chapter 31

- (1) Determination of the Regency/City minimum wage is determined after the determination of the provincial minimum wage.
- (2) The Regency/City minimum wage as intended in paragraph (1) must be higher than the provincial minimum wage

5. Determination of Subang Regency Minimum Wage in 2022

As a safety net, the minimum wage is determined annually and is the lowest monthly income in a certain area. The minimum wage acts as the lowest ceiling on salaries because it is illegal for businesses to pay their workers less than that amount. It is possible for provinces to set their own minimum wages, and these are commonly referred to as the Provincial Minimum Wage or the Regency/City Minimum Wage.

As stated in Government Regulation Number 36 of 2021 concerning Wages' Article 23 Paragraphs (1) and (2), the minimum wage is the lowest monthly wage that consists of wages without allowances, basic wages, and fixed allowances, or, if the wage component in the company consists of a basic wage and non-fixed allowances, a basic wage that is at least the minimum wage.

In order to ensure that no wage value falls below the government-set minimum wage, the minimum wage requirement is meant to act as a safety net. To safeguard the interests of employees and laborers, a government policy was formed. The minimum wage also protects and ensures the survival of enterprises and encourages the growth of productive employment (Trimaya, 2014).

The minimum wage is set by the provisions of Article 25 of PP 36/2021 based on economic and employment conditions, including purchasing power parity (balance of purchasing power), labor absorption rate, and median wage (margin between 50% of the highest wage/salary and 50% of the lowest of employees in certain positions or jobs). Statistically trustworthy organizations are good sources of information on economic growth, inflation, purchasing power parity, labor absorption rate, and median earnings.

Furthermore, Article 25 Paragraph 1 of PP 36 of 2021 states that, subject to certain limitations, the minimum pay consists of the provincial minimum wage and the regency/city minimum wage. The Governor must establish the Provincial Minimum Wage each year (see Article 27 paragraph (1) of PP 36/2021), which is the Minimum Wage that applies to all Regencies/Cities in a single Province. The minimum wage in the Regency/City Area is known as the Regency/City Minimum Wage.

PP 36/2021's Article 30 Paragraph 1 further states that the Governor may set the district/city minimum wage in certain conditions, such as:

- The average economic growth of the Regency/City concerned for the last 3 (three) years from the data available for the same period, is higher than the average provincial economic growth; or
- The value of economic growth minus inflation for the relevant Regency/City for the last 3 (three) years from data available for the same period, is always positive, and higher than the Province value.

The Governor cannot apply the minimum wage for the Regency/City if the above-mentioned standards are not satisfied, or in other words, if the Regency/City minimum wage is not higher than the Provincial minimum wage.

The Governor determines the minimum wage each year while taking into account the need for a high standard of living, as well as productivity and economic growth. The minimum wage is calculated by multiplying the current year's minimum pay by the product of the national inflation rate for the current year and the rate of growth of the gross domestic product for the same year.

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in order to account for the "number" of reasonable living standards while setting the minimum wage for the current year. The elements of the necessary for a respectable existence are broken down into a variety of categories.

the Decree of the Governor of West Java Number 561/Kep.732-Kesra/2021 concerning the UMK amount on November 30, 2021, which is IDR 1,810,350.00 (one million eight hundred ten thousand three hundred and fifty rupiahs), or has a percentage rise of 1.72 percent from the 2021.

West Java Provincial Minimum Wage in 2023

The Governor of West Java Province, Ridwan Kamil, has set the 2023 West Java Provincial Minimum Wage at IDR 1,986,670.00 (one million nine hundred eighty-six thousand six hundred and seventy rupiah). The amount of the West Java in 2023 is an increase of IDR 145,183.00 (and one hundred forty-five thousand and eighty-three rupiah) from the West Java in 2022. This is stated in the Decree of the Governor of West Java Number: 561/Kep.752- Kesra/2022 concerning Minimum Wage for West Java Province in 2023.

To put things in perspective, on November 20, 2021, West Java Governor Ridwan Kamil established the West Java Provincial Minimum Wage for 2022, putting it at IDR 1,841,487.31. (one million eight hundred forty-one thousand four hundred eighty-seven rupiahs thirty one cent). Thirty-one thousand, one hundred thirty-five rupiah, ninety-five cents, or 1.72 percent, will be added to West Java UMP 2022. workers and laborers who have worked for less than a year are covered by the West Java wages minimum. As a consequence of discussions and agreements, workers/laborers who are eighty-seven years of age or older receive higher wages based on the Wage Scale Structure, which must be specified in Regulations) or Collective Labor Agreements.

The West Java provincial minimum wage decision-making plenary conference is documented in Minutes No. 561/014-BA/XI/Depeprov/2021. The West Java Provincial Wage Council's plenary meeting produced a result stating that the district/city minimum wage in West Java for 2022 will have an upper limit of IDR 3,540,015.32, and a lower limit of IDR 1,770,007.66, or 50% of the upper limit. The 2022 West Java UMP is raised to Rp. 1,841,487.31 since the 2021 UMP is IDR. 1,810,351.36 or remains below the bottom limit. Thirteen cents, or one million eight hundred forty-one thousand, four hundred eighty-seven rupiahs. Data at the appropriate province level are used in the UMP calculation formulation, and they are obtained from organizations with statistical authority.

The Regency/City Minimum Wage in West Java has been determined by the Governor of West Java through the Decree of the Governor of West Java Number: 561.7/Kep. 776-Kesra/2022 concerning Regency/City Minimum Wages in the West Java Province Region in 2023.

Table 1. List of West Java Regency/City Minimum Wages for 2023

PROVINCE	DISTRICT/MUNICIPALITY	UMK 2022	UMK 2023
Jawa Barat	Kota Banjar	Rp 1,852,099	Rp 1,998,119
	Cianjur (Kabupaten)	Rp 2,699,814	Rp 2,893,229
	Cirebon (Kabupaten)	Rp 2,279,982	Rp 2,430,781
	Kota Cirebon	Rp 2,304,943	Rp 2,456,517

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Kota Sukabumi	Rp 2,562,434	Rp 2,747,774
Kota Tasikmalaya	Rp 2,363,389	Rp 2,533,341
Bekasi (Kabupaten)	Rp 4,791,843	Rp 5,137,575
Kuningan (Kabupaten)	Rp 1,908,102	Rp 2,010,734
Garut (Kabupaten)	Rp 1,975,220	Rp 2,117,318
Majalengka (Kabupaten)	Rp 2,027,619	Rp 2,180,603
Kota Bandung	Rp 3,774,860	Rp 4,048,463
Bogor (Kabupaten)	Rp 4,217,206	Rp 4,520,212
Tasikmalaya (Kabupaten)	Rp 2,326,772	Rp 2,499,954
Ciamis (Kabupaten)	Rp 1,897,867	Rp 2,021,657
Pangandaran (Kabupaten)	Rp 1,884,364	Rp 2,018,389
Indramayu (Kabupaten)	Rp 2,391,567	Rp 2,541,997
Bandung (Kabupaten)	Rp 3,241,929	Rp 3,492,466
Bandung Barat (Kabupaten)	Rp 3,248,283	Rp 3,480,795
Sumedang (Kabupaten)	Rp 3,241,929	Rp 3,471,134
Kota Cimahi	Rp 3,272,668	Rp 3,514,093
Kota Depok	Rp 4,377,231	Rp 4,694,494
Kota Bogor	Rp 4,330,249	Rp 4,639,429
Sukabumi (Kabupaten)	Rp 3,125,444	Rp 3,351,883
Kota Bekasi	Rp 4,816,921	Rp 5,158,248
Karawang (Kabupaten)	Rp 4,798,312	Rp 5,176,179
Purwakarta (Kabupaten)	Rp 4,173,568	Rp 4,464,675
Subang (Kabupaten)	Rp 3,064,218	Rp 3,273,811

According to the West Java Governor's Decree No. 561/Kep.752-Kesra/2022 on the Minimum Wage for West Java Province for 2023, the West Java UMP for 2023 is as follows:

Table 2 Regency/City Minimum Wage 2023 West Java

PROVINSI	KETERANGAN	
	2022	2023
JAWA BARAT	Rp 1,841,487	Rp 1,986,670
		Persentase Kenaikan (%)
		7,88
		Surat Keputusan Gubernur Jawa Barat Nomor: 561/Kep.752-Kesra/2022

In comparison to the minimum pay in 2022, the minimum wage in West Java province for 2023 will be IDR 145,183.00 (one hundred forty-five thousand one hundred eighty-three rupiah) more than the minimum wage in 2022.

West Java's districts and cities will continue to pay the minimum wage of IDR 4,816,921.00 set by Bekasi Regency in 2022. (four million eight hundred sixteen thousand nine hundred and twenty one rupiah). According to the Decree of the Governor of West Java Number 561/Kep.732-Kesra/2021 concerning the UMK Size dated 30 November 2021, the UMK in Bekasi Regency is higher than the UMK in other districts/cities in West Java.

CONCLUSION

Legal protection for workers/laborers in determining the minimum wage for West Java province in 2023 is linked to Government Regulation Number 36 of 2021 concerning Wages, which still does not provide a sense of justice to workers/laborers so they take action to reject it.

Government Regulation Number 36 of 2021 concerning Wages, has removed the provisions regarding decent living needs or KHL surveys so that there is no KHL survey consisting of several types of living necessities, which was previously carried out every year as in the Minister of Manpower Regulation Number 21 of 2016 concerning Needs Decent Living which was then changed to be reviewed every 5 (five) years. This regulation was then revoked after the enactment of Law Number 11 of 2020 concerning Job Creation in conjunction with Government Regulation Number 36 of 2021 concerning Wages so that there were no longer any KHL surveys.

Workers and laborers have become confused or have problems as a result of the lack of knowledge and socialization on the setting of the minimum wage for the West Java province in 2023, thus they have held protests to draw attention.

The definition of minimum wages, the factors that determine minimum wages, and the ways that districts and cities determine minimum wages that take into account all aspects of pay policy require further research.

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