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PERSPEKTIF 215

Termination Policy
(Study in PT. Karya Tangan Indah, Badung, Bali end of 2008)

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Abstrak
PT Karya Tangan Indah memperluas operasi mereka di awal 1997 dengan menyusun perhiasan perak dan emas. Perusahaan ini adalah kontraktor tunggal dari produk John Hardy yang sangat populer di Amerika. Sebelum krisis global, perusahaan ini mempekerjakan sekitar 800 karyawan di pabrik, serta melibatkan layanan sekitar seribu sub-kontraktor, yang secara luas diakui sebagai usaha dagang di Bali maupun luar negeri. Perusahaan mengekspor 80% dari produksinya ke Amerika Serikat, sehingga secara operasional, manajemen tergantung pada faktor situasi dan kondisi negara ini. Ketidakpastian ekonomi AS beberapa waktu lalu telah menyebabkan pembatalan barang pesanan dan pengiriman. Pengembalian barang ke pabrik ini tidak bisa dihindari sehingga mengakibatkan pemutusan hubungan kerja (PHK) yang diberlakukan pada akhir tahun 2008. Proses yang dilakukan oleh perusahaan dalam melakukan PHK diawali dengan persiapan psikologis yang baik (dengan komunikasi), proses administrasi karyawan oleh HRD (*Human Resources Department*) dan Bagian Keuangan dengan memperhatikan kriteria UU No 13 Bab XII yang mengatur tentang PHK sehingga proses dari awal sampai akhir PHK dapat berjalan sangat lancar.

Kata-kata kunci: perusahaan, karyawan, krisis global, dan pemutusan hubungan kerja

Introduction
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says, behind the crisis there must be opportunity, remains untested. The impact of the American crisis on our country is extensive because the high volume of merchandise that we export to America; there has been adthereduction of trade transaction volume due to the sluggish market. Others but we pinched in pain. Thus

while the financial crisis commenced in the United States Indonesia was affected resulting in decrease of purchasing ability. The global recession has affected all countries, including developed countries. Because economic growth continued to decline, ILO (International Labour Organisation) predicted the global recession will result in greater unemployment; this eventually affected about 20 million people around the world.

The crisis had already begun its toll in the form of reduced exports of goods Indonesia. The initial cause is due to demand from developed countries declining and some have stopped purchasing contracts for garment industry products, textiles, wood and farm products. On the other hand expected domestic interest rates will further increase. Obviously installments of principal and interest loans by the company will be heavier. "The crisis this time does not exceed the 1998 crisis, but will create more unemployment," said economic analyst Ichsanuddin Noorsy, before the seminar on the Impact of U.S. Crisis, in Jakarta, Friday (10/10/2008). This, he says, is because in 1998 the industry was growing very well. However there is no similarity between the aforementioned situation and current industry circumstances. "Right now the industry is being weakened, so that later developed sectors that are selling goods that can not be traded again," he explained. However, Noorsy explains, the threat of the future will be more powerful than those in 1998. He further explained, this is because the industry was manufacturing will continue to

decline, so that the informal sector to swell. In addition, due to bad credit, credit cards also influenced. "So also with the motor and home mortgage loans weakened. While imports swelled and exports fell," he explained. The demands of employees of the company to raise the minimum wage is increasingly rejected in counties and cities became increasingly per SK (Surat Keputusan - The Decision Statement) plus (Decree) Four Joint Secretary. Thus there are cumulative problems facing the business world. The logical result is a plant needs to reduce its production capacity by up to 40%. As a result a company must make unpopular and "painful" decisions as part of rationalization in the form of termination of employment and laying off some employees. It has happened among others in the area of textiles; mostly in Java, Kalimantan and Riau where the timber industry the laying off of employees amounted to tens of thousands and even hundreds of thousands of employees. Furthermore there should have been social security measures implemented including severance providing a basis for allowing employees affected by layoffs to be self employed, developing their own business. Business development in the reality sector also need to be prioritized as a safety valve of the unemployed swell. Local governments in the spirit of regional autonomy should consider setting up job opportunities in the form of labor intensive projects, to prevent the onset of the global financial crisis leading to the widespread phenomenon of poverty.

Background and Problems

The following outlines the experience by one of the PMA (Foreign Investment), namely PT. Karya Tangan Indah located in Banjar Baturning, Mambal village, Badung, Bali. PT Karya Tangan Indah increased its diversity early 1997 in an effort to craft silver jewelry and gold. The company is the sole contractor of John Hardy products are very popular in America. Before the global crisis, the organisation employed approximately 800 employees at the factory, as well as engaging the service of around a thousand sub-contractors; it was widely recognised as an excellent mercantile business both in Bali and externally.

The company exported 80% of its production to the United States; thus operationally management was dependent on this factor. Uncertainty in the U.S. market, has led to cancelling of goods orders, shipments. The return of goods to the factory was unavoidable so termination of employees was inevitable and was enacted at the end of 2008. Termination of employment due to a particular issue can be interpreted as the immediate termination of rights and obligations between workers and employers. The term "layoff" could be construed as the unilateral dismissal by the employer as a result of the workers' behaviour/actions workers' fault. Because of this, these abbreviations have negative connotations. In fact, if we look at the definitions above taken from the Law no. 13/2003 on Employment, layoffs may occur due to various causes and effects. The term does not equivocate to "fired". Depending on the reason, the layoffs

may require determination of the Institute of Industrial Relations Disputes Settlement (LPPHI) may not. However, in practice not all the layoffs that took the determination were reported to the agency of employment, either because confirmation was not required, layoffs lead to endless legal disputes, or because workers do are not aware of their rights. Actual layoffs are unsettling to both parties, namely, business and labor. The workforce have less employment opportunities and hence less income. Even workers who been employed for decades including those who commenced at the inception of the company have been affected. Businesses are facing increased financial costs due to labor turnover which include: hiring cost, training cost, accident cost, loss of production, scrap and waste.

Psychosocial effects such as decreased motivation, including attitudes toward business can also lead to the total labor force being reduced. Layoffs enacted without respecting/ considering labor will dishearten labor concerned as well as those who are still actively working; they may consider their own employment situations to be at similar risk and that they may in the future receive the same treatment. These concerns may also arise in the minds of other workers. A synopsis of reasons laid off include attrition, layoff, or termination. Attrition can be described as leaving the place of employment as part of normal processes such as resignation, early retirement or death.. Early retirement is often encouraged during conditions of excess labor where to maintain an efficient

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business. An ordinance requiring that the preparation costs are communicated to the workforce. In contrast to attrition, layoff occurs due to economic downturn and less profitable businesses affected by the weak market situation of lower production. Layoff may be temporary until a business has fully recovered, which means workers may not return to work during this period. On layoff, businesses often make it difficult for employees to resign the event of resignation requires provision of an additional severance of supplemental unemployment benefits to the worker. During downsizing layoff policy resignation may also be first offered to the senior staff members in order to rejuvenate the workforce. Another form of layoff is termination. Termination occurs because due to the employee displaying unacceptable workforce behaviors, or not productive. However, businesses often feel reluctant from having to pay severance and outplacement assistance. In general severance pay and outplacement assistance or given only to workers who have been carrying out their duties properly and in layoffs. However, the business must not ignore social responsibility and business ethics. Research proposals have been based on the background of the issues that have been presented, the research issues are formulated as follows:

1. How does the mechanism of the ongoing layoffs at the company PT. Karya Tangan Indah?
2. Whether it meets the criteria of Law No 13, Chapter XII of the Employment Termination?

The Act states very clearly the rights and obligations of employers and employees involved in the process of layoffs. It addresses the filing of layoffs by companies to the Government, how long the worker / laborer has worked at the company, and incorporates a large amount of severance pay to be provided. As stated by the Djajendra Answering Djajendra, that "the issue of layoffs is not dependent on his Z Theory Dr. William Ouchi, The issue of layoffs More To Economic Issues, Financial, or even for destination management refresher. "This theory has been widely implemented / executed on many companies in the United States and Japan. Theory Z is more emphasis on the role and position of the employee or employees of the company that can make the workers to be convenient, comfortable, happy and feel a vital part of the company. Thus, the employee will work more effectively and efficiently in their jobs. The following are the terms and characteristics of companies that apply the theory of Z:

1. Recognition of the responsibility of the individual or the individual.
2. Employees are free to work using the skills they have.
3. Employees are hired for life and if a company is in crsrs, then the employee will not be fired or <severance.
4. Decision-making is done by consensus or openly. Although it will take longer but the step of successful implementation of the decision result obtained will be higher due to the support of the majority of workers.
5. Promotion begins from the lower echelons based on performance

evaluation and promotion processes carried out by the day care so as not to cause problems with employees. Every employee s theoretically desires a career that increasingly develops and developing countries from time to time. However, as a matter of course we can only plan, because not all may feel the need for these concepts to become a reality, including business.

Research Methods

This study uses a qualitative approach, the analytical descriptive method. This method is intended to evaluate existing documents and then be accurately described. This method is supported by the method of field observations made during the period of layoffs in the PT. Karya Tangan Indah end of 2008.

Management Concepts layoffs

In the article Vs layoffs Management by Global Financial Crisis of 2008 requires Sjafrri Mangkuprawira al:First, prepare all the information about

the health condition of the company in

an honest and objective determination of the amount of the following social security and severance pay in accordance with appropriate regulations. Look for possible solutions to take back those who are affected by layoffs if business conditions began to recover. In this stage, the management should have consulted with the trade unions, corporate legal aid bureau, and bureau psychology. Second, convey and explain all the reasons for the layoffs to

performance of each unit respectively. Management must be ready to answer all questions pertaining to the condition of the company and the reason for layoffs. Third, the management should be ready and calmly deal with complaints and demands of even the resistance of employees affected by layoffs. Avoid a confrontation that could lead to actions conflict with them. Restore every effort to resolve conflicts through the legislation in force and the internal workings of the deal. Fourth, submit a letter of decision on layoffs, severance pay or social security, do not forget to convey the gratitude and appreciation. The point is really humanize the employees. And fifth-advocacy training and entrepreneurship development for employees. It is expected that employees can use the money for business capital. This is important not to get the impression of "use and throw".

Process of layoffs at the PT Karya Tangan Indab

When we look at what is stated in

Law No 13 of 2003, Article 15l

all employees. Surely this is simply done by the directors or managers in the

paragraph 2, namely: "In this case every effort has been made, but layoffs are unavoidable, then the purpose of termination of employment shall be negotiated by employers and trade unions / labor unions or the worker / laborer if the worker / laborer in question are not members of trade unions / labor unions " Termination by the Management was inevitable because of global crisis that affects the company directly. Communications made by management from one department to another department utilized holistic and

transparent dialogue explaining the need for the company effect extensive layoffs. Partial dialogue was conducted with the aim that each individual has a comprehensive understanding of the situation, and was given the opportunity to ask questions directly should there have been issues that were not clear. Consideration of the physical situation / environment of this company and a considerable number of employees at the time the layoffs amounted to approximately 800 employees. Once it was felt that the affected employees have been sufficiently briefed the Management communicated these issues to the Government; in this case the appropriate authority was the Department of Labor Badung regency. The company's internal communications companies were completed ; followed by a verbal notice to each office visit and a detailed explanation made by the company's public relations department pertaining to the to the social concerns of the Umahanyar and Baturaning village populations , the village chief and district head of Abiansemal, the police chief and the head of Army Abiansemal in anticipation of the inevitable result. Good administrative preparations related to the HRD (Human Resources Department) or administration and Finance also were e carefully established. Here the role of management needed to be very astute and and work collaboratively because the rights of employees needed to be considered. The psychological status of employees also needed to be addressed,

condition emotionally. When the day arrived and the management called them one by one into the HRD room to receive his or her rights as in accordance with the applicable provisions in Article 156 of this Act:

- (1) In the event of termination of employment, employers are required to pay severance pay or cash gratuity and compensation pay that should be accepted
- (2) The calculation of severance pay referred to in paragraph (1) at least as follows:
 - a. working period of less than 1 (one) year, 1 (one) month salary;
 - b. working period of 1 (one) year or more but less than 2 (two) years, 2 (two) months of wages;
 - c. service life of two (three) years or more but less than 3 (three) years, 3 (three) months of wages;
 - d. service life of 3 (three) years or more but less than 4 (four) years, 4 (Four) months salary;
 - e. life of 4 (four) years or more but less than 5 (five) years, 5 (Five) months salary;
 - f. working period of 5 (five) years or more, but less than 6 (six) years, 6 (Six) months salary;
 - g. service life of 6 (six) or more but less than 7 (seven) years, 7 (seven) months of wages;
 - h. the work 7 (seven) years or more but less darai 8 (eight) years, 8 (Eight) months salary;
 - i. service life of 8 (eight) years or more, 9 (nine) months salary.

(3) Calculation money a gratuity referred to in paragraph (1) defined as follows:

- a. service life of 3 (three) years or more but less than 6 (six) years, 2 (two) months of wages;
 - b. service life of 6 (six) years or more but less than 9 (nine) years, 3(Three) months salary;
 - c. life of 9 (nine) years or more but less than 12 (twelve)year, 4 (four) months salary;
 - d. working period of 12 (twelve) years or more but less than 15 (fifteen)year, 5 (five) months salary;
 - c. working period of 15 (fifteen) years or more but less than 18 (eighteen) years old, 7 (seven) months salary;
 - f. working period of 18 (eighteen) years or more but less than 21 (twotwenty-one), 7 (seven) months salary;
 - g. service life of 21 (twenty one) years or more but less than 24 (twotwenty-four) years, 8 (eight) months salary;
 - h. service life of 24 (twenty four) years or more, 10 (ten) months of wages.
- (4) The money for entitlements that have accrued as referred to in paragraph (1) include:
- a. annual leave not taken and do not fall;
 - b. costs or expenses for workers / laborers and their families place where the worker / laborer hired;
 - c. replacement housing, medical care and set 15% (fivefifteen percent) of severance pay and / or cash gratuity for those who qualify;
 - d. other matters specified in employment agreements, company regulations or collective agreement.
- (5) Changes in the calculation of severance pay, gratuity calculation of work, and money for entitlements as referred to in paragraph (2), paragraph (3), and paragraph(4) stipulated by Government Regulation. Article 157(1) The components of wages are used as the basis for the calculation of severance pay, gratuity, all compensation they should receive delayed, consisting of:
- a. basic wage;
 - b. all forms of permanent benefits provided to workers / laborers and their families, including the purchase price of the vacation given to workers / laborers free of charge, that if leave should be workers / laborers with subsidies, it is considered as the wage difference between the price the buyer at a price to be paid by the worker / laborer.
 - (2) In case the worker / laborer is paid on a daily, income in a month is equal to 30 times a day wage.
 - (3) In case the worker / laborer is paid on the basis of the calculation unit, discount / wholesale or commission, the daily income is equal to average revenue per day for 12 (twelve) months, with provisions should not be less than the provincial minimum wage or county / city.
 - (4) In the case of work depends on weather conditions and wages are based on piece rate, then the calculation of

the monthly wage is calculated from the average wage of 12 (twelve) months.

Finding

All employees affected by layoffs bring the rights of his home today as well so it can be resolved to a minimum and avoid the errors that occur by the management to the workers. The termination process involved e about 200 workers at a time resulting in the

company running smoothly, so that was absolutely no resistance, hardness, or criminal actions. Although it must be admitted that because most of the workers had been employed by the company for over 5 years emotional costs could not be avoided.

The termination of Employment Policy process in PT. Karya Tang an Indah, Badung, Bali end of 2008, can be described as follows:

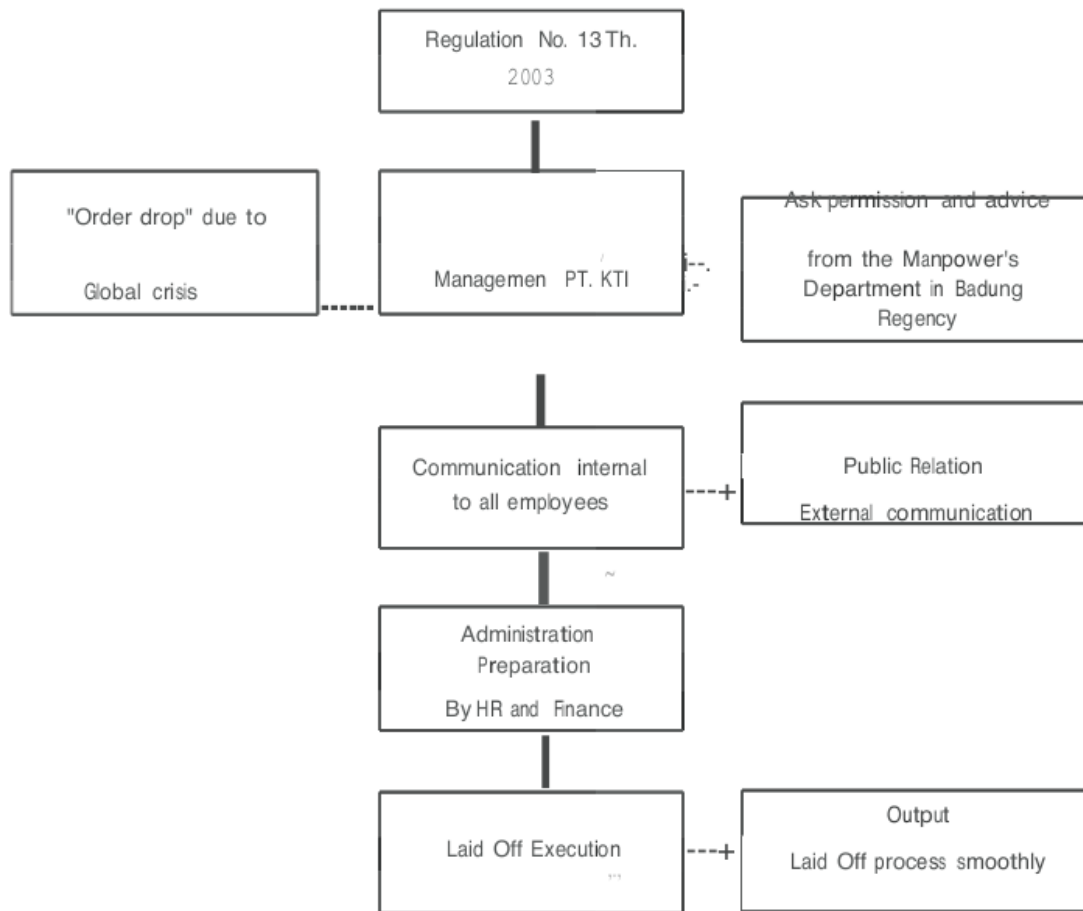


Figure 1. Implementation process of layoffs in the PT KTI

Conclusion

It can be argued that the process exercised by the company for the ongoing layoff of employees of the company involved preparation of a very highly developed; established internal and external communication method relating to the existence of this company. Preparation is meant here is good psychological preparation (with communications) as well as material in the form of administration of the HRD (Human Resources Department) and the Treasury so layoffs were reduced to a minimum. The company complied with the criteria of Act No. 13, Chapter XII of the Termination of Employment as well as applicable regulations so that the process of job cuts from beginning to end was a smooth progression.

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