***POLICY SETTING IMPLEMENTATION MINIMUM WAGE AND SECTORAL WAGE WORKERS AT TANGERANG-BANTEN***

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**ABSTRACT**

Implementation on the determination of the minimum wage and sectoral wages of workers in Tangerang has been guided by the Law No. 13 / 2003 on Manpower especially contained in Chapter X Part Two chapters 88 to 98, starting from early 2017 implementation of the determination of the minimum wage workers Referring to Government Regulation No. 78 / 2015. The conditions in the field on the policy of determining the minimum wage and worker wages in Tangerang whether based on Law Number 13 / 2003 on Manpower, or to the Government Regulation Number 78 / 2015 on the remuneration of its implementation has not been effective. The researcher focuses on research on the policy of determining the minimum wage rate and the sectoral wages of workers in Banten, especially in the District and City of Tanerang that can be accepted by the employers and the workers to create a conducive working climate and harmonious industrial relations.

Two differences that become obstacles in the field, among others, the workers still want the policy on the determination of wages of workers as the old, or refer to Law No.13 / 2003 involving members of the tripartite region and regional wage council, while the employers agree to use PP. 78 / 2015 which its stipulation policy refers to national-scale inflation and national economic growth as its reference, because the entrepreneur's opinion PP No. 78 / 2015, the certainty in terms of financial planning, so the researchers judge there is no exact intersection.

This study uses a combination study with concurrent triangulation strategy (Concurrent Triangulation Strategy). Researchers used quantitative and qualitative methods together, both in data collection and analysis, and then compare the data obtained to then be found where the data can be combined, and differentiated. The study was conducted in one stage, but by using quantitative and qualitative methods together (concurrent). Data collection using interviews, observation, and focus group discussion. implementation of government policy at the provincial level in setting the minimum wage for each region of the area in the province based on the amount of wages town in provincial capitals, while the city / county has the option to follow or set a minimum wage and sectoral wage could be above the level of the provincial minimum wage taking into account the results of the study team and the regional tripartite wage boards in the area on the ratio of the feasibility of their respective regions.

These results indicate that the minimum wage is based on the Living Needs (KHL). In fact the wages earned by workers in most cities and counties in the province of Banten is lower when compared to the KHL. The price increase will result in a further increase in the KHL and will increase the minimum wage. Viewed from the side of the company, wages are costs, which would then be passed on to consumers through price.

The common thread that can be drawn from Act No. 13 / 2003 on Labor and Government Regulation No. 78 / 2015 on Equal Remuneration in determining the minimum wage fixing policy is local wisdom through community leaders. Socialization both government policy is very important to do on an ongoing basis to ensure good industrial relations enabling employers, workers and governments. Supervision or control of incentives from official authorities, especially manpower.

**Keywords**: Employment, Wages, Minimum Wage, Sector Wages.

**Introduction**

Implementation on the determination of the minimum wage and sectoral wages of workers in Tangerang has been guided by the Law No. 13 of 2003 on Manpower especially contained in Chapter X Part Two chapters 88 to 98, starting from early 2017 implementation of the determination of the minimum wage workers Referring to Government Regulation No. 78 / 2015. The conditions in the field on the policy of determining the minimum wage and worker wages in Tangerang whether based on Law Number 13 / 2003 on Manpower, or to the Government Regulation Number 78 of 2015 on the remuneration of its implementation has not been effective. The researcher focuses on research on the policy of determining the minimum wage rate and the sectoral wages of workers in Banten, especially in the District and City of Tanerang that can be accepted by the employers and the workers to create a conducive working climate and harmonious industrial relations.

Two differences that become obstacles in the field, among others, the workers still want the policy on the determination of wages of workers as the old, or refer to Law No.13 of 2003 involving members of the tripartite region and regional wage council, while the employers agree to use PP. 78 / 2015 which its stipulation policy refers to national-scale inflation and national economic growth as its reference, because the entrepreneur's opinion PP No. 78 / 2015, the certainty in terms of financial planning, so the researchers judge there is no exact intersection. Based on field facts and observations in the field, the researcher is called to analyze and put it into the research by Title: Implementation of local government policy in determining the minimum wage and sectoral wages of workers in the district and city of Banten (Case study of implementation of UMK / UMS in Tangerang).

**Research Focus**

Increased labor disputes, the narrowness of space and opportunities for local labor, the weakening of entrepreneurs' enthusiasm to develop their activities and invest in Tangerang Regency and City, and the inadequate acceptance of every Local Government policy related to minimum wage fixing and sectoral wages of worker, so that the negative impacts and tugs of political interests, power and nepotism continue to be entrenched, on the basis of which the underlying researcher focuses on research on employment in the Tangerang Regency and City that is associated with the Local Government Policy Model in determining the Minimum Wages and Sectoral Wages by study Case in Tangerang Province of Banten.

**Formulation of the Problem**

             Based on and based on the background of the problem, the focus of research, and the sub focus of research as described previously and looking for the formulation related to the cause of the harmony of bipartite relationship in the industrial sector, the researcher will propose the problem formulation as follows:

1. What factors caused the implementation of the policy of determining the minimum wage and sectoral wages of Tangerang district and city has not been effective yet?

2. What model is needed to implement the policy of determining the minimum wage and sectoral wages of Tangerang, so that the industrial relations are more conducive and harmonious?

**Literature Review**

1. Rini Sulistiawati (2012) has conducted a study on the effect of minimum wage on employment and community welfare in province in Indonesia. The conclusion is: 1. Wages have a significant effect and have a negative relationship to labor absorption. Path coefficients with negative sign means that the effect of wages on employment is not unidirectional; 2. Nationally, the lowest labor productivity occurs in the primary sector, while the secondary sector is the least employing but has the highest labor productivity. The same condition also occurs in the provincial scope where labor productivity in the primary sector is lower when compared with the labor productivity in the secondary sector.
2. Adi Karsidi (2013) has conducted research on implementation of provincial minimum wage policy (UMP) in Semarang City. The conclusion is: 1. Implementation of policies on provincial minimum wage (UMP) in the company refers to two things: wage protection and wage calculation. Protection of wages in 3 companies can be classified sufficiently; 2. Overall implementation of UMP policy in PT. Sandratex, PT. Bitratex, and PT. Texmaco Semarang can be classified enough. This situation is strongly supported by the calculation and protection of the applicable pah also shows the level of wages that adequately meet the minimum physical needs; 3. The mutualism symbiosis between entrepreneurs and bureaucratic officials is one reflection of patrimonial political culture that results in a high cost economy in the production process. This implies the low wages of employment as employers seek to maintain the level of profit earned.
3. Edy Priyono (2012) has conducted a qualitative research on Indonesia's employment situation towards minimum wage policy. The conclusion is: 1. Wages involve laborers and employers, minimum wage policies should consider the interests of workers and employers altogether. A fair wage is not a wage that guarantees the laborer is able to make ends meet, but the exact wage equals the labor contribution to the enterprise or its productivity; 2. The ideal conditions in which wages are exactly equal to productivity, are achieved in a competitive labor structure. Therefore, what should be done is to restructure the labor market from a monopsonistic to a more competitive labor market.
4. Research Laksono Utomo (2014) which motivated by outsourcing problems in the labor system in Indonesia. The pattern of outsourcing in general terms of employment is that there is some work to be submitted to another company which has a legal entity, in which one company is not directly related to the worker but to the supplier or resignation company. The outsourcing model can be compared with the building contract form although it is not the same. Building charter agreements can be likened to a regular contracting system whereas outsourcing alone is not a contract.
5. Veronica Varbi Sununianti's (2013) research is based on the question of industrial relations conflicts of a flexible labor market study at universities where flexible labor markets are a new concept of modern capitalism that is now applied in various countries. The conclusion are: 1. The labor market transformation illustrates that the current flexible labor market system is also in the university. Increased part time labor is a global phenomenon as a result of the rapid flow of world economic systems; 2. Socially this system brings greater losses for workers with a part-time system, especially for workers with non-permanent status. Job uncertainty, lack of legal basis, and socio-economic vulnerability are part of the working conditions; 3. The formalization of flexible work systems in educational institutions is known to affect the fundamental change in the meaning of work.
6. Safrida and Sofyan's research (2014) is motivated by the problem of the impact of provincial minimum wage increases on inflation and labor market in Aceh province. The conclusion are: 1. The economics of the regression results indicate that each variable influencing inflation, provincial minimum wage, labor supply and demand in Aceh Province are not all in accordance with sign and size of expected coefficients; 2. Provincial minimum wages have an impact on rising inflation, labor supply, and an impact on the decline in demand for labor in Aceh Province; 3. Statistically for the partial test result (t-test) each equation shows that only the population variable significantly influences the labor supply, while the other variables have no significant effect on the endogenous variables.
7. Akbar Pradima (2013) in his research is motivated by his efforts in providing alternative solutions for industrial relations disputes outside the court. The conclusion is: 1. Alternative dispute settlement or dispute is regulated in Law no. 30 of 1999 on Arbitration and Alternative Dispute Resolution and Law no. 2 of 2004 on Industrial Relations Dispute Settlement; 2. Jurisdiction of Law no. 2 of 2004 specifically regulates bipartite negotiations, arbitration, conciliation, mediation for industrial relations disputes and industrial relations courts: special courts within the district court, authorized to examine, hear, decide upon industrial relations disputes.
8. Research conducted by Damian Grimshaw, Gerhard Bosch and Jill Rubery (2014) is a survey study. Data collection using interview and observation methods and analyzing models of cooperation negotiations between employers and workers in five European countries. The results show that the policy of determining minimum wage is influenced by cooperation agreement between entrepreneur and union. Changes in the determination of minimum wages should be based on agreements between trade unions, employers and government policies.
9. Haroon Bhorat's, Ravi Kanbur & Benjamin Stanwix (2014) research are motivated by the assessment and evaluation of the impact of minimum wage policy on labor productivity on industries in South Africa is still relatively low. This study analyzed the amount of minimum wage that has been done change 15 times during the period of September 2000 to September 2007. Samples taken only 6 times the policy of determining salary miminum for economic analysis. The result of the analysis shows that the number of working hours is influenced by the minimum wage given to the employee and if it exceeds working hours, the government determines its own wage policy in accordance with labor and employer agreement. In certain areas of South Africa there is a difference in working hours for employees or workers due to environmental conditions and the nature of their work.

**Research Methods**

This research uses merging methods or quantitative and qualitative approaches (mixed methods). Creswell (2009) suggests that *a mixed methods design is useful when either the quantitative or qualitative approach by itself is inadequate to best understand a research problem or the strengths of both quantitative and qualitative research can provide the best understanding* Combined research methods will be useful if quantitative or qualitative methods are not accurately used for understanding the research problem.

This research uses combination research method with concurrent triangulation strategy. Researchers use quantitative and qualitative methods together, both in data collection and analysis, then compare the data obtained to then be found which data can be combined, and differentiated. Research is conducted in one stage, but by using both quantitative and qualitative methods (concurrent). This model has several advantages: First, researchers are familiar with quantitative and qualitative methods. Second, the data obtained can be more complete, and the validity of the data will be better when compared to using only one method. Quantitative methods contribute to obtaining quantitative data that are measurable descriptive, comparative and associative and qualitative methods serve to prove, deepen, expand, weaken and abort quantitative data that have been obtained in the early stages.

Using a quantitative approach, the researchers conducted a survey using questionnaires to the heads of departments, deputy heads of departments, secretaries and some staff of the labor service as informants and key persons both in Tangerang City and Tangerang Regency, Workers Union at companies in Tangerang City And Tangerang Regency, and companies in Tangerang City and Tangerang District who are members of APINDO.

In addition, qualitative methods are used in conjunction with quantitative methods, by conducting focus group discussions on: First, the Manpower Office in both Tangerang and Tangerang Provinces consisting of heads of departments, deputy heads of service, secretaries, sub-administrations Wages and disputes and some staff of the labor service. Second, Trade Unions at companies in Tangerang City and Tangerang Regency. Third, companies in Tangerang City and Tangerang District are members of APINDO.

When researchers use qualitative methods, the researchers strengthen themselves into a human instrument in order to collect and analyze qualitative data, and at the time of being a quantitative researcher, the researcher conducts theory studies to be able to compose and formulate research instruments. The research instrument is used to collect quantitative data. Qualitative data that have been collected were analyzed qualitatively, and quantitative data were analyzed using descriptive statistics. The research steps of this model are:

1. The steps in the quantitative method are: a. Determine the problem and make the problem formulation. b. Conduct a theory study and formulate propositions. c. Collect and analyze data to test propositions. d. Make conclusions based on test results proposition.
2. The steps of qualitative methods are: determine the source of research data, collection and analysis of qualitative data, quantitative and qualitative data analysis, conclusions and suggestions. The complete steps of research can be seen in Figure 1 below.

QUANTITATIVE

QUALITATIVE

QUANTITATIVE

Data Collection

QUALITATIVE

Data Collection

QUANTITATIVE

Data Analysis

QUALITATIVE

Data Analysis

Data Results Compared

Analysis

Figure 1. Concurrent Triangulation Strategy Research Steps

Source: Adapted from Creswell (2009)

**Research Results and Discussion**

**Policy Implementation Model Based on Content of Policy and Context of Implementation**

Content of Policy or Content of the policy or program will affect the success rate of implementation of minimum wage setting policy. The controversial policy on minimum wage determination in accordance with Government Regulation No. 78 of 2015 concerning remuneration, obtaining resistance both from the target group of workers and companies, and from the implementation of which feels to implement the policy or feel disadvantaged ie the workers. The contents of policies that may affect the implementation of minimum wage policies are as follows:

1. Interest influenced by the determination of the minimum wage. Implementation will be easier because it does not cause resistance for whose interests are harmed.

2. Type of benefits to be generated. Policies that provide collective benefits to workers and employers will be easy to implement because of the support of both government and trade unions.

3. Reach the desired changes from Government Regulation No. 78 / 2015. The wider and wider the desired changes through the policy will be more difficult to implement. This study therefore focuses on the determination of minimum and sectoral wage policies.

4. The position of decision-makers is based solely on tripartite concepts (workers, employers, and governments).

The implementation context will have an impact on the success rate due to the easy policy and support of the target group, the results of implementation will still depend on its implementation. The character of the implementer will influence the implementing actions in implementing the policy because the implementer is an individual who can not be free of the trust, aspirations, and personal interests to be achieved. The implementation context that affects the success of implementation according to Grindle is:

1. The power, interests, and strategies of the actors involved. The strategy, source, and position of the implementor's power will determine the level of success of the implemented policy. If a political force feels an interest in a program, they will devise a strategy to win the competition that occurs in implementation so that they can enjoy the output.
2. Characteristics of institutions and authorities. Conflict resolution strategies about employees getting what and entrepreneurs get what can be indirect indications about the characteristics of the ruler or institution being the implementor.

Implementing Policy is influenced by:

A. Policy Content:

1. The interests of Workers, Employers, and Governments
2. Type of benefits to be generated: improving the welfare of workers and employers
3. The desired degree of change: the synergy between employers and workers is increasingly conducive.
4. Location of decision making: Governor of Banten
5. Implementation of the program: Tripartite Region.
6. Resources deployed: Department of Manpower, Workers and employers.

B. Context of Implementation

1. The power, interests, and strategies of the actors involved
2. Local wisdom of Banten province and regional culture
3. Decisions and responses of each district and province.
4. Socialization and understanding of Government Regulation Number 78 of 2015 need improvement.
5. Economic, social, environmental, political, inflation and economic growth factors.

|  |
| --- |
| The program is designed and funded by  the Central Government and operated  by the Region  The goal to be achieved is to model the wage policy  Policy Result:   1. Industrial Relations between workers and employers is conducive 2. Change and acceptance by the labor,APINDO   Purpose of Implementation Policy of PP 78/2015  The program is run as planned example  determining the minimum wage |

Measuring Success: Recommendation of Minimum and Sectoral Wage Policy Models

Figure 2. Implementation Model of Minimum Wage Determination

Policy Result of Researcher's Synthesis.

**Minimum Wage Determination Procedure Law Nomor 13/2003**

Based on the observations and results of the Focus Group Discussion (FGD) it is concluded that, when referring to Article 94 Act No. 13/2003 on Manpower, the wage component consists of basic wages and fixed allowances, the amount of basic wages at least 75% of the total basic wages and fixed allowances.

THE WORKING COUNCIL

SURVEY

DISTRICT

CITY

* January to September
* October to December
* Predicted by Least Square Method

**DECENT LIVING NEEDS**

Factor Considerations:

1. Life Needs (Survey)

2. Productivity (GRDP)

3. Economic Growth

4. Marginal Business

**FOODS AND DRINKS**

**CLOTHING**

**HOUSING & FURNISHINGS**

**NEEDS DIVERSITY**

**The Proposed Minimum Wage**

**Recommended Value**

KHL & UM

Meeting (Results Discussion)

**Regent**

**Mayor**

**GUBERNUR**

**UMK 40 hari**

**UMP 60 hari**

* ≥ 5 % from UMP
* Negotiation SP and Apindo
* ≥ 5 % from UMP
* Negotiation SP and Apindo

**UMSP**

**UMSK**

Figure 3. Procedures for Determining the Minimum Wage and Versus Sectoral Wages Old Refers to the Act. 13/2003 on Manpower.

The results of the field analysis and observation studies show that sectoral minimum wages are the result of negotiations and agreements between associations of companies and trade / labor unions. The proposed sectoral minimum wage (the outcome of the agreement) is submitted to the governor of Banten through the Head of the Ministry of Manpower office to be designated as provincial sectoral minimum wage and or sectoral minimum wage of Tangerang city.

**Minimum Wage Determination Procedure PP. 78/2015**

Government Regulation No. 78/2015 concerning Wages also regulates in detail the issue of minimum wages. Article 41 paragraph (1) says that: The Governor shall stipulate Minimum Wage as a safety net. Paragraph (2) reads: The minimum wage referred to is the lowest monthly wage consisting of: a. Unpaid wages; Or b. The basic wages include fixed benefits. The minimum wage to be determined is the minimum wage for the current year plus the multiplication of the current minimum wage with the sum of the current year's inflation rate and the national economic growth rate for the year. The minimum wage calculation formula, namely:

UM n = UM t + {UM t x (Inflation t +% Δ GDP t)}

Where :

UMn = Minimum Wage to be set.

UMt = Minimum Wage for the current year.

Inflation t = Inflation calculated from the period September last year up to the September period of the current year.

Δ GDP t = Gross domestic product growth calculated from the growth of Gross Domestic Product which covers the 3rd and 4th Quarter of the previous year and the 1st and 2nd Quarter of the current year.

The development of regulations that regulate the minimum wage prior to enactment of PP. 78/2015 are:

1. Ministerial Regulation No. 13/2012 on Components and Implementation of the Stages of Achieving the Decent Living Needs (Replacing Candidate 17/2005 on the Components and Implementation of the Stages of Achieving the Decent Living Needs).
2. Presidential Instruction No. 9/2013 on Minimum Wage Determination Policy.
3. Permenakertrans Number 7 of 2013 on Minimum Wages (Substituting Ministerial Decree 226/2000 on Minimum Wage).

**THE NATIONAL LICENSING BOARD**

Survey

Tangerang Regency

Tangerang City

Factor Considerations:

1. Wage Council Review

National.

1. Productivity (GRDP)
2. Economic Growth
3. National Inflation and

Regional

**Workers**: Job Security, Income Security, and Social Security (Education, Health, Transportation, Food Inflation, and Lifestyle).

**Entrepreneur**: Security Certainty, Legal Certainty, and Business Certainty

**Decent Living Needs**

**Earned Income**

**Provincial Wage Council**

Bussiness Sector: LEM, KEP, MAMIN, NIBA, TSK

**MENTERI TENAGA KERJA**

**Meeting (Results Discussion)**

Value Recomendation UMSP & UMSK

**The Proposed Minimum Wage**

**Regent of Tangerang**

**Mayor of Tangerang**

**Governor of Banten**

Results of the Trade Union Negotiations with the APINDO Executive Board

Results of the Trade Union Negotiations with the Company

**UMSP**

**UMSK**

Figure 4. Procedures for Determining the Minimum Wage

and Sector Wages PP 78/2015

Factors affecting the determination of minimum wage in addition to inflation and economic growth are local wisdom in the province of Banten. Local wisdom consists of two words, namely wisdom which means wisdom and local means place.

Based on the results of quantitative data analysis and qualitative data analysis and by synthesizing the results of Focus Group Discussion can be seen in Figure 5 below:

• Law Number. 13/2003 on Manpower.

• Government Regulation Number 78/2015 concerning Wages

Implementation of the field that occurred on the determination of the minimum wage and sectoral wages in Tangerang

Implementation Not Effective

Quantitative and Qualitative Data Analysis

Efective

Model of determining the minimum wage and sectoral wages

worker

Understandable and Acceptable By Workers and Employers

Figure 5. Flowchart of Effectiveness of Minimum Wage Policy

Result Second Synthesis of Minimum Wage Policy

Local wisdom in a region varies, this is because in each region has a local kerifan different from one area to another area which is different based on different backgrounds, ethnic cultures, and customs. All these cities / districts have different local wisdom because the four cities / districts each have different tribes, languages, cultures, and customs. Policies that exist in the area, especially Banten province if it does not involve community leaders or the term Banten people call jawara, the policy of the central government is less conducive. The enactment of Law No. 13 of 2003 on Manpower in the field is less effective because of the influence of political pressure both when the election of regional heads and the election of mayors and regents often conflict between the government and the workers in the company for the benefit of the region itself.

Different implementation by Government Regulation No. 78/2015 on Wages. The role of local wisdom that involves community leaders in implementing this policy also plays an important role, especially in the determination of the minimum wage. The results of the researcher's analysis is if the policy of the center that is top down directly implemented without involving local wisdom through community leaders, it is less conducive. Communication, coordination, deliberations to reach agreement or common ground in determining the minimum wage and sectoral wages can go smoothly if they do not abandon local wisdom.

**Conclusion**

1. Content Policy and Context of Implementation are the dominant factors that lead to the implementation of the policy of determining the minimum wage and sectoral wages of Tangerang regency and city to be effective when considering regional inflation, regional economic growth, local wisdom, socialization and supervision from related agencies.
2. The implementation model of the policy of determining the minimum wage and sectoral wages by paying attention to the working period, education, competence, productivity level and employee performance can create a conducive working climate and harmonious industrial relations both based on Law Number 13 of 2003 on Manpower and Regulation Government Number 78 of 2015 carried out socialization and supervision in a sustainable manner.

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