

## PRE-EMPLOYMENT CARD (*KARTU PRAKERJA*) IN THE MIDDLE OF A PANDEMIC REVIEW FROM THE CONCEPT OF JUSTICE AND WELFARE

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### Abstract

The Covid 19 pandemic that attacked the industrial world of the Indonesian which resulted in the termination of employment by several companies so that the government had implemented policies including by issuing the Pre-Employment Card (*Kartu Prakerja*) Program to overcome unemployment and create welfare and social justice, but in the practice there are still people who have not received a pre-employment card. The problem in this research is how to implement the pre-employment card in terms of the concept of welfare and justice. The research uses a statute approach method. The research focuses more on library data, namely research carried out on secondary data which includes Indonesia Constitution, the 5th principle of the Pancasila, namely "Social Justice for All Indonesian People", Presidential Decree No. 36 of 2020 "The Pre-Employment Card Program is a work competency development program aimed at job seekers, workers/laborers who have been laid off, and/or who need to increase their competence", Government Regulation No. 39 of 2012 "Social Security is a scheme institutionalized to ensure that all people can fulfill their basic needs for a decent life". The results of the study prove that the government has provided funds for the pre-employment card program to help workers solve economic problems due to layoffs, but during the pandemic the pre-employment card policy to restore employee health has not been effective with the most recipients in West Java 16%, then DKI Jakarta (10%), followed by East Java (9.8%). Meanwhile, the provinces with the lowest recipients were West Papua (0.08%), then Gorontalo (0.37%), and Papua (0.46%).

**Keywords:** Pre-Employment Card, Covid -19, Welfare and Justice Concept, *Kartu Prakerja*.

#### History:

Received: June 30<sup>th</sup> 2021

Accepted: July 25<sup>th</sup> 2021

Published: August 1<sup>st</sup> 2021

**Publisher:** Universitas PGRI Madiun

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## INTRODUCTION

Philosophically, the state will be difficult to separate from the constitution, the two are like two sides of a coin that are tied together and cannot be separated. In fact, after the development of the idea of democracy, there is an opinion among legal experts who explain that without a constitution, it is impossible for a state to be formed. This is because the constitution is considered as an important foundation for a State to survive after proclaiming their independence. In theory, the basic rules in a State should be based on the constitution so that the country continues to run according to its rules. So this confirms that a State can be said to be ideally a sovereign state if the State has a constitution.

The Covid-19 pandemic has attacked several countries in the world, including Indonesia, in March 2020, for the first time the government announced two cases of positive Covid-19 patients in Indonesia, this was the beginning of the spread of Covid-19, until now the Covid-19 virus still survive in Indonesia amid various efforts that have been made by the government to stop the spread of Covid-19 (Fernanda et al, 2021).

During the Covid-19 pandemic, many companies were laid off to layoffs. Based on Indonesia's employment conditions in February 2020 there was a decrease in the Open Unemployment Rate, which fell to 4.99% from 5.01% in February 2019. The number of unemployed was 6.88 million individuals, an increase of 60,000 individuals compared to February 2019. The Covid 19 pandemic also caused a health crisis that made many individuals sick and even lost their lives. A number of solutions from government policies were also implemented to reduce the spread of Covid-19, including the implementation of the Corona Virus Disease 2019 public health emergency or *PSBB* in an effort to suppress the spread of Covid-19.

In 2019 the Pre-Employment Card Program (*Kartu Prakerja*) was designed from President Jokowi's campaign which was intended to reduce unemployment and achieve social justice. This shows that Jokowi is implementing the welfare law regulated in Government Regulation No. 39 of 2012 on Social Security which reads "an institutionalized scheme to provide guarantees for all people so that they can meet proper basic needs". The government is present in the community through the Pre-Employment Card Program. This program is specifically aimed at people who have not found work. The pre-employment card is used as social security for the unemployed or the labor force who just graduated before getting a permanent job. The number of pre-employment card holders will be limited, and training will be provided to prepare themselves for the world of work and benefits for a predetermined period. However, in 2020, with the Covid-19 pandemic, the policy of limiting activities during the pandemic had an impact on the employment sector and the economy which led to a decline in the economy of workers who were laid off, the President prioritized giving pre-employment cards to workers affected by the pandemic.

Here are some interview excerpts from CNN 2020:

- 1) Fadli Zon stated: "The government still believes in conducting a training because it is felt that the training is very important, so it is questionable whether it makes sense if the cost of online training has the potential to cost around 5.6 trillion rupiahs. Besides that, the funds were only used to provide video tutorials."
- 2) Agus H. Yudhoyono stated: "The Democratic Party must understand the relevance of the Pre-Employment Card amounting to 5.6 trillion by encouraging the budget to be used for direct assistance to affected workers or employee".
- 3) Ahmad Ali stated: "in terms of partnerships should review the online training which includes eight service providers. Besides that, it has also received a lawsuit from the training community, it is also vulnerable to fraud." (Consuello, 2020)

In response to a number of those statement, it can be concluded that the basic conclusion is that the Pre-Employment Card program is an idea that must receive attention from many parties in the process of its implementation in the field. What might be the main reason is knowing that this program is the first program of the government during the Jokowi leadership era. This program is more oriented towards a new style of online training, which is a way to increase potential for the people who follow it.

The government's role in the Pre-Employment Card Program is very crucial in minimizing bad influences and increasing the quality of human resources, which has an impact on the welfare of the worker, especially in the period of the Covid-19 pandemic. The government which has a role in this program is the Human Settlement Committee,

hereinafter referred to as the Committee contained in Presidential Regulation number 36 of 2020 Article 15. This committee has the task of formulating policies, controlling, and evaluating the implementation of the Pre-Employment Card Program. This Pre-Employment Card certainly brings high expectations for those affected by Covid-19, the online method of procuring training programs has the potential to be ineffective, fictitious, and cause state financial losses. The training method is only one way and has a control mechanism over the actual completion of the training by the participants.

Based on this background, researchers are interested in conducting research related to "Pre-Employment Card (*Kartu Prakerja*) In The Middle Of A Pandemic Review From The Concept Of Justice And Welfare" with formulation of the problem: First, how to implement the pre-employment card in terms of the welfare concept and second how to implement the pre-employment card in terms of the justice concept.

## **MATERIALS AND METHODS**

The research uses a statute approach's method. The research focuses more on library data, namely research carried out on secondary data which includes the Indonesia Constitution, the 5th principle of the Pancasila which reads "Social Justice for All Indonesian People", Presidential Decree No. 36 of 2020 which reads "The Pre-Employment Card Program is a work competency development program aimed at job seekers, workers/employee who have been laid off, and/or who need to increase their competence", Government Regulation No. 39 of 2012 which reads "Social Security is a scheme which is institutionalized to ensure that all people are able to meet their basic needs for a decent life." The results of the research were analyzed qualitatively to describe in full all the problems related to the problems being studied.

## **RESULTS AND DISCUSSION**

### **1. Implementation of the Pre-Employment Card in terms of the concept of welfare**

Social welfare is an human right. Social welfare is also an important aspect to build a country, because with the realization of social welfare, it proves that the state has a responsibility to its people. Welfare is still a goal as well as a fundamental problem in Indonesia.

As emphasized by Sumarnonugroho in the book "Social Welfare Intervention System" explains the theory of social welfare, namely organized activities aimed at increasing welfare from a social perspective through providing assistance to individuals to meet needs in a number of areas such as children's lives, family, social adjustment, health. , standard of living, leisure time, social relations (Sumarnonugroho, 1987).

The Social Welfare Law also states that the implementation of social welfare is a sustainable, integrated, directed step carried out by the central governments, regional governments, or community in the form of social services to meet the basic needs of all citizens. The Covid-19 pandemic has caused many companies to lay off workers and employees. Based on the condition of Indonesian Manpower in February 2020 there was a decrease in the Open Unemployment Rate by gender (%), February 2016-February 2020 the degree of Open Unemployment decreased to 4.99% from 5.01% in February 2019. The number of unemployed was 6.88 million individuals, an increase of 60,000 individuals from February 2019.

The implementation of the pre-employment card is viewed from the welfare concept as follows:

- a. The government has implemented social empowerment by providing training for Indonesian citizens who want to have or add skills. This program is regulated in Presidential Decree No. 36 of 2020 regarding Work Ability Development through

the Pre-Employment Card Program which is intended for workers who need additional skills and are looking for work, workers or workers who have been laid off.



Picture 1 Distribution of Government Budget Allocations for Fiscal Support and Community Socio-Economic Recovery Due to the Impact of the Covid-19 Pandemic

- b. Social security in the form of incentives provided by the government to job seekers as much as Rp. 600,000 per month for four months with a total of Rp. 2,400,000, to provide assistance to the community in order to meet their daily needs, so the government issued a policy of state budget support. The government approved the allocation of funds in the form of additional spending and financing of the State Budget (*APBN*) of IDR 405 trillion and widening the budget deficit to 5.07% of *GDP* for the recovery of national and global economic growth. This *APBN* exceeds the 3 percent deficit that had previously been set since 1998, to cover the budget deficit, the government through the Ministry of Finance has set a policy to issue Government Securities.

It was found that the implementation of this pre-employment card can be used to carry out social empowerment and social security. 600,000 per month for four months with a total of Rp. 2,400,000, but this has not been able to run smoothly because the distribution in each area is adjusted to the data of the local population.

## 2. Implementation of the Pre-Employment Card in terms of the justice concept

Roscoe Pound's Theory of Justice sees justice in the concrete outcomes that can be delivered to the public. He observed that the results obtained should be in the form of satisfying the needs of the community as much as possible with the smallest possible sacrifice. Pound says he himself likes to see "the more widespread the satisfaction or recognition of one's demands, wants or needs through social control, the more widespread and effective the guarantee of social interests, an effort to eliminate waste that is sustainable and more effective and to anticipate clashes between people to enjoy data sources, in short social engineering is more effective".

Based on the existing facts, the plan that has been implemented by the government through the pre-employment card program is indeed not going well and is inseparable from various limitations. Moreover, the Covid-19 pandemic has also taken up the government's energy, time, or ideas to rethink plans that have never been implemented. However, all

policies related to budget expenditures are indeed risky and there must be more optimal steps, either after a program is realized or before. Meanwhile, the implementation of the system or method of pre-employment cannot be swallowed whole. If the Indonesian government really focuses on socio-economic justice for the needy, the screening procedure for participants should not be implemented. Because it doesn't really provide broad alignments for small people, especially for people who don't understand technology and who are affected by the corona virus. The simulation is when there are some citizens who have difficulty accessing the website because they do not have the capital tools and information, so that it can slow down the empowerment goals that have been wanted by the government. Shorter is when someone is free to access, whether poor or rich, so that the inequality curve becomes invisible. Indirectly, the participant selection system in the pre-employment card program is to equalize the socio-economic status of individuals, and does not emphasize the priority of real needs, including very fundamental aspects.

The above concludes that the government provides employment opportunities for the Indonesian people in relation to the interests of the people, a guaranteed livelihood, which will then bring prosperity. Hope for prosperity through decent work and equal opportunities for justice. The government has provided funds for the pre-employment card program, but the distribution of pre-employment cards is still not evenly distributed because the data used is not right on target which must focus on residents who are laid off, judging from the concept of justice in the program held by the government, it is better for community data must always be updated if the pre-employment card program is one of them, for the provision of this program must be right on target which will be obtained for people of productive age and for non-productive age can be recorded for other social assistance receipts so that the quota in the pre-employment card can be right on target.

## **CONCLUSION**

From the description discussed by the researcher, it can be concluded that: First, it was found that the implementation of this pre-employment card can be used to carry out social empowerment and social security. 600,000 per month for four months with a total of Rp. 2,400,000, but this has not been able to run smoothly because the distribution in each area is adjusted to the data of the local population. Second, the government provides job opportunities for the Indonesian people in relation to the public interest, a decent life, which then leads to prosperity. The hope to obtain prosperity through decent work and equal opportunities to get it (fair). The government has provided funds for the pre-employment card program, but the distribution of pre-employment cards is still not evenly distributed because the data used is not right on target, which must focus on residents who are laid off or cut-off

The suggestions are first the government monitors the implementation of the pre-employment card program so that it can be received equally in the community. And then, cooperating with business entities or professional/community associations or NGOs for vulnerable groups so that they can receive advice on the needs of workers, and provide certification from an accredited institution regarding expertise, then provide job opportunities for job seekers originally through the Pre-Employment Card Program .

## **Acknowledgments**

I say thank to God, my family, and all friends who support us to finish this research.

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