Indonesian Trade Unions' Strategic Response to Unilateral Employment Termination during the COVID-19 Pandemic in Bekasi City/Regency

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Abstract

This article investigates the resistance efforts of the All Indonesia Chemical Energy and Mining Workers Union (SP KEP SPSI) Bekasi in advocating for changes in cases of unilateral employment termination (PHK) at PT. Matahari Alka during the 2021 Covid-19 pandemic. This research primarily focuses on the analysis of SP KEP SPSI Bekasi's strategies and their success in challenging unilateral layoffs at PT. Alka Sun. Employing a qualitative approach, along with interviews conducted with SP KEP Bekasi Branch and Work Unit administrators within the company, this study, guided by Calvin Mackenzie's interest group strategy theory and Douglas McAdam's social movements theory, generates significant insights. The resistance undertaken by SP KEP SPSI Bekasi was rooted in the company's violations against workers, including unilateral layoffs that diverged from collective work agreement (PKB) provisions, non-payment of wages, and the prohibition of union activities. SP KEP SPSI's strategy encompassed demonstrations, lobbying of relevant authorities, and dialogue-based negotiations. The success of SP KEP SPSI Bekasi's strategy was closely linked to factors such as solidarity, which served as a foundation for strengthening the organization during these mobilizations, the union's capacity to motivate its members, and the formation of alliances.

Keywords: Labor Movement; Unilateral Layoff; SPSI Bekasi; Employment.


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INTRODUCTION

The development of issues fought by labor groups always follows the needs of a particular era (Zuhdan, 2014), one of which was during the COVID-19 pandemic. There were many problems during the Covid-19 pandemic which had a major impact on the welfare of labor groups, one of which was the massive explosion of layoffs. Layoffs are a situation where workers no longer work for the company because the employment relationship between them is terminated, or is no longer renewed (Saydam, 2000). This situation is a nightmare for workers because it impacts the survival of them and their families, especially amid the COVID-19 pandemic.

According to the International Labor Organization (ILO), the explosion in layoffs that occurred during the COVID-19 pandemic was a consequence of the implementation of policies limiting social mobility. Apart from that, the decline in company productivity due to the lack of demand in the market has also become a pressure factor for entrepreneurs to cut the number of workers to increase production cost efficiency. (ILO, 2021). The impact of the COVID-19 pandemic on the increase in the number of layoffs in Indonesia can also be considered extraordinary. Based on data from the Indonesian Ministry of Manpower in April 2020, around 241,431 people from 41,336 companies were laid off. As of July 2020, the Indonesian Ministry of Manpower recorded that the number of layoffs in Indonesia had increased to 380,000 people. This means that the number of layoffs in Indonesia has increased significantly compared to the number of layoffs in 2019 which reached 18,911 people. (Gift, 2022).

Termination of Employment (PHK) can be the final solution taken by entrepreneurs if the COVID-19 pandemic has a direct negative effect on the continuity of their business. However, layoffs must be based on a joint decision between employers and workers through bipartite dialogue with the government. This is even explicitly explained in the Decree of the Minister of Manpower of the Republic of Indonesia (Kepmenaker) Number 104 of 2021 concerning Guidelines for Implementing Employment Relations During the 2019 Corona Virus Disease (Covid-19) Pandemic in CHAPTER 2 part C paragraph 1 which reads:

“Employers, workers/laborers, trade unions/labor unions, and the Government must seek dialogue to find the best solutions to maintain the continuity of business and work. “Termination of employment is the final step that can be taken after going through various efforts to address industrial relations problems resulting from the Covid-19 pandemic.”(Kepmenaker Number 104 of 2021 concerning Guidelines for Implementing Employment Relations During the Corona Virus Disease 2019 (Covid-19) Pandemic, 2021).

Even so, the facts on the ground show that there are many violations of workers' normative rights. Based on research by the Legal Aid Institute (LBH) conducted in West Java Province (Bekasi City, Bekasi Regency, and Depok City), there were 1514 complaints regarding violations of workers' normative rights due to COVID-19. Among a large number of complaints, LBH said Bekasi City and Regency were the areas where most violations were found against workers, ranging from wage cuts, non-payment of wages, suppressing workers’ unions, and unilateral layoffs (Silvia et al., 2021).

The problems experienced by labor groups, especially regarding the explosion of layoffs that occurred during the Covid-19 pandemic in Bekasi City and Regency, are matters that are taken seriously by various labor unions that are members of the Bekasi Confederation of All Indonesian Trade Unions (KSPSI), which consists of; Energy and Mining Chemical Workers' Union (SP KEP), Timber and Forestry Sector Workers' Union (SP KAHUT), Printing, Publishing and Information Media Workers' Union (SP PPMI), Cigarette Tobacco Food and Beverage Workers' Union (SP RTMM), and Electronic Metal Workers' Union and Machinery (SP LEM).

As can be seen in the table, SP KEP SPSI Bekasi is the labor union that handled the most layoff cases in Bekasi City and Regency during the COVID-19 pandemic in 2021. In other words, SP KEP SPSI Bekasi’s track record in fighting demands for layoffs in the City and Bekasi Regency during the COVID-19 pandemic can be said to be more active.
Table 1 Cases of Layoffs Due to the Impact of Covid-19 Handled by Labor Unions Member of KSPSI Bekasi (2020-2021)

<table>
<thead>
<tr>
<th>Name of Labor Union</th>
<th>Number of Layoff Cases Handled</th>
</tr>
</thead>
<tbody>
<tr>
<td>SP KEP SPSI Bekasi</td>
<td>18 cases</td>
</tr>
<tr>
<td>SP KAHUT SPSI Bekasi</td>
<td>1 case</td>
</tr>
<tr>
<td>SP PPMI SPSI Bekasi</td>
<td>1 case</td>
</tr>
<tr>
<td>SP RTMM SPSI Bekasi</td>
<td>2 cases</td>
</tr>
<tr>
<td>SP GLUE SPSI Bekasi</td>
<td>4 cases</td>
</tr>
</tbody>
</table>

Source: (KSPSI, nd)

Below the author describes data regarding layoff cases handled by SP KEP SPSI Bekasi:

Table 2 Cases of Layoffs Due to the Impact of Covid-19 Handled by Labor Unions Member of KSPSI Bekasi (2020-2021)

<table>
<thead>
<tr>
<th>No</th>
<th>Company</th>
<th>Number of Layoff Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Arbe Chemindo</td>
<td>4 workers</td>
</tr>
<tr>
<td>2</td>
<td>PT. Alka Sun</td>
<td>303 workers</td>
</tr>
<tr>
<td>3</td>
<td>Prowell Energy</td>
<td>22 workers</td>
</tr>
<tr>
<td>4</td>
<td>AW. Faber Castel</td>
<td>78 workers</td>
</tr>
<tr>
<td>5</td>
<td>Bina Karya Prima</td>
<td>99 workers</td>
</tr>
<tr>
<td>6</td>
<td>Chang Chun</td>
<td>80 workers</td>
</tr>
<tr>
<td>7</td>
<td>Eka Sinar Abadi</td>
<td>56 workers</td>
</tr>
<tr>
<td>8</td>
<td>Chemical Syno Rays</td>
<td>34 workers</td>
</tr>
<tr>
<td>9</td>
<td>Super Brick</td>
<td>150 workers</td>
</tr>
<tr>
<td>10</td>
<td>Tenma Indonesia</td>
<td>56 workers</td>
</tr>
<tr>
<td>11</td>
<td>Detpak</td>
<td>23 workers</td>
</tr>
<tr>
<td>12</td>
<td>Aligned Mandiri Synergy</td>
<td>54 workers</td>
</tr>
<tr>
<td>13</td>
<td>Vision Ease-Asia</td>
<td>250 workers</td>
</tr>
<tr>
<td>14</td>
<td>YKK Zipco Indonesia</td>
<td>29 workers</td>
</tr>
<tr>
<td>15</td>
<td>Faber Castell International</td>
<td>69 workers</td>
</tr>
<tr>
<td>16</td>
<td>Granitouse</td>
<td>117 workers</td>
</tr>
<tr>
<td>17</td>
<td>Aligned Mandiri Synergy</td>
<td>54 workers</td>
</tr>
<tr>
<td>18</td>
<td>Indonesian twink Kalisma</td>
<td>120 workers</td>
</tr>
</tbody>
</table>

Source: (KSPSI, nd)

Based on existing information, PT. Matahari Alka sent a letter of layoff notification unilaterally on July 30, 2021 without discussing it with the company’s workers’ union. By issuing this layoff notification letter, the company is deemed to have violated the rules stated in PT’s Collective Work Agreement (PKB). Matahari Alka article 55 reads: "Layoffs must be preceded by a joint discussion with the labor union and if the discussion does not find a clear point, then the company may carry out layoffs provided the company has received a decision from the Industrial Relations Dispute Settlement Institute (SPSI, 2021b)."

Even though there are quite complex problems between workers and employers in industrial relations at PT. Matahari Alka, however, the resolution of this case can be said to be quite short when compared to the resolution of similar cases in other companies. In this case, Moh. Yusuf explained this by comparing cases of unilateral layoffs between PT. Matahari Alka with PT. Aligned Mandiri Synergy. The layoff case that occurred at PT. Matahari Alka was completed just 4 months after the layoff notification was given. Meanwhile, in the case of PT. Mandiri Selaras Synergy, which has been going on since 2020 until May 2020, has still not found a bright spot. (Yusuf, nd). Based on this description, the author is interested in researching the strategy carried out by SP KEP SPSI Bekasi as well as the success factors of the strategy carried out by SP KEP SPSI Bekasi in fighting for changes in cases of unilateral layoffs at PT. Matahari Alka during Covid-19 in 2021.

RESEARCH METHODS

To describe and examine more deeply the strategies and success factors of the SP KEP SPSI Bekasi strategy in fighting for changes in unilateral layoff cases in Bekasi City and Regency, the author used a qualitative approach in this research. A qualitative approach is a research method for producing descriptive data obtained through observed people or behavior. In this way, the exploration process achieved by the author is expected to produce an in-depth answer regarding the research problem.

The data sources and data collection techniques used by the author in this research were obtained through secondary data in the form of literature studies from journals, books,
and online news articles and primary data in the form of interviews with parties from SP KEP SPSI. Meanwhile, to analyze the data, the author chose descriptive analysis techniques to interpret the data and then obtain a picture and analysis of the collected data. This method was chosen by the author to explain or describe in depth the problems raised in this thesis, namely the strategies and success factors of SP KEP SPSI Bekasi’s strategy in fighting for changes in cases of unilateral layoffs at PT. Matahari Alka during the Covid-19 pandemic in 2021.

RESULTS AND DISCUSSION

SP KEP SPSI Bekasi Strategy in Fighting for Change in Unilateral Layoff Cases at PT. Matahari Alka during the Covid-19 Pandemic in 2021

Until now, issues regarding workers and entrepreneurs have often been difficult to resolve because they both have conflicting interests. According to Karl Marx as quoted by M. Riza Anugra and M. Arif Affandi, the uniting of labor groups in the capitalist system can create class conflict between the bourgeoisie and the proletariat. The potential for conflict to arise due to the existence of class can be assumed to mean that conflict cannot be avoided in social life, whether in economics, politics, or culture (Anugra & Affandi, 2015). The resistance movement against unilateral layoffs carried out by PT. Matahari Alka is the embodiment of SP KEP SPSI Bekasi’s efforts as an organization to protect and defend labor groups against violations committed by employers. Apart from these violations, layoffs often trigger conflict between workers and companies (Muslim, 2020).

SP KEP SPSI Bekasi is an associational interest group, which means they were formed deliberately and with clear organizational goals. According to G. Calvin Mackenzie, the strategies of one interest group and another are generally different. This is because the resources owned by each interest group vary. Therefore, groups need to optimize the resources they have to develop effective strategies. However, Mackenzie believes that 4 (four) strategies are generally carried out by interest groups, namely lobbying, publicity, campaign support, and the judiciary. (Mackenzie, 1986).

The results of the analysis carried out in this research state that SP KEP SPSI Bekasi’s strategy in fighting for demands for unilateral layoffs at PT. Matahari Alka, namely through lobbying, publicity, and negotiations to carry out negotiations. Referring to Mackenzie’s opinion, it can be seen that SP KEP SPSI Bekasi did not utilize political campaign and court support strategies in its struggle at PT. Matahari Alka. The further explanation is as follows:

1. Lobby

As a democratic country, every individual and group has the same opportunity to convey their interests to the government. The way a person or group of people conveys their interests varies, one of which is through lobbying (Djanarko & Pasopati, 2017). According to Mackenzie, before they can lobby, interest groups must first have access to public officials who have authority and gain their trust. Lobbying with public officials such as the DPRD, Manpower Service, National Human Rights Commission, and so on is an activity that is familiar to SP KEP SPSI Bekasi in its efforts to overcome problems in the employment sector. Apart from that, the cooperation with political parties such as Gerindra, Democratic Party, Golkar (Golongan Karya), and PKS (Prosperous Justice Party) to fight for employment issues is also well owned by SP KEP SPSI Bekasi (Arsad, nd). However, the cooperative relationship that SP KEP SPSI Bekasi has with political parties is only limited to external, non-binding cooperation between the two parties. As stated by Arsad: “The relationship between unions and political parties is no more than ordinary cooperation. We don’t want to be affiliated with any political party, so we never provide financial support or services to help politicians or political parties during campaigns. If we are affiliated it will be difficult, we are an independent organization, and not all political parties have the same focus as our focus which always prioritizes the interests of labor groups. If we ask where we get access to politics for lobbying, it’s because we make reports and are also helped by the connections we have with the branch leaders themselves (Arsad, nd).”

According to Mackenzie, support for political campaigns is often a strategy used by interest groups to obtain reciprocal support and gain access to centers of political power. However, based on Arsad’s statement above, it can be understood that the access unions have to lobby comes from connections, not from...
mutual support between unions and political parties or politicians. SP KEP SPSI Bekasi itself was said by Arsad to have never provided any form of support for political parties because the union did not want to be affiliated with any political party. Meanwhile, in fighting for changes in cases of unilateral layoffs at PT. Matahari Alka, SP KEP SPSI Bekasi lobbied with several related parties such as:

a) Labor Inspector

To resolve industrial relations disputes, SP KEP SPSI Bekasi lobbied with the Labor Inspectorate. However, it can be said that SP KEP SPSI Bekasi’s efforts to make complaints to the Labor Inspectorate did not bring any results to the struggle. As explained by Moh. Yusuf said: “Labor Inspectors were present but their position did not help at all because they came without the knowledge of the trade union. That’s why the role of supervisors when this case occurs is non-existent, in fact our position in the trade union assumes that there are individuals from supervisors who take advantage of the moment because we are usually in the union when there is any problem, this is not resolved but the problem becomes more complicated because of the presence of this individual, not to resolve the problems we raised, but sometimes they find fault with the company other than the one being complained about so that the company is afraid and these individuals take advantage of this for their interests to make a profit. That’s a person. That’s why yesterday we also copied it to the Ministry of Manpower so that the work of these supervisors can be monitored by the Ministry (Yusuf, nd).”

b) National Human Rights Commission

Before lobbying, SP KEP SPSI Bekasi first wrote a complaint report to the National Human Rights Commission or Komnas HAM. However, these efforts did not produce results due to the delay in response from Komnas HAM regarding the SP KEP SPSI Bekasi reporting complaint. Komnas HAM’s response to this report was given when the unilateral layoff case fought by SP KEP SPSI Bekasi had been completed. (Arsad, nd).

c) DPRD and Manpower Department

When a big dispute occurs it triggers an unconducive situation like what happened at PT. Matahari Alka, SP KEP SPSI Bekasi also lobbied public officials, in this case, the Chair of the Bekasi Regency DPRD BN Holik Qodratullah and the Head of the Bekasi Regency Manpower Service. Before the lobbying process took place, SP KEP SPSI Bekasi had first carried out a demonstration and constructed the issue through his views, narrative, and justification that there was a social problem in the form of an explosion of unilateral layoffs that was detrimental to workers due to policy changes which in this context was Law no. 11 of 2020 concerning Job Creation.

For example, in mass media coverage and official personal publications distributed via social media and websites, many SP KEP SPSI Bekasi mentioned that they had personally experienced the detrimental impacts of policy changes. The steps taken by SP KEP SPSI Bekasi in this case are interpreted by political scientists as agenda setting. According to Dearing and Rogers, as quoted by McQuail, agenda setting is carried out to show the existence of important issues aimed at getting attention from the mass media, society, and the authorities. (Quail, 2000). By consistently setting agendas, communication actors can strengthen their influence and bargaining position with power holders (Ardianto et al., 2020).

The lobbying process carried out by SP KEP SPSI Bekasi with the Chair of the DPRD and the Manpower Service began with conveying the problem that was being fought for, namely unilateral layoffs at PT. Alka Sun. SP KEP SPSI Bekasi understands that solving the problem of unilateral layoffs at PT. Matahari Alka is outside the control of the DPRD. Even so, lobbying is still carried out to obtain support from public officials to accompany the union to persuade companies to open a space for dialogue to resolve problems. (Mutowali, nd). The result of this lobbying was that the Chairman of the DPRD and the Manpower Service agreed to visit the company to convey the SP KEP SPSI Bekasi request. On the same occasion, SP KEP SPSI Bekasi also said that Law no. 11 of 2020 concerning Job Creation has a detrimental impact on them, especially in this case, namely in terms of layoff and severance pay mechanisms (Arsad, nd).

It must be acknowledged that the character of a policy in the employment sector cannot be separated from industrial relations disputes. To be able to assess the character of a policy, you must also pay attention to how industrial relations are established afterward.
In politics, information is a very important commodity. Policymakers are parties who are hungry for information regarding the nature and causes of social and economic problems, proposed solutions, and reactions from the public that may arise as a result of changes in a policy. The meeting between SP KEP SPSI Bekasi and public officials to discuss the issue of unilateral layoffs at PT. Matahari, as one of the problems that occurred due to policy updates, was mentioned by Mackenzie as a resource of expertise or capability of interest groups in conveying information to public officials that could be used as input.

2. Publicity Through Demonstrations

Government decisions can make things difficult or help people. In other words, the actions taken by the government can satisfy citizens' expectations and can also result in disappointment. In certain circumstances, the limitations of political parties, whether due to their interests, their interest in the issues being fought for, conflicts between personnel, or other limitations, often make political parties incapable of being an effective means of conveying the voice of society (Suhartoyo, 2018). Therefore, in a political system, interest groups, including labor unions, have a crucial position as a means that can strengthen members of society in conveying their interests to the authorities (Maiwan, 2016).

Gabriel A. Almond, as quoted by Mohtar Mas'oed and Collin MacAndrews, said that demonstrations are one of the channels used by interest groups to convey their aspirations to the authorities. (Mas'oed & MacAndrews, 2018). Demonstrations are often believed to be an effective strategic option to strengthen workers’ position in bargaining with companies and the government. According to Sudjana, as quoted by Ratri Virianita, demonstrations are not the only tool owned by labor groups, but are an effective tool for workers and are feared if they are mass, organized, and collective (Virianika, 2008). Apart from that, demonstrations can also improve workers' bargaining position because holding demonstrations generally has the effect of hampering the production process (Pratiwi et al., 2021).

The size of the crowd reflects the strength of the demonstration itself. The more people join, the stronger the demonstration will be. Not only that, but the mass quantity can also show that the problem being fought for concerns the livelihoods of many people. In every movement, there is always a mass mobilization process. This is because the labor movement is not based on individual action but is a collective action carried out based on shared consciousness. For mass mobilization to be organized, the labor movement requires harmony between the organization and its members (Muqtafiah & Surya, 2019).

As part of a large organization, the mass power possessed by SP KEP SPSI Bekasi has an important role in the smooth running of SP KEP SPSI Bekasi in optimizing the demonstrations it carries out. There are two ways for SP KEP SPSI Bekasi to mobilize the masses, namely through letters of interruption and uploading calls for demonstrations on social media. Letters of interruption to carry out demonstrations were given to other federations, such as SP LEM SPSI, SP PPMI SPSI, SP RTMM SPSI, SP KAHUT SPSI, and SP TSK SPSI so that they could then be copied to all members (Yusuf, nd). As a result, SP KEP SPSI Bekasi succeeded in attracting 5,000 demonstrators who came from a combination of all branch leaders (PC) and work unit leaders (PUK) of federations under KSksi, namely SP KEP SPSI Bekasi itself, SP TSK SPSI, SP LEM SPSI, SP RTMM SPSI (Yusuf, nd).

Referring to G. Calvin Mackenzie’s opinion, the number or number of groups owned by SP KEP SPSI Bekasi is part of the resources owned by interest groups. Mackenzie argues that resources have an important role for interest groups in determining the action opportunities and steps available within the interest group (Mackenzie, 1986). A similar thing was also conveyed by Andrew Heywood who argued that interest group decisions in determining strategy depend on the nature and resources of the group. Therefore, it is normal for interest groups to have different strategies from one another because of differences in goals and capabilities (Heywood, 2013). In this regard, the large membership of SP KEP SPSI Bekasi can indeed be an advantage for the union in fighting for demands for unilateral layoffs at PT. The Alka Sun through demonstrations. As explained by Moh Yusuf that:

“We are not alone in this branch. There are 5 (five) other federations also under KSksi such as SP TSK SPSI, SP LEM SPSI, SP RTMM
SPSI, SP KAHUT SPSI, and SP PPMI SPSI. It’s as if we have a large family that we can coordinate to help with backup. Not to mention that each of these federations also has members at the Business Unit Leadership (PUK) level, so in terms of membership, we do have one and it can be said to be very large, right? (Yusuf, nd)."

There were 3 (three) demands in the demonstration, namely first, urging the leadership of the PT company, Matahari Alka to revoke unilateral layoffs and re-employ workers in their original places. Second, the Bekasi Regency Government urges the Labor Department Inspectors in West Java Province to take firm action and impose sanctions on companies that commit labor violations so that the industrial relations atmosphere in Bekasi City and Regency can be maintained well. Third, urge the Government of the Republic of Indonesia to immediately revoke the Job Creation Omnibus Law Law no. 11 of 2020 and its derivative regulations which have been proven to cause Termination of Employment (PHK) and suffering for Indonesian workers (SPSI, and).

SP KEP SPSI Bekasi’s reasons include the repeal of Law No. 11 of 2020 concerning Job Creation in its demands, namely because the law is considered a legal product that degrades the protection, certainty, and welfare of labor groups. As is known, Omnibus Law UU no. 11 of 2020 concerning Job Creation, which was ratified on Monday 5 October 2020, has reaped pros and cons from the public. This law is considered to violate several regulations from the previous law and is rejected by various labor unions because it is considered too biased towards the interests of employers and excludes the interests of workers (Judge, 2021).

According to Zen Mutowali, Law No. 11 of 2020 concerning Job Creation damages the quality and quantity of Law No. 13 of 2003 concerning Employment which causes work relations, procedures for layoffs, and compensation to decline in quality (Mutowali, nd). When examined from a political and legal perspective, Abdul Khair said that labor law in Indonesia was made based on conservative indicators or its formation was dominated by the state (centralistic). In other words, the law was formed by the government without involving the community, especially labor groups. As a result, the resulting laws tend to

3. Negotiation Through Negotiations

Negotiation is known in the world of politics as a tool used to fulfill interests. The parties conducting negotiations generally have different interests so bargaining or negotiation is carried out so that a mutual agreement can be found. The results obtained from negotiations have several different possibilities, it can be both wins, both lose, or there is a party who wins and there is also a party who loses (Ramadhani et al., 2020). Negotiation can be defined as a dialogue carried out between two or more parties to obtain an understanding, manage conflict, obtain individual or group benefits, or produce mutual agreement regarding actions that must be taken (Čulo & Skendrović, 2012). In this context, negotiations are carried out through bipartite negotiations carried out by the company and the labor union.

In this regard, negotiation or dialogue to reach a compromise is a method that is always prioritized by SP KEP SPSI Bekasi in resolving a problem, especially in the conditions of the COVID-19 pandemic. SP KEP SPSI Bekasi does not want to be called selfish regarding solving this problem, they understand that the conditions of the Covid-19 pandemic have indeed placed various parties, including
entrepreneurs and workers, in a very difficult position. Therefore, SP KEP SPSI Bekasi assesses that negotiations are a way for related parties to be transparent with each other and discuss finding a solution that does not harm any party so that the settlement can be implemented well without the need to enter the court process (Mutowali, nd).

Efforts to go through court are generally carried out as the last step taken because they require quite a lot of money and take a lot of time (Mackenzie, 1986). For the same reason, SP KEP SPSI Bekasi also avoids settlement through court and prioritizes efforts to resolve disputes through bipartite negotiations with the company. As mentioned by Moh. Yusuf is:

"When there is a layoff case then it is processed, it could be said that the rule is bipartite for 30 days then mediation 30 days later at the Industrial Relations Court (PHI) can be 10 meetings in about 10 weeks. So how many meetings are there? It took about 2.5 months. Then it reached the Supreme Court (MA) because layoffs that reach the Supreme Court are likely to be completed in a maximum of 2 years. If our friends are ready, we from the union will of course be happy to accompany them and fight for it, but the situation at that time is very difficult because during the process they are also not getting wages, whereas for daily life they need income. That's why we are trying bipartitely (Yusuf, nd)."

During these negotiations, SP KEP SPSI Bekasi asked the company to be more transparent regarding existing problems so as not to cause disputes. Through these negotiations, SP KEP SPSI Bekasi also avoids settlement through court and prioritizes efforts to resolve disputes through bipartite negotiations with the company. As mentioned by Moh. Yusuf is:

Success Factors for SP KEP SPSI Bekasi Strategy in Fighting for Change in Unilateral Layoff Cases at PT. Matahari Alka during the Covid-19 Pandemic in 2021

Basically, case resolution at PT. Matahari Alka was able to finish more quickly when compared to similar cases in other companies based on several factors. In this case, the author tries to analyze the factors behind the success of the strategy launched by SP KEP SPSI Bekasi in fighting for changes in cases of unilateral layoffs at PT. The Alka sun. According to Douglas McAdam, as quoted from Oman Sukmana, 3 (three) determinant factors can influence the success of a movement led by an organized group, namely organizational strength, cognitive liberation, and political opportunities. The factors that influence the success of the SP KEP SPSI Bekasi strategy when referring to McAdam's opinion are:

1. Organizational Strength Through the Principle of Solidarity

The first and most important thing in carrying out a movement is a mass base. In other words, interest groups must fulfill the desires, hopes, and needs of the masses for something (Setyawan, 2017). According to McAdam, the presence of an organization plays an important role in the success of a movement. The role of the organization in the movement carried out by SP KEP SPSI Bekasi at PT. The Alka sun also shows something similar. Based on Hermansyah's statement, when compared with industrial relations disputes in companies where there are no SP KEP SPSI Bekasi Branch Management (PC) personnel, coordination and mass mobilization to carry out the movement will be more difficult. In this case, the presence of PC SP KEP SPSI Bekasi personnel at PT. Matahari Alka has an advantageous position because, through its existence, the issue of unilateral layoffs can be fought on a massive scale. After all, it is easier to involve the entire organization to participate in the movement. (Hermansyah, 2022).

SP KEP SPSI Bekasi is included in an associational interest group, which means that its formation was carried out deliberately with clear organizational goals. They are part of KSFSI Bekasi which accommodates other federations such as SP TSK SPSI, SP LEM SPSI,
SP RTMM SPSI, SP KAHUT SPSI, and SP PPMI SPSI. As a unit, the six federations under the auspices of KSISPI have the principles of solidarity and solidarity as the basis for organizational strengthening. This principle is what makes SP KEP SPSI Bekasi easily able to gather masses in the movements carried out at PT. Alka Sun. This was stated by Zen Mutowali that:

"In the big SP KEP SPSI family, solidarity and solidarity are organizational strengthening. Don't feel like you don't care about something that happens to every worker, even if it doesn't happen to you, but as long as you are fellow workers, you have to care because maybe a problem like this could happen to you, that's why this solidarity appears. That's why they support taking action. We provide it via interruption letters and publications on social media (Mutowali, nd)."

Based on the explanation above, it can be understood that the strength of the SP KEP SPSI Bekasi organization has a role in motivating its members and even other labor unions to contribute to the labor movement carried out at PT. Alka Sun. As McAdam said, an organized group can obtain solidarity incentives and good communication networks (Sukmana, 2016). The same thing was also stated by Anthony Oberschall, quoted by Oman Sukmana, that an important factor that makes an organization able to easily mobilize the masses is because of the existence of an established communication network and the traditional participation of its members (Sukmana, 2016).

2. Cognitive Liberation Through Discussion Forums and Social Media Campaigns

Cognitive liberation is the perception of a social movement group regarding the success of its movement in society. The more they believe that their movement is successful, the greater their determination to carry out the movement (Sukmana, 2016). SP KEP SPSI Bekasi’s confidence in carrying out a movement can be seen from the union’s firmness in the views it believes in in fighting against violations committed by companies and detrimental government policies.

According to Zen Mutowali as Head of SP KEP SPSI Bekasi Branch Management (PC), the layoffs carried out by the company were based on Government Regulation (PP) No. 35 of 2021 as a derivative of the Job Creation Law concerning Specific Time Work Agreements, Outsourcing, Working Time and Rest Time, and Termination of Employment for Efficiency Reasons (Mutowali, nd). Termination of Employment Relations (PHK) carried out by the company through PP No. 35 of 2021 experienced rejection from SP KEP SPSI Bekasi because at the same time, labor unions including SP KEP SPSI Bekasi who joined the National Welfare Movement (Gekanas) were conducting a judicial review of the law at the Constitutional Court and there was no decision yet. Therefore, SP KEP SPSI Bekasi believes that companies should follow the old law, namely Law No. 13 of 2003 concerning Employment to carry out layoffs (Mutowali, nd). Apart from that, the layoff decision given by the company was inappropriate and violated PT’s Collective Labor Agreement (PKB). Matahari Alka as the highest rule has bound both parties in an agreement whose status is still valid at that time(Mutowali, nd).

Collective Labor Agreement (PKB) according to Law no. 13 of 2003 concerning Employment article 1 number 21 is:

"An agreement which is the result of negotiations between a trade union/labor union or several trade unions/labor unions registered with the agency responsible for the field of employment with an entrepreneur or several employers or an association of employers which contains work conditions, rights and obligations of both parties party (RI Law Number 13 of 2003 concerning Employment, nd)."

Furthermore, this rejection was made because the company did not make any efforts to fulfill the steps to prevent mass layoffs as stated in the Circular Letter of the Minister of Manpower Number 907 of 2004 concerning the Prevention of Mass Layoffs(Mutowali, nd). The steps to prevent mass layoffs are according to the Circular Letter of the Minister of Manpower and Transmigration of the Republic of Indonesia Number: SE/907/MEN/PHI-X/2004 concerning Prevention of Mass Layoffs, namely by reducing wages and facilities at the management level, reducing work shifts, eliminating or limiting overtime work, reducing working days and hours, laying off workers temporarily, not extending contracts for workers whose contract period has ended. If these steps have been taken and do not provide a solution, then layoffs may be
carried out as a final solution (Hermansyah, 2022).

The narrative of these rejections is often mentioned by SP KEP SPSI Bekasi in every publication on social media. This is done by SP KEP SPSI Bekasi as a form of socialization and education for their group so they can understand the problems they are working on (Mutowali, nd). The concept of cognitive liberation can be understood simply that before people take a position in a movement, potential members need to develop ideas that can show that there is a situation of injustice that requires collective action as a solution to the problem (Sukmana, 2016). In this case, outreach and education through social media to contribute to the movement are efforts made by SP KEP SPSI Bekasi to show that there are problems that require collective action from labor groups.

The progress of the times has made all elements of society, including SP KEP SPSI Bekasi as movement actors, able to take advantage of technological developments as a tool that can help them to spread the goals of the movement they are carrying out. The use of the internet can create collective awareness and spread the issue that there are problems that require collective action (Wahyudi, 2021).

SP KEP SPSI Bekasi is one of the labor unions that can be said to be very active on social media. They utilize many social media and internet platforms such as Twitter, Instagram, Facebook, YouTube, and websites to build issues related to the problems they are fighting for. Social media gives its users the freedom to communicate freely about various problems or issues. Communication contained in social media can form opinions and increase public knowledge of an issue being discussed. Regarding movements, the ability to process information on social media is important for social movement actors to mobilize the masses (Wahyudi, 2021).

Apart from that, SP KEP SPSI Bekasi also has a program entitled Positive Propaganda, one of the agendas of which is the creation of a coordination and discussion forum. In this case, the forum was held to formulate steps to fight demands for unilateral layoffs at PT. Alka Sun. By inviting members to the forum, they can feel involved, thereby generating motivation and forming movement solidarity (Yusuf, nd).

3. Political Opportunities Through Alliances

The labor movement was not only aimed at wanting changes between workers and entrepreneurs but also changes to the political and economic system that was in favor of the interests of labor groups. The problem of unilateral layoffs that occurred at PT. Matahari Alka is an impact felt by labor groups because of Law No. 11 of 2020 concerning Job Creation, where in this law there is a simplification of formal layoff procedures which makes it easier for companies to carry out layoffs.

PT. Matahari Alka is not the only company that has committed violations. During the COVID-19 pandemic, SP KEP SPSI Bekasi received many reports regarding unilateral layoffs in several SP KEP SPSI Bekasi Work Unit Leadership (PUK) companies. SP KEP SPSI Bekasi realizes that this problem cannot be resolved through the relationship between workers and entrepreneurs alone, but also through political power to change it (Mutowali, nd).

In every struggle to improve workers’ welfare in the employment sector, SP KEP SPSI Bekasi has alliances with several institutions, such as the Cooperation Institute (LKS), the National Welfare Movement (Gekanas), and others. Regarding this issue, the SP KEP SPSI Bekasi coalition with Gekanas plays an important role where SP KEP SPSI Bekasi takes the position as a labor organizer whose role is to carry out resistance through demonstrations, negotiations, and socialization campaigns related to violations at PT. Alka Sun. Meanwhile, Gekanas took on the role of a facilitator who channeled workers’ aspirations to the government, as one of its efforts at that time was to conduct a judicial review of Law no. 11 of 2020 concerning Job Creation at the Constitutional Court (Mutowali, nd).

CONCLUSION

The problem of unilateral layoffs that occurred at PT. Matahari Alka is one of the impacts felt by labor groups due to Law No. 11 of 2020 concerning Job Creation, where in this law there is a simplification of formal layoff procedures which makes it easier for companies to carry out layoffs. The existence of policies or violations that harm labor groups and cause the labor movement to surface indicates the existence of a political and economic reality that tends to be one-sided and not in favor of the interests of labor groups. The
resistance was carried out by SP KEP SPSI Bekasi against PT. Matahari Alka is proof of SP KEP SPSI Bekasi’s consistent actions in fighting for workers’ welfare through scientific strategies.

Based on the research results obtained by the author in the field, there are three strategies used by SP KEP SPSI Bekasi, namely publication through demonstrations, negotiations to carry out negotiations, and lobbying entrepreneurs and the government so that their demands can be realized. In this case, SP KEP SPSI Bekasi did not use the political campaign and court support strategy mentioned by Mackenzie. Settlement of cases at PT. Matahari Alka was able to finish more quickly when compared to similar cases in other companies based on several factors. In this case, Douglas McAdam, through his political process perspective on social movements, stated that there are 3 (three) determinant factors determining the success of a movement, namely organizational strength, cognitive liberation, and political opportunities.

Based on the author’s findings in the field, the success of SP KEP SPSI Bekasi in fighting for changes in cases of unilateral layoffs at PT. Matahari Alka cannot be separated from these three factors, namely, organizational strength through the principle of solidarity that binds workers who are members of SP KEP SPSI Bekasi and KSPSI Bekasi. Second, cognitive liberation is carried out by providing education and outreach in discussion forums and social media to make workers involved in the movement understand the problems they are fighting for so that they can strengthen the movement they are carrying out. Third, political opportunities through allying with the National Welfare Movement (Gekanas). In this alliance, SP KEP SPSI Bekasi took the position of a labor organizer whose role was to carry out resistance through demonstrations, negotiations, as well as outreach campaigns regarding violations at PT. Alka Sun. Meanwhile, Gekanas took the role of a facilitator who channeled workers' aspirations to the government, as one of its efforts at that time was to carry out a judicial review of Law No. 11 of 2020 concerning Job Creation at the Constitutional Court.


