

## **Legal Protection of Wages and Welfare of Journalists in the City of Semarang**

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### **Abstract**

This study analyzes the legal protection of wages and welfare of journalists in the City of Semarang. The purpose of the study was to determine the implementation of wages and welfare of journalists as well as legal protection of wages and welfare of journalists in the city of Semarang. Journalists are included in the labor category, so for their services, they are entitled to receive wages. One of the problems that occur among journalists is the weak legal protection of wages and welfare when discussing employment issues in Indonesia. Wage protection is an important aspect of the workforce. Wage protection is the goal of workers/ laborers carrying out work to earn sufficient income to finance their lives, namely a decent living for humanity. As long as the worker/laborer does his job, he is entitled to remuneration which guarantees his life together with his family. The results of the study indicate that the implementation of wages and welfare of journalists is not following Law Number 13 of 2003 concerning Manpower and Government Regulation Number 78 of 2015 concerning Wages. The wage system is the main problem. Journalists' work is not understood as a work process that ends with earning a wage; there is no firmness in the provision of working hours, benefits, and health insurance. The absence of these problems makes journalists not a few who violate the code of ethics. Not a few companies set a wage policy considering the company's ability, Semarang media wage standards, and skills possessed. Aspects of



legal protection related to wages and welfare are weak. This is because of the difference between the working conception of journalists and the working conception of workers/laborers as referred to in the Manpower Act and Government Regulations concerning Wages. Ideally, it is necessary to create a legal umbrella for the implementation of maximum legal protection for economic, social, and technical aspects based on the work characteristics of permanent journalists so that they will be able to optimize work to achieve the maximum role of the press.

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*Penelitian ini menganalisis perlindungan hukum pengupahan dan kesejahteraan wartawan di Kota Semarang. Tujuan penelitian adalah mengetahui implementasi pengupahan dan kesejahteraan wartawan serta perlindungan hukum pengupahan dan kesejahteraan wartawan di Kota Semarang. Wartawan masuk dalam kategori tenaga kerja, sehingga atas jasanya berhak menerima upah. Salah satu masalah yang terjadi di kalangan wartawan adalah lemahnya perlindungan hukum pengupahan dan kesejahteraan, jika mengulas tentang masalah ketenagakerjaan di Indonesia. Perlindungan upah merupakan aspek penting bagi tenaga kerja. Perlindungan pengupahan merupakan tujuan dari pekerja/buruh melaksanakan pekerjaan untuk mendapatkan penghasilan cukup untuk membiayai kehidupannya, yaitu penghidupan yang layak bagi kemanusiaan. Selama pekerja/buruh melakukan pekerjaannya, ia berhak atas pengupahan yang menjamin kehidupannya bersama dengan keluarganya. Hasil penelitian menunjukkan bahwa pelaksanaan pengupahan dan kesejahteraan wartawan belum sesuai Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan dan Peraturan Pemerintah Nomor 78 Tahun 2015 tentang Pengupahan. Sistem pengupahan adalah masalah utamanya. Kerja wartawan tidak dipahami sebagai proses kerja yang berakhir dengan perolehan upah; tidak ada ketegasan pemberian jam kerja, tunjangan dan jaminan kesehatan. Tiadanya masalah itu membuat wartawan tidak sedikit yang melanggar kode etik. Tidak sedikit perusahaan menetapkan kebijakan upah melihat kemampuan perusahaan, standar upah media Semarang dan keterampilan yang dimiliki. Aspek perlindungan hukum yang berhubungan dengan pengupahan dan kesejahteraan lemah. Hal ini karena perbedaan konsepsi kerja wartawan dengan konsepsi kerja pekerja/buruh sebagaimana dimaksud dalam Undang-Undang Ketenagakerjaan maupun Peraturan Pemerintah tentang Pengupahan. Idealnya perlu dibuatkan payung hukum demi*



*terlaksanakannya perlindungan hukum yang maksimal terhadap aspek ekonomi, sosial dan teknis yang didasarkan pada karakteristik kerja wartawan tetap sehingga akan dapat mengoptimalkan kerja demi tercapainya peranan pers yang maksimal.*

**Keywords:** Legal Protection; Wages; Welfare; Journalists.

## Introduction

This research is essentially sociological research on law. Namely, research on the axiological aspect of law (or research on the purpose of law). This study seeks to theorize about the purpose of the law, namely law as an instrument to realize prosperity. So that this research is not too abstract because it is purely philosophical, this research will reflect on the Government Regulation of the Republic of Indonesia Number 78 of 2015 concerning Wages. Discussing wages, it has been regulated in Article 27 paragraph (2) of the 1945 Constitution which states, "Every citizen has the right to work and a decent living for humanity".

Furthermore, Article 28 D paragraph (2) explains, "Everyone has the right to work and receive fair and proper remuneration and treatment in an employment relationship". The second provision of this article means the position of the field of employment in Indonesia has a juridical basis powerful because it has been stipulated in the constitution (Saprudin 2012:377). Article 9 Law Number 39 of 1999 concerning Human Rights paragraph (1) stated, "Everyone has the right to live and maintain life and improve their standard of living". Similarly, policies in the field of labor protection are aimed at improving wages, working terms, working conditions and working relations, occupational health, and social security to improve the overall welfare of the workforce.

Law Number 13 of 2003 concerning Manpower generally states that wages are matters of workers/laborers who are received and expressed in the form of money. Talking about wage eligibility is not separated from the minimum wage system, the substance of which is aimed at workers getting guaranteed decent living needs and fair treatment from employers as stated in the Regulation of the Minister of Manpower and Transmigration



Number 7 of 2013 Article 1 paragraph (1) that the minimum wage is "monthly wages lowest which consists of basic wages including fixed allowances set by the governor as a safety net.

Article 1 paragraph (1) Government Regulation Number 78 of 2015 explains that wages are the rights of workers/laborers that are received and expressed in the form of money as a reward from the entrepreneur or employer to the worker/laborer which is determined and paid according to a work agreement, agreement or statutory regulation. Includes allowances for workers/laborers and their families for a job and/or service that has been or will be performed. Paragraph (2) worker/laborer is any person who works by receiving wages or other forms of remuneration. Article 4 paragraph (1) Government Regulation Number 78 of 2015 decent income is the amount of income or income of workers/laborers from the results of their work so that they can meet the living needs of workers/laborers and their families fairly. Point (2) decent income as referred to in paragraph (1) is given in the form of wages and non-wage income.

Wages as one of the essences of work agreements are an important factor that determines whether or not there is an employment relationship. In addition, wages are also a controversial issue because wages are always the starting point for conflicts between workers and employers. This is because each party sees wages in terms of their respective interests that differ from one another. When it is associated with the journalist profession, of course in the end it will lead to the consequence that a standard wage formula has not been found. Wages are a crucial issue in employment, even if they are unprofessional in handling them, it often becomes a potential dispute and encourages strikes and demonstrations. The handling of wages does not only involve technical and economic aspects, but also legal aspects that form the basis for how wages are implemented safely and correctly based on government regulations. Therefore, professionally handling wages requires a comprehensive understanding of these three aspects (Khakim 2006:1).

The provision of wages is regulated in Article 88 paragraph (4) of the Law. Employment, where the government sets a minimum wage based on the needs of a decent living by taking into account productivity and economic



growth. The minimum wage consists of the minimum wage based on the province or district/city, the minimum wage based on the sector in the province or district/city, the minimum wage which is directed at achieving the needs of a decent living, the minimum wage is determined by the governor by taking into account the recommendations from the provincial wage council and/or regents/mayors and components, as well as the implementation of the stages of achieving decent living needs, are regulated in the Regulation of the Minister of Manpower and Transmigration Number 13 of 2012 concerning Minimum Wages (hereinafter referred to as the Regulation of the Minister of Manpower and Transmigration) (Hermansyah 2008:4).

The existing wage policy is based on a minimum wage based on the needs of a decent living for workers/single workers with less than one year of service. This does not include those who have worked for more than one year and have families. Collective bargaining is a means of struggle for labor unions/labor unions to increase wages and welfare, its role is still limited and even tends to decrease in quantity and quality. On the other hand, the application of the wage scale structure is still minimal and not mandatory (there are no formal sanctions for those who have not implemented it). In developing countries, the minimum wage policy becomes the effective wage that applies to the formal labor market, especially in the labor-intensive industrial sector.

Considering implementing the provisions of Article 97 of Law Number 13 of 2003 concerning Manpower, President Joko Widodo 23 October 2015 signed Government Regulation Number 78 of 2015 concerning Wages. The enactment of Government Regulation Number 78 of 2015 replaces Government Regulation Number 8 of 1981 concerning Wage Protection. In this Government Regulation, the wage policy is directed at achieving income that meets a decent living for workers/laborers. Decent income as referred to is the amount of income or income of workers/laborers from the results of their work so that they can meet the living needs of workers/laborers and their families fairly.

Manpower as an integral part of national development based on Pancasila and the 1945 Constitution, is implemented for and within the framework of the development of the Indonesian people as a whole and the



development of the Indonesian people as a whole. For this reason, workers need to get protection in all aspects, including protection from getting jobs at home and abroad. Protection of workers' basic rights, protection of occupational safety and health as well as protection of wages and social security to ensure a sense of security and peace as well as the fulfillment of justice and the realization of a physically and mentally prosperous life, in harmony, harmony, and balance (Suhariwanto 2000).

Manpower development as an integral part of national development based on Pancasila and the 1945 Constitution, is carried out in the context of developing Indonesian people as a whole and the development of Indonesian society as a whole to increase the dignity, dignity, and self-esteem of the workforce, and to realize a prosperous, just, prosperous and equitable society both materially and spiritually (Yulies 2008:140).

In line with the view above, what if it is correlated with wages in the journalist profession? Before going any further, in this study, journalists are people who regularly carry out journalistic activities. (Article 1 point 4 of Law No. 40 of 1999 concerning the Press). Its task is to enrich the information presented to readers. If the information is shallow, it will be unable to compete with competitors. According to a researcher at the Center for Media and Communication Studies at Remotivi, Wisnu Prasetya Utomo, the terms journalist, journalist and there are no different. This depends on the policy of each media. While journalism is an activity carried out by journalists or journalists to collect facts and present them as news that is presented in front of the audience. Sindhunata, a senior journalist for Kompas Daily, said that a journalist's first job is footwork, then handwork, writing (Sindhunata 2006:xi).

Unlike other professions, journalists have become a profession that has a certain social class. Moral and social values are inherent in them. Chairman of the Federation of Independent Media Workers Unions (FSPMI), Abdul Manan, noted that two labor problems often afflict journalists, namely welfare and the fulfillment of the right to association. Journalism as a transmitter of truth and change makes it the only profession that is included as one of the pillars of democracy (Imam 2012). From reports received by FSPMI and the Alliance of Independent Journalists (AJI) there are still journalists receiving wages below the



minimum wage (ADY 2016). The reason is that many journalists do not understand the existence of the Manpower Law, so they stutter when responding to problems with the companies they work for. In particular, the issue of wages, coverage costs, employment contracts, not having a pension, insurance and health insurance, career structure, copyright, and other facilities along with the development of online media today.

In the world of employment, wages and severance pay are crucial issues related to the rights that must be obtained by a worker that is guaranteed by law. This unfair and unreasonable policy on wages and severance pay can lead to instability in the work environment which leads to industrial conflicts between workers and companies. On the other hand, fair, reasonable, and professional policies on wages and severance pay will increase motivation, which in turn can increase worker productivity. And in the end, able to create a good and harmonious relationship between workers and the company (Yustisia 2012).

Harmonious relationship in the company there are elements of an employment relationship regulated in the Manpower Act Article 1 number 15 in the form of wages, orders, and work. Wages are regulated in the Manpower Law Article 1 number 30 of 2003, that "the rights of workers/laborers received and expressed in the form of money as compensation from the authorities or employers to workers/labor are determined and paid according to a work agreement, or regulations. legislation, including allowances for workers/laborers and their families for a job and/service that has been or will be performed".

Wages in Indonesia are regulated by the government through the determination of the Provincial Minimum Wage, City Minimum Wage, or Regional Minimum Wage and on the structure and scale of wages. The command is the second element of the working relationship. The word "order" contained in Article 1603b of the Civil Code states that "laborers are obliged to obey the rules for implementing work and regulations intended to improve the rules of the employer's company given by or on behalf of the employer within the limits of statutory regulations, agreements or regulation, or if it is not within customary limits". Orders in employment relations are interpreted in terms of work targets,





instructions, and obligations of workers. Workers must comply with the company's orders submitted by the employer regulated in the regulations.

While work is regulated in Article 1603 of the Civil Code that "a worker is obliged to do the work himself, only with the permission of the employer he can order a third person to replace him." This work is based on the factors of energy, time, and expertise so that workers are entitled to receive wages. Regarding the provision of wages, it has been regulated in Article 88 paragraph 4 of the Manpower Act, in which the government sets a minimum wage based on the needs of a decent living by taking into account productivity and economic growth. The wage system is generally seen as a tool to distribute wages to employees, this distribution is based on production, length of work, length of service, and based on the necessities of life. The function of the wage system as a means of distribution is the same in all types and forms of the wage system, but the basics of distribution do not have to be the same.

It is recognized that wages are an appreciation of the energy of employees who invest as a result of production or service that is considered the same as it, which is in the form of money, without a definite guarantee in each week or month. So, the essence of wages is an appreciation of employee energy which is manifested in the form of money. Therefore, the handling of wages does not only concern technical aspects<sup>11</sup> and economic aspects, but also the legal aspects that underlie how matters relating to wages are carried out safely and correctly based on the applicable laws and regulations (Khakim 2006:1).

In a general context, journalists have two statuses, namely professional status and status as workers (Santana 2005:205; Susanto, Makarao, and Syamsudin 2010:133). As a profession, journalists are subject to the journalistic code of ethics as stipulated in Article 7 paragraph 2 of the Press Law. In the Press Council Regulation No. 4/Peraturan-DP/III/2008 concerning Press Company Standards, point eight (8) states, 'Press companies are required to pay journalists and their employees at least under the provincial minimum wage at least 13 times a year'. Implicitly, this confirms the status of journalists as workers in media companies. Continuing this discussion, Palak's explanation of a worker can be used as a reference to see the status of journalists as workers. Palak stated, 'In





addition to the element of work that is carried out continuously and openly, a worker must meet the element of income that can be estimated in advance, not taking into account profit and loss (Palak 1935:21).

The Classification is more clearly seen in the formulation of Article 1 point 3 of Law Number 13 2003 concerning Manpower, which states, 'Worker/labor is anyone who works by receiving wages or other forms of remuneration.' In addition, press companies are responsible for guaranteeing the economic welfare of journalists and are responsible for improving the quality of journalists and their employees by providing education. and training.<sup>15</sup> This is confirmed in the Guidelines for the Press Council on Press Company Standards in Articles 11 and 12, which state, 'Press companies are managed according to economic principles so that the quality of the press and the welfare of journalists and their employees will increase without abandoning their social obligations'. (Article 11, Press Council Guidelines on Press Company Standards).

Then continued, 'Press companies provide education and/or training to journalists and their employees to improve professionalism' (Article 12). Thus, low journalists' wages are one of the causes of violations of the journalistic code of ethics. The high salary of journalists below the age standard regional minimum and 'living on a press card' make them tend to make random news and result in violations of the code of ethics (Burhani 2007). This situation has consequences for the quality of the news produced. As a result, some journalists choose a pragmatic way of finding and writing news, which is the easiest to get or exchange between journalists with performance such as diversity of content. Almost all mass media contain the same problem, where the public does not get a variety of information (Redaksi 2016).

Because of this, the author chose this research because he saw the gap between the law in the book and the reality on the ground. The gap is caused by differences in views and principles between legal interests and economic interests where the law requires the fulfillment of workers' rights to the maximum, on the contrary for companies this is perceived as an obstacle because it will reduce profits. Moreover, this is not the era of the press struggle like the war for independence, but the era of industry. As a money-making industry, journalists should be treated as employees who



have rights and get welfare like workers in the industrial world and not like activists or volunteers. Press companies are the same as other companies. He needs human resources or workers who therefore comply with the Manpower Act and other binding legal provisions.

Based on the description above, the formulation of the problem proposed in this study is as follows: First, how is the implementation of wages and welfare of permanent journalists in the city of Semarang? Second, how is the legal protection for the wages and welfare of permanent journalists in the city of Semarang?

## **Research Methods**

This research uses legal research, which specifically analyzes laws and regulations based on legal principles, legal theory, legal opinions, and existing norms. Because what is being studied is related to the legal protection of wages and journalists' welfare in terms of Government Regulation 78 of 2015 concerning Wages and Law Number 13 of 2003 concerning Manpower. The type of approach used in this research is sociological juridical by identifying and conceptualizing law as a real and functional social institution in real life (Soekamto 1986:51).

The emphasis of this research is to obtain the law empirically by interviewing journalists as its object, namely knowing the correlation of wages regulated by law to the wages of permanent journalists who are accepted in Semarang. The embodiment of the sociological juridical approach in this study was carried out by applying two approaches, namely the statutory approach and the conceptual approach.

The statute approach is research conducted by reviewing all laws and regulations related to the legal issue being studied (Marzuki 2005:139). The approach to legislation is used to answer the problems in the laws and regulations related to seeking professional income for journalists by referring to Law Number 40 of 1999 concerning the Press, Law Number 13 of 2003 concerning Manpower, and Government Regulation Number 78 of 2005 concerning Wages.

The conceptual approach is used to analyze the problems of legislation regarding a problem that occurs to produce a meeting point for answers to



the problems. This approach is used to analyze the fairness of a journalist's living wage by referring to theoretical principles. The principles used are the principle of non-discrimination and the principle of the standard size of the standard wage for the journalist profession which is still not uniform. The population in this study were all permanent journalists from print, online, radio, and television media who were tasked with finding news in the field in Semarang City. The number of journalists who were sampled amounted to 12 people. After the data is collected, the analysis is the unit that will be studied or analyzed in this study, namely the suitability between journalists' wages and the legislation that regulates wages in force in Indonesia.

## **Results and Discussion**

### **Implementation of Wages and Welfare of Permanent Journalists**

Review of wages in Article 23 of Government Regulation Number 78 of 2015 employers conducts periodic wage reviews to adjust prices for living necessities and/or increase work productivity by considering the company's capabilities. This agreement is contained in a work agreement, company regulations, or collective labor agreement. According to Pratono, one of the administrators of the Alliance of Independent Journalists (AJI) of Semarang City, the proper remuneration of a journalist in Semarang should ideally pay attention to the daily allowances that have been regulated in the legislation.

Based on the number of wages earned, journalists are considered to still have "other business" outside journalism to fulfill their daily needs. It will be easy to compromise with some things that should violate the code of ethics. For example, the case of receiving envelopes from sources so that the practice of "envelope journalists" develops. Journalists as the fourth pillar of democracy and media industry players also have the burden of being a tool of social control. His responsibility to fulfill is not commensurate with the welfare he will get. Adequate welfare has a great opportunity for journalists to be more professional, and carry out their mandate as stated very clearly in Law Number 40 of 1999 concerning the



Press. (Interview with Edi Faisal, Head of AJI Semarang City on April 19, 2018.)

Chairman of the Indonesian Journalists Association (PWI) Central Java, Amir Machmud<sup>3</sup> said talking about remuneration for journalists is very complex. This is because media companies must pass certification as legal entities operating in the media sector. He must refer to the existing wage rules in Law Number 13 of 2003 concerning Manpower and Government Regulation Number 78 of 2005 concerning Wages.

Regarding career path, Amir Machmud said that the peak of being a journalist is the editorship while being the editor-in-chief is hands-on. Journalists today work full-time for 24 hours. There is a need to update news developments. However, it is media management that uses fingerprint absences or facial scans to set working hours, but some do not at all. Professional journalist's must-have skills and have skills in terms of journalistic code of ethics. Journalists should also have a media union, although this has not been effective. The high dependence on capital owners makes journalists' bargaining power weak.

Certainly, different from what is described by Bill Kovac -the author of the book entitled *The Elements of Journalism*- which is all-ideal. Amir Machmud thinks that in the West this is possible because it is democratic, but in Indonesia, journalists of the caliber of Tempo and Kompas are not entirely ideal. (Interview with Amir Machmud, on April 20, 2018). Regarding the development of the Press Law, Amir Machmud refuses that the Law be revised, because the revision process will later lead to interference from people who take advantage of or weaken press freedom through revision. This is good, it's just a matter of will, political will, and the legal apparatus in using this law as a law which is lexed specialist in regulating the protection of media people.

Semarang is the capital city of Central Java Province of Indonesia. The city nicknamed "Lumpia City" is 466 km from Jakarta and 312 km from Surabaya.<sup>6</sup> The population growth of Central Java Province in the last 10 years is 0.37%. As a big city in the middle of Java Island, it has the fastest growth among 29 regencies and 6 cities. Based on the 2010 census, the population of Semarang City reached 1,553,778 people. Semarang is the capital city of Central Java, economic growth during 2015 and 2016,



amounted to 5.79% to 5.8%. Economic growth in Central Java in 2018 grew 5.38%. Significantly strengthened compared to 2017 which was only 5.26%.<sup>8</sup> Meanwhile, in the first quarter of 2019, economic growth based on records from the Central Statistics Agency reached 5.14%.

The minimum wage determined by Government Regulation Number 78 of 2005 concerning Wages is regulated by Law Number 13 of 2003 concerning Manpower which regulates decent income, wage policies, decent living needs, and wage protection. Decent income which is regulated by Number 78 of 2015, is the amount of income of job recipients from the results of their work to meet the daily needs of themselves and their families.

The basis for wages in Semarang City regionally can refer to two wage provisions, namely the Central Java Provincial Minimum Wage (UMP) and Semarang City Minimum Wage (UMK). In 2019, the minimum wage in the province of Central Java is Rp. 1,605,396.00 (one million six hundred five thousand three hundred and ninety-six rupiah). The value of the Central Java UMP in 2019 increased by 8% compared to the value of the Central Java UMP in 2018 of Rp. 1,486,065.00 (one million four hundred eighty-six thousand and sixty-five rupiah). While the value of the Semarang City minimum wage in 2019 which was determined based on the results of the KHL survey by the Semarang City Wage Council approved by the Governor of Central Java, increased by 13.25% compared to the previous year. In 2018, Semarang City's UMP was Rp.2,310,087.00 (two million three hundred ten thousand and eighty-seven rupiah). (Central Java Governor's Decree 560/68 of 2018).

The value of Semarang City's UMP in 2018 then increased in 2018. in 2019 of Rp. 188,500.00 (one hundred eighty-eight thousand five hundred rupiahs) or 13.25% to Rp. 2,498,587.00 (two million four hundred ninety-eight thousand five hundred and eighty-seven rupiahs). The increase in the value of the Central Java UMP and Semarang UMK cannot be separated from the increase in economic growth. Economic growth has a direct correlation with the health of the media and the welfare of workers. The main contributor to the media budget is advertising, which is usually strongly influenced by business activities in an area. With simple logic like



this, one can easily conclude that big cities provide better opportunities for the media to grow and develop.

Based on the value of the Central Java UMP and Semarang UMK, ideally, journalists with a minimum service period of less than one year at least get the lowest wage that is following the value of the Central Java UMP or Semarang UMK. However, the reality on the ground, based on the data collected by the author, is that there are still non-ideal wages received by journalists and mass media in Semarang City. Of the 12 samples, only three samples received wages above the Semarang UMK value and while the other 9 samples were still below the Semarang UMK value but above the Central Java UMP. The 12 samples in this study had a tenure of more than one year. The wages received by journalists are fixed above, including allowances including achievement allowances.

### **Analysis of Legal Implementation and Protection of Wages and Welfare of Journalists**

Wage and welfare are two things that have a close relationship where wages are one of the factors that can affect the level of welfare. That is if a wage process is not carried out with the basis and purpose for the realization of welfare, of course, the party receiving the wages will find it difficult to achieve a prosperous life. Even because it is so important that the Government of Indonesia makes a law in the form of a Government Regulation (PP) that regulates and explains wages, namely PP Number 78 of 2015.

The link between wages and efforts to realize welfare is implicitly stated in Article 3 paragraph (1) PP number 78 of 2015 which states that "wage policies are directed at achieving income that meets a decent living for workers/laborers". The content of the article indicates that the rules outlined in the PP aim to make the system and process of determining wages able to make workers/laborers live a decent life. In simple terms, decent life is a description of the achievement of living welfare by workers/laborers.

The definition of worker/labor is also explained in PP Number 78 of 2015 concerning Wages Article 1 paragraph (2) as "everyone who works by receiving wages or other forms of remuneration".



Permanent journalists, both print media, sound media, as well as sound and image media are also part of the workers. The status of journalists as workers is legalized in the Regulation of the Minister of Information of the Republic of Indonesia Number 2 of 1998 Article (2) which states that "journalists are employees who do journalistic work". Linguistically, the word "work" implies that people who do work are called workers. As workers, journalists should still have the right to achieve a decent living through the wage system. However, in reality, based on the data information that the authors collected in this study, there are still many journalists who receive low wages and only a few receive living wages.

Research data shows that the wages received by permanent journalists who are the lowest respondents are Rp. 1,800,000.00 for permanent journalists from one of the print media in 2019 with a working period of 2 years and the highest is Rp. 3,000,000.00 which is received as a permanent journalist for online news with a working period of 1.5 years. The following is a list of wages received by permanent journalists and their tenure.

The wages received by the respondents mentioned above are basic wages and allowances. When viewed from the number of wages received by journalists, only three respondents whose wages were above the minimum wage for Central Java (Rp 1,605,396.00) and the minimum wage for the city of Semarang (Rp 2,498,587.00). Meanwhile, the wages of seven respondents, although they are above the Central Java UMP value, are still below the Semarang UMK value.

Ideally, the wage value of journalists who live and live in the city of Semarang should refer to the Decent Living Needs (KHL) of the City of Semarang. This is very common because, without the fulfillment of a decent standard of living through the wage system, the ideals of realizing the welfare of life for journalists remain very far from expectations. According to the author, problems related to the low value of journalists' wages are still caused by the following things:

- a. Unclear use of UMP and UMK references
- b. There are no clear working hours
- c. Unclear determination of the number of allowances





According to the author, the new, fairer wage formula is a remuneration system based on the quality of human resources (HR) or the expertise and skills of workers, in Article 8 of Law Number 40 of 1999 concerning the Press which explains that journalists in carrying out their profession receive legal protection.

This protection is intended to provide certainty of workers' rights related to work norms which include working time in the work agreement. This protection is a form of acknowledgment of the rights of workers as human beings who must be treated humanely by considering the welfare of workers which refers to the laws and regulations. (Samsul Wahidin, *Ethics and Legal Dimensions of Press Professionalism*, Pustaka Pelajar, 2012, Yogyakarta.) In addition, the presence of the Manpower Act is also a form of seriousness in the follow-up to the 1945 Constitution which impliedly wants workers in Indonesia to receive wages and social security. to have a decent life.

Based on the provisions of Article 88 of Law Number 13 of 2003 concerning Manpower, every worker/ laborer has the right to earn an income that fulfills a decent living for humanity. To realize an income that fulfills a decent living for humanity as referred to in paragraph 1, the Government shall establish a wage policy that protects workers/laborers.

The form of wage policy that protects workers/laborers is regulated in the provisions of Article 88 paragraph 3 of Law Number 13 of 2003 which consists of:

- a. Minimum wages.
- b. Overtime wages.
- c. Wages are absent from work due to absence.
- d. Wages are absent from work due to other activities outside of their work.
- e. Wages for exercising their right to work rest time.
- f. Form and method of payment of wages.
- g. Fines and deductions from wages.
- h. Things that can be calculated with wages.
- i. Proportionate wage structure and scale.
- j. Wages for severance pay.



k. Wages for calculating income tax.

Based on the writer's findings in the field related to the realization of journalists' wages, there are still problems where the wages received by journalists are still below the standard to realize the welfare of journalists. Some of the rights to wages and income outside of wages as well as the application of working hours seem not yet or even impartial to journalists. This situation is very risky for the sustainability of the role of the press because it can cause things that hinder or even contradict the realization of the role of the press. On the other hand, journalists are also unable to do anything because of the weak legal protection of the positions faced by journalists.

The weakness of the journalist's position in the context of legal protection is related to the work system he or she lives in. The absence of clear rules regarding the calculation of working hours has an impact on the vagueness of overtime hours so that journalists do not receive overtime wages.

The job of being a journalist who is tasked with finding information about an event cannot be equated with the work of factory or office workers. Factory or office workers/laborers have clear work activities in a matter of working hours. In contrast to journalists who often do not have a clear time when they start working to find news information.

As long as journalists do not find events or incidents that can be used as news material, it is as if journalists do not work because they just stand by and wait for information about an incident to be later covered as news. This condition is certainly confusing when viewed from the legal corridor of labor legislation relating to work agreements. R. Subekti stated that the work agreement is an agreement between individuals on one side and another party as an employer to carry out a job for a fee (Subekti 1985:63). Imam Soepomo believes that a work agreement is an agreement in which the first party, the worker, binds himself to work by receiving wages from the other party, the employer, who finds himself to work for the worker by paying wages. Agreement between a "labor" and an "employer" which agreement is marked by the characteristics, the existence of a certain wage or salary that was agreed upon and the existence of a relationship above (*dierstverhanding*), namely a relationship based on which one party (the



employer) has the right to give orders that must be obeyed by the other party (the worker). The clauses in the employment agreement that have been made by the media company must not conflict with the Manpower Act.

Unlike journalists, their work is not in the same location as the company that employs them. In addition, if there are no events or incidents that can be used as coverage, then journalists also cannot do something that can support the economic activities of the company where they work. Therefore, if the eight-hour working rule is applied in the work process of journalists looking for news, it will be very difficult for journalists and also detrimental to media companies. As a simulation, if journalists work according to the eight-hour work rule by entering at 08.00 and leaving at 16.00 then within that period the journalists do not get any coverage or the amount of coverage is less than the target, then the company will lose money because it will reduce the quantity which has an impact on decreasing news quality which can adversely affect advertising revenue. Media companies rely heavily on advertising to maintain the company's existence in the financial sector.

On the other hand, the unclear working hours rules have given rise to the assumption that it seems as if journalists work more than the eight-hour limit, which is not uncommon for journalists to finish reporting after the eight-hour rule ends, thus affecting the overtime status of the work they have done.

According to the author, referring to the aspect of legal protection, the unclear working hours are the trigger for the problems experienced by journalists. The demand for overtime pays and the assumption of better benefits stems from unclear working hours. In the agreement made between media companies and journalists, it is stated that the working hours are eight hours. However, the eight hours of work were not accompanied by an explanation from and until what time journalists worked.

Meanwhile, in the applicable law, the application of eight hours of work related to when it starts and when it ends is returned to the company. In general, print media companies have a deadline of around 21.00 to 22.00.



Meanwhile, an event can occur at any time regardless of the working time limit.

Weak conditions of workers/labor, among others, first, weak bargaining power (gaining power) of workers dealing with the owner of the company or industry. Second, the absence of a worker's organization that is sufficiently weighty and has the necessary qualifications as an institution to realize the aspirations and interests of the workforce. Third, government policies are still less responsive and accommodating to changes that occur in society. In addition, many factors cause the problem of the policy of determining living wages not being able to be implemented according to legislation, including socio-political conditions that are less supportive of the investment climate, the government is more secure in securing entrepreneurs than real needs, and the welfare of workers/laborers (Jaedin 2020; Sutedi 2009:vi).

Therefore, according to the author, it is necessary to have a legal umbrella that is devoted to protecting permanent and non-permanent journalists. This is important because of the importance of maintaining the quality of journalists' work to realize the role of the national press which is closely related to important aspects of governance and the life of the nation and state.

Philips M. Hadjon explained that legal protection is the protection of dignity and respect for human rights possessed by legal subjects in a legal state based on the legal provisions in force in that country to prevent arbitrariness. This legal protection is generally in the form of a written regulation so that it is more binding and will result in sanctions that must be imposed on those who violate it (Hadjon 1987:205). While Zaenal Asikin states that legal protection in the field of employment, namely the legal protection of the employer's ability fulfilled if legislation in the field of change that requires or force them to act like in the legislation is implemented all parties since the validity of the law can not be legally measured.

Protection of workers includes two things, namely protection from the power of employers and protection from the government (Wijayanti 2011:4, 38). Protection from the power of the entrepreneur is in the form of the entrepreneur's responsibility. This protection is based on the



principle contained in Article 1620 of the Civil Code (KUHPerdata) that the employer is obliged to regulate and maintain the rooms, equipment, or tools in which or with which he orders to do work. Employers as employers are responsible in the context of their professionalism as entrepreneurs, for the health and safety of the workers or workers they work for.

The legal protection strengthened by the Press Council above is very clear that what is protected is still related to the implementation of journalists' duties in reporting. Meanwhile, matters related to welfare through the wage system are not shown in the standard of legal protection for journalists. Even in the case of complaints, the Press Council does not provide legal protection for journalists. This can be seen from the contents of the Procedure for Complaints to the Press Council issued by the Press Council. In Complaints to the Press Council, journalists are only allowed to complain about the violence experienced while carrying out their journalistic duties. While related to wages, it is not included in the Procedure for Complaints to the Press Council.

Based on the explanation above, it can be seen that legal protection for journalists related to wages and welfare has not been hit because of the difference in the conception of journalists' work with the work conception of workers/laborers as referred to in the Manpower Law and the Government Regulation on Wages. Ideally, it is necessary to create a legal umbrella for the implementation of maximum legal protection for the economic, social, and technical aspects of permanent journalists so that they will be able to optimize work to achieve the maximum role of the press. This is also part of the effort to realize legal ideals as a reality in life and not just wishful thinking.

The ideals of law according to B. Arief Sidharta, are ideas, intentions, creativity, and thoughts regarding the law or perceptions of the meaning of the law, which in essence consists of three elements, namely justice, usability, and legal certainty (Sidharta 2011:201–2).

The ideal of law is formed in the minds and hearts of humans as a product of the integration of views of life, religious beliefs, and social realities projected into the process of judging the behavior of citizens which embodies the three elements of the aforementioned ideals of law. Legal Studies that study the legal order as an intellectual means to understand



and implement the legal order, in its implementation, should also rely on and refer to the ideals of the law.

## **Conclusion**

Based on the descriptions in the previous chapters, it can be concluded as follows:

First, the implementation of wages and welfare of journalists is not fully by Law Number 13 of 2003 concerning Manpower and Government Regulation Number 78 of 2015 concerning Wages. The cause of the chaotic wage system is the aspect of journalists and media companies. Problems that originate from journalists cannot be separated from the fading understanding of the conception of journalists and their consequences. As a result, for most journalists (who are the sample and research respondents) journalistic activity is no longer a series of activities that are coded with ethics but a work process that ends in earning income or wages. Meanwhile, in the company aspect, the absence of firmness in setting limits on the work system which includes working hours and the determination of benefits transparently further helps in disguising the professionalism of journalists as workers with a code of ethics. Not a few entrepreneurs in setting wage policies only look at the company's ability, wage standards in the Semarang media company environment and based on the skills possessed by journalists.

Second, legal protection for permanent journalists related to wages and welfare has not been hit because of the difference in the conception of journalists' work with the work conception of workers/laborers as referred to in the Manpower Act and Government Regulations concerning Wages. Ideally, it is necessary to create a legal umbrella for the implementation of maximum legal protection for economic, social, and technical aspects based on the work characteristics of permanent journalists so that they will be able to optimize work to achieve the maximum role of the press.

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