

PROSPECTUS OF SALARY/WAGE SUBSIDY POLICY FOR WORKER WELFARE IMPROVEMENT DURING COVID-19 PANDEMIC

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Abstract

Indonesia officially stipulates Corona Virus Disease 2019 (Covid-19) as a health emergency with the issuance of Presidential Decree No. 11 of 2020. The employment sector is affected by the Covid-19 pandemic. The government issued PMK (Minister of Manpower Regulation) No. 14 of 2020 as an effort to realize the national economic recovery program and improve worker welfare. This law writing aims to analyze the urgency and implementation of the policy of providing salary/wage subsidies for workers affected by Covid-19 and to find out the existence (prospectus) of the policy in the future. This research is a doctrinal law research with a conceptual approach and statute approach. The researchers conducted an analysis of secondary data, both in the form of primary legal materials, secondary legal materials, and tertiary legal materials. The analysis was carried out in a descriptive-qualitative. The results of the research showed that the salary/wage subsidy policy was implemented with the applicable terms and conditions as stipulated in PMK No. 14 of 2020. In the implementation, the policy was aligned with the participation of workers in the BPJS Employment. This policy is a fairly appropriate solution related to the economic recovery of the community during a pandemic. It can be a model for similar policy making in facing pandemic in the future

Keywords: *Policy; Subsidy; Salary/Wages; Worker; Covid-19*

INTRODUCTION

Indonesia is a state of law (vide Article 1 of the 1945 Constitution of the Republic of Indonesia)¹. Regarding the principle of a rule of law adhered to by Indonesia, Maria Farida Indrati Soeprapto argued that Indonesia adheres to the concept of a “management law state” (*verzorgingstaat*). The meaning contained in *verzorgingstaat* is a welfare law state or the concept of a welfare state or commonly called a material law state². The

¹ Nurwita Ismail, “Impeachment In The State System,” *Substantive Justice: International Journal of Law* 1, no. 1 (2018): 46–55.

² Hermanus Hattu et al., “Supervision Function Of Parliament Of The Republic Of Indonesia: A Legal Analysis Of Government Regulation In Lieu Of Law,” *International Journal of Scientific & Technology Research* 5, no. 02 (2016): 150–54. the President shall be entitled to stipulate a government regulation in lieu of law. Then, the government regulation shall be approved by the House of People’s Representative in the subsequent meeting. As it turns out in practice, however, it has certain weaknesses, particularly in view of the accountability and legitimacy aspects of its

concept of a welfare law state is emphasized in the Preamble to the 1945 Constitution of the Republic of Indonesia (UDN NRI 1945) stating that “therefore the independence of Indonesia shall be formulated into a constitution of the Republic of Indonesia which shall be built into a sovereign state based on a belief in the One and Only God, just and civilized humanity, the unity of Indonesia, and democratic life led by wisdom of thoughts in deliberation amongst representatives of the people, and achieving social justice for all the people of Indonesia.”³

Welfare state is a state concept in which the state takes a significant role in realizing the welfare of the people by providing services and needs of its people in certain portions⁴. The concept of the welfare state was born as a result of the failure of the concept of the legal state or night watch state (*nachtwakerstaat*)⁵. In the economic sector the state is prohibited from interfering in the economic affairs of the community (*staatsbemoeienis*)⁶. Furthermore, Muntoha stated, “in the concept of a welfare or prosperity state, the state is required to expand the responsibility for the socio-economic problems faced by the people at large, the personal role in controlling the livelihood of the people is eliminated.”⁷

The regulations regarding the rights of citizens/people in the concept of welfare are contained in Article 28H paragraph (1) to paragraph (3) of the 1945 Constitution of the Republic of Indonesia stating that⁸:

- (1) Everyone has the right to live in physical and spiritual prosperity, to have a place to live and to have a good and healthy living environment and the right to obtain health.
- (2) Everyone has the right to obtain special facilities and treatment to receive the same opportunities and benefits in order to achieve equality and justice.

establishment. This research was conducted by using normative legal research, a theoretical studies on the legal aspects of a rule of law includes a process to make the rule of law, principles of law, as well as legal doctrines in order to answer the legal issue at hand. Data collecting techniques consisted of a literature study, observation, interview, and questionnaire. In this study, data collection techniques used was in-depth interviews against the informant and literature study. The results of the research indicated that to implement the people's sovereignty, Parliament is equipped with 3 (three

³ Andy Omara, "The Functions of the 1945 Constitutional Preamble," *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 31, no. 1 (May 2, 2019): 140–56, doi:10.22146/jmh.30076.

⁴ Jacob S. Hacker and Paul Pierson, "Business Power and Social Policy: Employers and the Formation of the American Welfare State," *Politics & Society* 30, no. 2 (June 2002): 277–325, doi:10.1177/0032329202030002004.

⁵ Aga Natalis, "Urgensi Kebijakan Penyelenggaraan Anggaran Pendapatan dan Belanja Daerah dalam Mewujudkan Kesejahteraan Perempuan," *Pandecta Research Law Journal* 15, no. 1 (June 15, 2020): 64–73, doi:10.15294/pandecta.v15i1.23205.

⁶ Winda Roselina Effendi, "Konsep Welfare State Di Indonesia," *Jurnal Trias Politika* 1, no. 1 (April 1, 2017): 171-83, doi:10.33373/jtp.v1i1.722. the phenomenon of economic capitalism that gradually leads to lameness in the distribution of sources of prosperity. In the Welfare State concept, the state is required to extend its responsibility to the socio-economic problems facing the people. The functions of the state also include activities that were previously beyond the scope of state functions, such as extending the provision of social services to individuals and families in specific matters, such as social security. The role of the state can not be separated with Welfare State because the state that plays a role in managing the economy which includes the responsibility of the state to ensure the availability of basic welfare services in certain levels. Welfare State does not reject the existence of a capitalist market economy system but believes that there are elements in the public order that are more important than market objectives and can only be achieved by controlling and limiting the operation of such market mechanisms.", "container-title": "Jurnal Trias Politika", "DOI": "10.33373/jtp.v1i1.722", "ISSN": "2597-7423, 2597-7431", "issue": "1", "journalAbbreviation": "Jurtripol", "language": "id", "page": "171-183", "source": "DOI.org (Crossref

⁷ Esra Dunder Aravacı, "Social Policy and the Welfare State," in *Public Economics and Finance*, ed. Bernur Açık-göz (IntechOpen, 2019), doi:10.5772/intechopen.82372.\\uc0\\u8220\\u201cSocial Policy and the Welfare State,\\uc0\\u8221\\u201d in \\i\\Public Economics and Finance\\, ed. Bernur A\\uc0\\u2311\\u305\\kg\\uc0\\u246\\z (IntechOpen, 2019)

⁸ Leli Tibaka and Rosdian Rosdian, "The Protection of Human Rights in Indonesian Constitutional Law after the Amendment of the 1945 Constitution of the Republic of Indonesia," *FIAT JUSTISIA: Jurnal Ilmu Hukum* 11, no. 3 (February 28, 2018): 266–88, doi:10.25041/fiatjustisia.v11no3.1141.

(3) Everyone has the right to social security that enables their complete development as a dignified human being.

Article 34 paragraph (2) and (3) of the 1945 Constitution of the Republic of Indonesia also emphasizes that Indonesia adheres to the concept of a welfare state. This provision regulates the responsibility of the state to fulfill the rights to the welfare of people⁹. The state is obliged to develop a social security system for all the people and empower the weak and underprivileged people according to human dignity. The state is also responsible for investigating appropriate health care facilities and public service facilities¹⁰.

The indicators of people's welfare can be determined by various factors, such as worker welfare. In order to ensure the welfare of workers, the government established the Employment Social Security Administration (BPJS employment) based on Law Number 24 of 2011 concerning Social Security Administering Bodies (BPJS law) and Regulation of the Minister of Manpower Number 7 of 2017 concerning the Indonesian Workers' Social Security Program (PMK No.7 of 2017)¹¹.

The worker welfare is very important to be pursued and realized even in extraordinary or emergency situations. An extraordinary or emergency is a situation that does not work as usual, but the state, through the government, is obliged to guarantee the security and welfare of its citizens, including worker welfare. BPJS Employment aims to provide basic guarantees for the fulfillment of the basic needs of workers or laborers.

In early 2020, the world was shocked by the new outbreak from Wuhan, Hubei Province. Covid-19 affects humans or human-to-human transmission through contact, droplets and air bones is the result of contracting the Covid-19 virus. Furthermore, it spread quickly to 190 countries and territories¹². On March 11, 2020, the World Health Organization (WHO) announced the Covid-19 virus as a pandemic state. This is based on the finding that SARS-CoV-2 was highly contagious causing an international public health emergency, as stated by WHO¹³. Furthermore, Indonesia followed WHO's steps by issuing Presidential Decree No.11 of 2020 concerning the Determination of Public Health Emergencies for Corona Virus Disease 2019 (Keppres No. 11 of 2020) and Presidential Decree Number 12 of 2020 concerning the Designation of Non-Natural Disaster for the Spread of Corona Virus Disease as a National Disaster (Keppres No. 12 of 2020)¹⁴.

The spread of the Covid-19 virus is very fast, resulting in the world's death rate continuing to increase. Not only has an impact on public health and mortality rates,

⁹ Luthfi Widagdo Eddyono, "The Unamendable Articles of the 1945 Constitution," *Constitutional Review* 2, no. 2 (February 6, 2017): 252–69, doi:10.31078/consrev225.

¹⁰ Gijssbert Vonk and Marius Olivier, "The Fundamental Right of Social Assistance: A Global, a Regional (Europe and Africa) and a National Perspective (Germany, the Netherlands and South Africa)," *European Journal of Social Security* 21, no. 3 (September 2019): 219–40, doi:10.1177/1388262719867337. we have looked at this right from a global, a regional (Europe and Africa

¹¹ Ika Widiastuti, "Pelayanan Badan Penyelenggara Jaminan Sosial (bpjs) Kesehatan Di Jawa," *Public Inspiration* 2, no. 2 (2017): 91–101.

¹² Ye Yi et al., "COVID-19: What Has Been Learned and to Be Learned about the Novel Coronavirus Disease," *International Journal of Biological Sciences* 16, no. 10 (2020): 1753–66, doi:10.7150/ijbs.45134. caused by severe acute respiratory syndrome (SARS

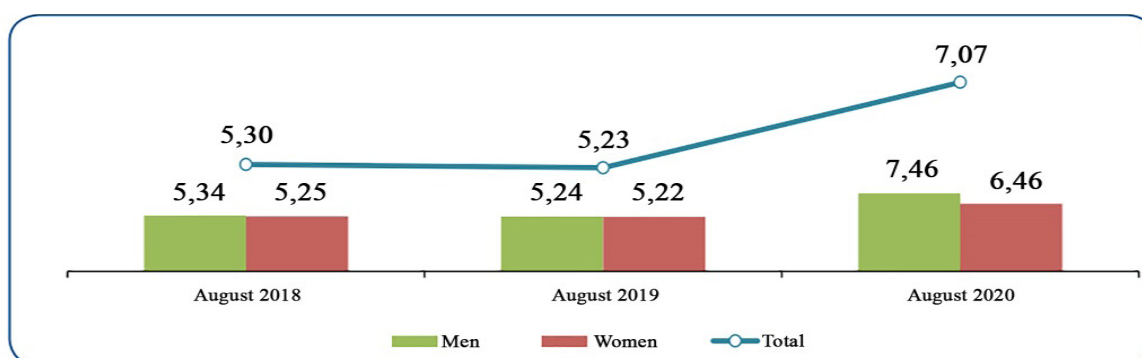
¹³ Valda Shabrina Rahma and Gilang Fadhilia Arvianti, "The Impacts of Covid-19 Pandemic in Indonesia and China's Hotel Industry: How to Overcome It?," *Jelajah: Journal Tourism and Hospitality* 2, no. 1 (2020): 55–64.

¹⁴ Dalinama Telaumbanua, "Tinjauan Yuridis Penetapan Kedaruratan Kesehatan Masyarakat Akibat Covid-19," *Jurnal Education and development* 8, no. 2 (2020): 30–36.

the Covid-19 pandemic also has an impact on the world economy, many companies or agencies cannot survive a pandemic like this. This condition makes companies have to forcibly terminate employment relations with workers or even go out of business, causing an increase in the unemployment rate¹⁵.

The International Labor Organization (ILO) estimated that the global unemployment rate would increase between 5.3 million and 24.7 million in 2020. In particular, in Indonesia, there has also been an increase in the number of unemployed¹⁶

Figure 1. Data on the Percentage of Unemployment in Indonesia



Source: Central Bureau of Statistics Data 2020

In August 2020, the open unemployment rate in Indonesia was 7.07 %, an increase of 1.84 % compared to August 2019's data. Pandemic conditions also affect the number of poor people in Indonesia. Based on data from the Indonesian Central Statistics Agency (BPS), in September 2020 the number of poor people in Indonesia reached 27.55 million people. This increased by 1.13 million people compared to March 2020 and increased by 2.76 million people compared to September 2019.

Based on the data, the pandemic has had a huge effect on the world economy (including Indonesia) and an impact on workers. Workers who are working full time or part time with not full salary/wages have felt the greatest feeling of this pandemic. They have lost their jobs or they were forced to be laid off. Such conditions make workers increasingly depressed and experience a decline in welfare.

Given to the situation, the government has made many efforts to ensure the welfare of workers, such as by issuing a public policy in the form of Minister of Manpower Regulation No. 14/2020 (PMK No. 14 of 2020) concerning Guidelines for Providing Government Assistance in the form of Salary/Wage Subsidies for Worker/Labor in Handling the Impact of Corona Virus Disease 2019 (Covid-19). This Ministerial Regulation is an implementing regulations of Government Regulation Number 23 of 2020 concerning the Implementation of the National Economic Recovery Program (PP No. 23 of 2020). Article 2 PMK No. 14 of 2020 conceptualizes government assistance in the form of a salary/wage subsidy for workers that aims to protect, maintain and increase the economic capacity of workers in dealing with the impact of Covid-19¹⁷.

¹⁵ Riyanti Djalante et al., "Review and Analysis of Current Responses to COVID-19 in Indonesia: Period of January to March 2020," *Progress in Disaster Science* 6 (April 2020): 100091, doi:10.1016/j.pdisas.2020.100091.

¹⁶ International Labour Organization, "Almost 25 Million Jobs Could Be Lost Worldwide as a Result of COVID-19, Says ILO," *International Labour Organization*, 2020, https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_738742/lang-en/index.htm.

¹⁷ Dyah Ochtorina Susanti and Siti Nur Shoimah, "Synergy of Central and Regional Government Policies to Entrepreneurs to Revive the National Economy in the New Normal Era," *NOTARIL Jurnal Kenotariatan* 5, no. 2

PMK No. 14 of 2020 is a public policy, in which according to A. Hoogerwert, it always contains important elements as politics for certain goals according to a certain time. This is in line with Anderson's opinion that defines public policy as the relationship between government units and their environment¹⁸.

Public policies can be issued not only in normal circumstances, but also in emergencies. PMK No. 14 of 2020 is a policy issued in an emergency because it is determined in situations or abnormal events that occur suddenly and can interfere with activities that need to be addressed. Article 12 of the 1945 Constitution of the Republic of Indonesia regulates that the President declares a state of danger, the conditions and consequences of a state of danger are stipulated by law. Then Article 22 of the 1945 Constitution of the Republic of Indonesia emphasizes that in the event of an emergency that forces the President to stipulate government regulations in lieu of laws.

It is the first time that Indonesian government has issued a public policy related to subsidizing salaries/wages for workers. Pros and cons emerged in response to the government's policy. Policy support groups welcomed the policy because it is considered a temporary solution to overcoming the economic problems of workers during the pandemic. The contra group argues that this policy does not provide a solid foundation for improving the welfare of workers. Besides, the contra group also criticize the distribution mechanism that is coupled with BPJS Employment. This is based on the fact that many workers in Indonesia have not participated in BPJS Employment, especially workers in the informal sector. Wibi Pangestu Pratama said that 45.15 % of Indonesian workers had not been covered by BPJS Employment.

Based on this description, the problem in this research is the urgency of implementing PMK No. 14 of 2020 is related to the provision of salary/wage subsidies for workers and in times of a pandemic and the second problem related to the prospectus of such a policy will be enacted in the future. Along with these problems, the main aim of this research is to analyze the urgency and implementation of the policy of providing salary/wage subsidies for workers affected by Covid-19 and to determine the existence (prospectus) of this policy in the future. The results of this research will serve as recommendations for the implementation of the policy of subsidizing salaries/wages for workers in the future pandemic.

The methodology was a scientific discipline that pertains to defining and systematizing methods, that was appropriate ways of discerning the subject of investigation. This research combined doctrinal research and non-doctrinal research. Doctrinal legal research used conceptual approach, and statute approach. It was conducted by searching and analyzing legal materials, both primary legal sources, secondary sources, and tertiary sources. Non-doctrinal legal research used a qualitative approach. Non-doctrinal legal research was presented by collecting and analyzing primary data obtained from interviews and observations. The data and materials would be analyzed in qualitative method and describe with descriptive analysis¹⁹.

(November 24, 2020): 70–80, doi:10.22225/jn.v5i2.2571.

¹⁸ Adam A. Anyebe, "An Overview of Approaches to the Study of Public Policy," *International Journal of Political Science* 4, no. 1 (2018): 8–17, doi:10.20431/2454-9452.0401002.

¹⁹ Kadek Cahya Susila Wibawa and Sri Nurhari Susanto, "Establishing A Special Autonomy Model In Bali As A Means Of Preserving Hindu Balinese Culture And Space," *International Journal of Scientific & Technology Research* 9,

DISCUSSION

The Urgency of Regulating Salary and Wage Subsidies for Workers Affected by the Covid-19 Pandemic

The welfare state must be accompanied by national development. National development can be presented in various sectors, including the manpower sector. The welfare of the workforce is important because if the workers are prosperous, it will affect various aspects²⁰. Article 1 point 31 of Law Number 13 Year 2003 concerning Manpower (Labor Law) explains that the welfare of worker/labor is a fulfillment of physical and spiritual needs and/or needs, both inside and outside the work relationship, that can directly enhance work productivity in a safe and healthy work environment²¹.

Workers' welfare must be guaranteed under any circumstances, including extraordinary circumstances, such as the current situation during the Covid-19 pandemic. Paralysis in the world of employment has afflicted various sectors. Some of the sectors most affected by the Covid-19 pandemic include: the processing industry with 290,500 workers. The next sector was the wholesale and retail trade of 183,100 workers affected, construction of 132,100 workers affected, and the provision of food and drink accommodation for 130,400 workers affected. Meanwhile, the sector whose workers were the least affected was the provision of electricity and gas of 2,200 workers. This situation certainly has an impact on the economic instability of workers. It burden them to survive amid a health emergency situation.

Based on this case, a response to state financial and fiscal policies is needed to deal with the risk of the Covid-19 pandemic, including increasing spending to mitigate health risks, protect the public, and maintain business activities. Pressure on the financial sector affects the state revenue and expenditure budget (APBN) in the 2020 fiscal year, especially the financing sector.

In response to such state financial conditions, the government issued Government Regulation in lieu of Law Number 1 Year 2020 concerning State Financial Policy and Financial System Stability for Handling the Corona Virus Disease 2019 (Covid-19) Pandemic and/or in the context of Facing Threats that Endanger the Economy National

no. 04 (2020): 1609–14. \\uc0\\u8221{ } \\i{ } International Journal of Scientific & Technology Research } 9, no. 04 (2020)

²⁰ Dunder Aravacik, "Social Policy and the Welfare State." \\uc0\\u8220{ } Social Policy and the Welfare State. \\uc0\\u8221{ }", plainCitation: "Dunder Aravacik, "Social Policy and the Welfare State."", noteIndex: 19, "citationItems": [{"id": 1045, "uris": ["http://zotero.org/users/local/h7uScc9k/items/FTHEGQRC"], "uri": ["http://zotero.org/users/local/h7uScc9k/items/FTHEGQRC"], "itemData": {"id": 1045, "type": "chapter", "abstract": "The developments and changes in the social life have led to change in the social needs. Therefore, problems and their solutions also change. The industrial revolution which realized in the eighteenth century had some important impacts not only on the economic life but also on social structure. It was aimed to solve social problems and ensure prosperity through social policies, which is a multidisciplinary field, and consequently, the concept of welfare state emerged. The states, which had liberal concerns and traditional protection functions and reached a powerful position with their internationalist approaches, underwent a transformation period because of the economic and social developments which took place in the last quarter of the twentieth century. It has been subject of criticism that states increased the social expenses to satisfy the social needs and therefore caused an economic crisis in this period when the effects of globalization were discussed. In this study, the change and transformation process in the welfare states and their social policies at the global scale will be handled conceptually and from the historical development perspective. Making determinations about the past and present, as well as having assumptions for future, this study aims to contribute to literature."}, "container-title": "Public Economics and Finance", "ISBN": "978-1-78984-794-9", "language": "en", "note": "-DOI: 10.5772/intechopen.82372", "publisher": "IntechOpen", "source": "DOI.org (Crossref"}]

²¹ Rizma Afian Azhiim and Gema Ramadhan Bastari, "A Disciplined Freedom: The Paradox of Labour Rights in Post-Reformasi Indonesia," *PCD Journal* 7, no. 1 (May 9, 2019): 1–25, doi:10.22146/pcd.36026.

and /or Financial System Stability (Perpu No.1 of 2020). The Legislation (*Perpu*) is a strong legal basis for the emergence of Government Regulation Number 23 Year 2020 juncto Government Regulation Number. 43 of 2020²².

Establishment of Government Regulation Number 23 Year 2020 juncto Government Regulation Number. 43 Year 2020 is a policy response to health emergencies in Indonesia as a result of the spread of the Covid-19 virus. The two government regulations are stipulated for the recovery of the national economy as part of the state financial policy implemented by the government to accelerate the handling of the Covid-19 pandemic and/or face threats that endanger the national economy and/or financial system stability as well as save the national economy. Besides, the policy also aims to protect, maintain and increase the economic capacity of business actors in carrying out their business²³.

PMK No. 14 of 2020 determined as one of the efforts to realize the spirit of Government Regulation Number 23 of 2020 and Government Regulation Number 43 of 2020. PMK No. 14 of 2020 was issued as a public policy based on the consideration that Indonesia adheres to the concept of a welfare state. Welfare is an important matter and needs to be guaranteed its rights by the state. The Indonesian government has a big role to play in creating welfare for its people. This means that the state is fully responsible for providing basic services to its citizens so that their citizens are prosperous, including the welfare of workers.

Article 3 PMK No. 14 of 2020 specifies the requirements for workers who are eligible for government assistance, including: being registered as active participants of BPJS Employment (membership until June 2020); a worker/labor who receives a salary/wage; and is an active participant in the employment social security program who pays contributions with the amount of contribution calculated based on a salary/wage below IDR 5,000,000 (five million rupiah) according to the latest salary/wages reported by the employer to BPJS Employment and recorded in BPJS Employment; and have an active bank account.

The requirement to involve BPJS Employment is based on the fact that BPJS Employment data are considered the most accurate and complete. Thud, it is accountable and valid for use by the government as a basis for providing subsidy assistance quickly and on target. The accuracy of worker data validation is very important because the accuracy of the target of this program depends on the verification of data carried out by BPJS Employment. In addition, the government needs to give appreciation to worker/labor who have been registered and are actively paying BPJS Employment contributions. This is also a momentum to increase the participation of social security for workers as part of the transformation efforts towards an advanced Indonesia.

²² Abdul Madjid, Triya Indra Rahmawan, and Mohamad Jainuri, "Indicators of Regulatory Legal Immunity Rights in the Perspective of the Indonesia State Constitution," *International Journal of Multicultural and Multireligious Understanding* 8, no. 3 (March 8, 2021): 405–14, doi:10.18415/ijmmu.v8i3.2480. there is a concept called emergency constitutional law. Emergency law is a law that is deliberately enacted in and for emergencies, namely conditions that are narrow and precarious, very dangerous situations. This research is normative juridical research (normative legal research)

²³ Desy Tri Anggarini and Ani Rakhmanita, "Government Policies for Economic Recovery and Handling COVID -19 Virus in Indonesia," *Moneter - Jurnal Akuntansi Dan Keuangan* 7, no. 2 (October 2, 2020): 140–46, doi:10.31294/moneter.v7i2.8548.

Furthermore, in PMK No. 14 of 2020 stipulates that assistance for worker/ laborer is provided in the form of money of IDR 600,000 (six hundred thousand rupiah) per month for 4 (four) months. In that sense, the Government will provide a salary subsidy to the affected worker/laborer Year IDR 2,400,000 (two million four hundred thousand rupiah) per four months. Government assistance provided was issued based on the number of worker/laborer who meet the requirements and budget availability at the Ministry of Manpower.

In terms of procedures for providing assistance, in Article 5 to Article 9 PMK No. 14 of 2020, government assistance in the form of salary/wage subsidies is carried out by going through a long process based on data that has been verified and validated by the authorized official. After the data are complete, recipients of government assistance in the form of subsidized salaries/wages will receive the assistance gradually with the aim that workers remain prosperous and can increase the buying and selling rate in the midst of a health emergency. In the implementation, there were several problems related to the distribution of government assistance, including: problems related to the accuracy of the data; workers' accounts had not been deposited by the company to the government; overdue account data validation; problems related to interbank transfers; gradual disbursement of aid; workers did not pass verification.

Prospectus of Salary/Wage Subsidy Policy for Workers Affected by a Health Emergency in the Future

The policy of government assistance in the form of salary/wage subsidies for worker/ laborer can be considered to be very new because this policy was established during the Covid-19 pandemic. Health emergencies such as Covid-19 require the government to take responsive action to save people from adversity.

Despite the various weaknesses in its implementation, the policy has a good prospectus to be enforced in the future in an emergency. The policy as stated in PMK No. 14 of 2020 directly or indirectly provides an increase in welfare for workers even though it is temporary.

The policy of government assistance in the form of subsidized salaries/wages for worker affected by Covid-19 can be a reference for their future existence after evaluating and making updates to improve the substance of the policy. This policy can be accepted to be reinstated in an emergency because if it is based on the theory of the legal system proposed by Lawrence Friedman, the policy is substantially, structurally sufficient to realize a good regulation. This is supported by a legal culture, where the community accepts and welcomes the policy.

Evaluation of these policies is conducted to improve their implementation in the future. Evaluation of public policies is a critical and important stage of the policy process, because this process will involve not only evaluators from academia and practitioners, but also involve other components of society, thus creating conditions where there is no distance between public policy and society.

This is necessary to bring the policy closer to the realization of the value of justice, the value of certainty, and the value of benefit. A good policy or regulation should embody the three basic values of the law. Gustav Radbruch wrote that in law, there are 3 (three)

basic values that should be realized, as follower: (1) *justice (gerechtigkeits)*; (2) *benefit (zweckmassigkeit)*; and (3) *legal certainty (Rechtssicherheit)*.

Several changes that need to be evaluated include: the legal product of the policy should be raised to the level of Government Regulation or included in the Manpower Act or the Job Creation Act. This position will have a stronger and more certain power. The urgency to increase the position of legal products is related to the government's obligation to implement these policies. In addition, it is also necessary to review the amount of government assistance or salary subsidies given. It needs to be constructed so that there are provisions related to inflation and the amount of government assistance. The expansion of recipients of government assistance also needs to be regulated, because there are groups of workers who have not been accommodated in the policy, such as informal workers or homeworkers.

The authority to collect data on recipients of government assistance must be confirmed and strengthened. Thus, they can take action in an emergency. The authority for data collection also needs to involve stakeholders outside the BPJS Employment. It is necessary to involve the private sector and the community in the data collection process. Stakeholders also need to be involved in monitoring and evaluation. Supervision is the process of observing the implementation of all organizational activities to ensure that all work that is being carried out goes according to a predetermined plan. The monitoring process can determine the extent of irregularities, abuse, leakage, waste, fraud, and other obstacles in the future²⁴.

Monitoring and evaluation must be used to fulfill the principles of openness and accountability. Thus, the implementation of these policies can bring good governance. Ganie-Rochman argued that the concept of "government" refers to a management organization based on the highest authority (state and government). The concept of "governance" involves not only the government and the state, but also the roles of various actors outside the government and the state, so the parties involved are also very broad²⁵. Good governance is basically a concept that refers to the process of achieving decisions and their implementation that can be accounted for collectively²⁶. As a consensus

²⁴ Iyan Mugni Nugraha and Gunardi Judawinata, "Tourist Village Portrait (Case Study in Kampung Tajur, Desa Pasanggrahan, Kecamatan Bojong, Kabupaten Purwakarta)," *Journal of Business on Hospitality and Tourism* 5, no. 2 (December 16, 2019): 277–84, doi:10.22334/jbhost.v5i2.152. this area has beautiful natural scenery and cool air so that it has the potential to be used as a tourist destination. The purpose of this study is to find out the sustainability of Kampung Tajur as a tourist destination by conducting portraits wisely and based on relevant socio-economic theories. The design used is qualitative with a case study method. The results of the study show that based on the history of the chronicle and its development, Kampung Tajur has potential and has long been projected as a tourist destination. Based on their performance, Kampung Tajur tends to be categorized as a Tourism Village. Kampung Tajur is managed by the local community and the Tourism Driving Group. The Kampung Tajur management system tends to use the Top-down approach. The Kampung Tajur has several positive impacts on the economic and socio-cultural life of its people and has a negative impact, namely the decrease in the level of community harmony due to inequality in income. The sustainability of Kampung Tajur as a Tourism Village is poorly maintained due to several development efforts that tend to be less than optimal,"container-title": "Journal of Business on Hospitality and Tourism", "DOI": "10.22334/jbhost.v5i2.152", "ISSN": "2527-6921, 2527-9092", "issue": "2", "journalAbbreviation": "JBHOST", "language": "en", "page": "277-284", "source": "DOI.org (Crossref

²⁵ Ahmed Mohammad Abdou, "Good Governance and COVID-19: The Digital Bureaucracy to Response the Pandemic (Singapore as a Model)," *Journal of Public Affairs*, March 7, 2021, 1–10, doi:10.1002/pa.2656.

²⁶ Sri Winarsi and Dwi Kristianti, "Village Fund Management in the Perspective of State Finances for the Purpose of Rural Community Empowerment," in *Proceedings of the International Conference on Law, Governance and Globalization 2017 (ICLGG 2017)* (International Conference on Law, Governance and Globalization 2017 (ICLGG 2017), Surabaya, Indonesia: Atlantis Press, 2018), doi:10.2991/iclgg-17.2018.36. allocations of State Budget, part of local tax and Regency / City retributions, allocation of village funds that are part of balance fund received by Regency / City, financial assistance from the Provincial Budgets and Regency / City Budgets, non-binding grants and donations from

reached by the government, citizens (society), and the private sector for governance in a country. The main key to understanding good governance is understanding the principles²⁷.

CONCLUSION

From the description above, it can be concluded that the policy of providing government assistance in the form of subsidized salaries/wages for workers is a new policy made by the Indonesian Government in facing of the Covid-19 pandemic. This policy is part of the government's efforts to improve the welfare of workers in times of health emergencies. PMK (Minister of Manpower Regulation) Number. 14 of 2020 is a policy that embodies the concept of a welfare state as adopted by Indonesia.

The policy has good prospects for future implementation in a health emergency. Various evaluations and changes are required to be carried out to further optimize the purpose of implementing the policy. Evaluations and changes that can be made include: the legal product of the policy, expanding the target of workers, calculating the amount of government assistance, affirming authority, involving the community in monitoring and evaluating programs. The involvement of the community and stakeholders in planning, implementing, monitoring and evaluating programs will create good governance in the administration of government assistance.

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third parties, and other legitimate village revenues. The existence of various sources of village finance is very closely related to the financial system of the State, resulting in legal issues related to the model of financial decentralization applied to the village, the procedure of allocating revenues and expenditures, legal status and accountability of the Village Head as the recipient of revenue allocation. This research is normative law research through library research. This study was conducted by studying the conceptual approach of village financial management that requires the support of empirical data. It then combines the basic concepts with statute approaches and the implementation of budgeting activities for the use of village funds in village government. These steps are expected to answer the research problems and realize the purpose of this study." "container-title": "Proceedings of the International Conference on Law, Governance and Globalization 2017 (ICLGG 2017

²⁷ Kadek Cahya Susila Wibawa, "Urgensi Keterbukaan Informasi dalam Pelayanan Publik sebagai Upaya Mewujudkan Tata Kelola Pemerintahan yang Baik," *Administrative Law and Governance Journal* 2, no. 2 (June 11, 2019): 218–34, doi:10.14710/alj.v2i2.218-234. The government carries out three main duties, namely: organizing government, carrying out development, and holding public services. State that is required to attend to serve every citizen and citizen to fulfill the rights and basic needs of the community under government approval, accept the mandate of the UUD NRI 1945 (Constitution of the Republic of Indonesia

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