# Enforcement of Labor Wages Below the Minimum Standard Reviewed from Government Regulation (PP) Number 36 of 2021 concerning Wages and Islamic Law

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#### ABSTRACT

The implementation of labor wages should be adjusted to the minimum wage set by the government, but the implementation of labor wages below the minimum standard carried out by several companies is interesting to study the implementation of labor wages below the minimum standard that is justified, considering that wages are an important aspect for workers to be able to live a decent life. The suspension of the minimum wage is a way out for companies that have not been able to meet the minimum wage payments. This applies before the passing of the Job Creation Law, where companies can apply for suspension of minimum wage payments to the local Governor/Regional Head. Then in order to ensure the ability and sustainability of a company, Law Number 11 of 2020 concerning Job Creation which was later clarified by PP Number 36 of 2021 concerning Wages contains new provisions, namely that the minimum wage is excluded for micro and small businesses with certain provisions and criteria. In the regulation, it is explained that companies are required to provide wages as the minimum wage that has been determined and there are sanctions for companies that do not run it.Regarding wages in Islamic law, the determination of wages (ujrah) of workers strictly upholds the principles of justice and sufficiency. The main principle of justice lies in the clarity of the contract (transaction) and commitment on the basis of

willingness to do it (from the contractor). Therefore, Islam strongly prioritizes the principle of justice in all aspects including economic aspects, especially in determining wages for workers or laborers, so it is necessary to have a work agreement between workers and employers so that there is no arbitrariness of employers against their workers. The provision of time in work determined, as well as the amount of the wage payment system and the reference amount of wages that must be issued, is a very striking general difference from the concept used in Islamic Law and Government Regulation Number 36 of 2021 concerning Wages.

*Keywords: Wage, Labor,* Government Regulation (*PP*), *Islamic Law* 

#### **INTRODUCTION**

Various studies of the relationship between law and economics show that economic progress will not succeed without the development of laws that precede it. (Adi Sulistiono, 2009) The development of the law in question is by forming laws and regulations. Laws and regulations are written regulations formed by state institutions or authorized officials and are generally binding. (Lawrence Arliman, 2019) In this context, wage rules in Indonesia are regulated in Law Number 13 of 2003 concerning Manpower which was

later refined by Law Number 11 of 2020 concerning Job Creation, and PP Number 36 of 2021 concerning Wages, where these rules are legal products that regulate provisions in determining wages.

Regarding the determination of workers' wages, there are several guidelines that need to be considered by a company, including employers who are required to determine workers' wages in accordance with the minimum wage provisions set by the government. (Article 81 number 25 of the Job Creation Law) In Government Regulation Number 36 of 2021 concerning Wages, it is explained that the minimum wage is the lowest monthly wage which includes (wages without benefits, basic wages, and fixed allowances) then its implementation is divided into provincial minimum wages and district/city minimum wages where the provisions and determinations are determined by the government once a year. (Article 23 paragraph 1, PP 36/2021).

However, it turns out that in reality there are still many workers who have not received wages as stipulated in the minimum wage. According to the Head of the North Sumatra Manpower Office, so far the policy regarding the minimum wage has only been implemented by large companies, on the contrary, there are still many small and companies have medium that not implemented the minimum wage as stipulated. This reality clearly has implications for the gap between the interests of workers and the wages that should be given to them, as well as the interests of employers with their profit targets in production, then often become a trigger for labor problems which often end with mass mobilization and conflict. (Ruslan Abdul Ghofur, 2020)

The suspension of the minimum wage is a way out for companies that have not been able to meet the minimum wage payments. This applies before the passing of the Job Creation Law, where companies can apply for suspension of minimum wage payments to the local Governor/Regional Head.

(Article 90 paragraph 2, Law 13/2003) However, after the issuance of Law Number 11 of 2020 concerning Job Creation, the provision for deferring minimum wage payments was finally removed.15 Then in order to ensure the ability and sustainability of a company, Law Number 11 of 2020 concerning Job Creation which was later clarified by Government Regulation Number 36 of 2021 concerning Wages contains new provisions, namely that the minimum wage is excluded for micro and small businesses with certain provisions and criteria.

Furthermore, in the study of Islamic law, wages are also referred to by the term alumrah which comes from Arabic and means wages. In Islam, the determination of workers' wages strongly upholds the principles of justice and sufficiency. The main principle of justice lies in the clarity of the contract (transaction) and commitment on the basis of willingness to do it (from the contract) (Ruslan Abdul Ghofur, 2020). The agreement in the work transaction is an agreement that occurs between workers and employers so that before workers are hired, it must be clear first how wages will be received by workers. These wages include the number of wages and procedures for paying wages. (Ruslan Abdul Ghofur, 2020) Distinguishing the concept of wages in the Government Regulation on Wages with Islamic law is important. Because Islam has its own distinctive view of ijarah (wages), the concept offered is more of a sense of justice and benefit in order to fulfill each other's lives between workers and employers for the benefits obtained. In setting wages, Islam provides space to provide protection for the rights of employers and workers. A fall in wages below the lowest level should not occur to protect workers' rights, on the contrary, raising wages beyond the highest limit should not occur to save the interests of employers. (Ruslan Abdul Ghofur, 2020) Ijarah in Islam cannot be separated from the dimensions of the world and the Hereafter based on the Quran and Hadith. Man's

relationship with God and man's relationship with man must be balanced. Islam gives wide to humans to carry out activities in the world of work. (Fitri Anggaini, 2018)

On the other hand, the Regulation on Wages has a different concept in the discussion of wages, relations in the world of labor, especially wages, are all regulated in Law No. 13 of 2003 concerning Manpower which was later refined in Law No. 11 of 2020 concerning Job Creation and Government Regulation No. 36 of 2021 concerning Wages. All matters related to the world of work are regulated in the regulation, both regarding time. determination of wages obtained, rights and obligations, conditions that must be done, and others. In Government Regulation No. 36 of 2021 concerning Pay, the implementation of work is carried out by mutual agreement with the provisions agreed upon by workers/work service providers. The provision of time in work determined, as well as the amount of the wage payment system and the reference amount of wages that must be issued, is a very striking general difference from the concept used in Islamic Law and Government Regulation Number 36 of 2021 concerning Wages. (Fitri Anggaini, 2018)

### LITERATURE REVIEW

### Labor Wages

Article 1 paragraph (1) of Government Regulation Number 36 of 2021 concerning Wage Wages is defined as the rights of workers or laborers received and expressed in the form of money in return from employers or employers to workers or laborers determined and paid according to a work agreement, agreement, or legislation, including benefits for workers or laborers and their families for a job and/or service that has been or will be performed. (Article 1 paragraph 1 PP36/2021)

Government Regulation Number 36 of 2021 concerning Wages contains several wage policies which include: a. Minimum wage, b. Wage structure and scale, c. Overtime pay, d. Wages for not coming to work and/or not doing work for some reason, e. Forms and methods of payment of wages., f. Things that can be taken into account with wages, g. Wages as a basis for calculation or payment of other rights and obligations.

## **Types of Wages**

Juridically there is actually no clear understanding of the type of wages, but if we look at some wage provisions, the types of wages can be grouped as follows: (Edytus Adisu, 2008), a. Fixed wages. Fixed wages are wages received by workers on a regular basis for a job that is done on a regular basis. Fixed wage payments are only intended for workers whose employment agreement status for an indefinite time (PKWTT) or colloquially is a permanent worker. b. Wages are not fixed. Irregular wages are wages received by workers irregularly for a job. The irregular wages received by these workers are due to unstable work volumes. c. Daily wages. (Dilli Milianawati Utami, 2021). Daily wages are wages paid by employers to workers on a daily basis or based on attendance rates. Daily wages are paid daily to workers whose employment only agreement status is free-day. d. Wholesale wages (Hernida Gigih Aryanti, 2015). According to David Shirley, wholesale wages are applied to types of work that are difficult to calculate by unit or time. Payment of piece wages is made between the employer and the worker which has been agreed upon before work begins. Workers who are paid in pieces are prohibited from being paid less than the minimum wage even if the piece wage they make is below the minimum wage.

# Minimum Wage

The minimum wage is the lowest wage received by workers and is a benchmark for other types of wages including daily wages, and piece wages where the wage in a month cannot be less than the minimum wage value that has been determined and applies in each province or region/city. Referring to

Government Regulation Number 36 of 2021 concerning Wages, it is stated that the minimum wage consists of (Edytus Adisu, 2008): a. Provincial Minimum Wage and b. District/City Minimum Wage.

## Minimum Wage Standards in PP Number 36 of 2021 concerning Wages

Referring to Government Regulation Number 36 of 2021 concerning Wages, there are several minimum standards that must be considered by companies in providing labor wages, which are as follows: a. Hourly wage. For companies that run an hourly wage system, there are parameters that need to be considered by the company, namely the determination of hourly wages can only be intended for workers or workers who work part-time where the hourly wage payment system is based on an agreement between employers and workers or laborers. In Article 16 Paragraph (4) it is explained that the formula for calculating hourly wages is as follows: Hourly wages = monthly wages: 126 days. b. Daily wages. In the event that workers' wages are set on a daily basis, as stipulated in Article 17 of PP Number 36 of concerning Wages, 2021 there are provisions that depend on the number of working days in a week, which can be described as follows: 1). For workers or laborers who work with a working time system of 6 (six) days in 1 (one) week, a day's wages are: A month's wages are divided by 25 (twenty-five). 2). For workers or laborers who work with a working time system of 5 (five) days in 1 (one) week, a day's wages are A month's wages divided by 21 (twenty-one).

# Minimum Wage Standards in Islamic Law

a. Definition of Wage/Ujrah in Islamic law, wages are included in Ijarah. The word ijarah comes from the word ajr which means reward. In this sense, merit is called ajr. In Shari'a, what is meant by ijarah is a contract to get benefits in return. (Sayyid Sabiq, 2009) b. Legal Basis of Wages/Ujrah. Ibn Rushd asserts that all Islamic jurists, both salaf and khalaf, stipulate the permissibility of ijarah (ujrah) law (Hendi Suhendi, 2005). The basis of this ability is clearly explained in the Qur'an and Hadith

# Wage Standards in Islamic Law

The wage level set must be based on a sense fairness. set wages are through of negotiations between workers, employers, and the state. In making decisions about wages, the interests of earning a living and the employer will be considered fairly. For this reason, it is the responsibility of the state to consider the wage level set so that it is not too low, so that it can meet the cost of basic needs of workers. In addition, it is also not too high so that the employer does not lose his true share of the results of the cooperation (Afzalur Rahman, 1995).

a. Lowest wage standards

The lowest wage standard is a provision that must be agreed upon as a basis for enforcement for workers and employers. This is necessary because the worker in relation to the employer is in a very weak position for which there is always a possibility that his interests will not be properly protected and safeguarded. Given its weak position, Islam pays great attention to protecting its rights from violations committed by employers (Afzalur Rahman, 1995). As the Prophet said, which means: "Whoever makes his brother (fellow Muslim) under his control should give him food as he eats and give him clothes as he dresses" (Al-Bukhari, 2012).

b. Highest wage standards

Islam does not allow wages to be below the minimum level set based on the basic needs of the working group, nor does Islam allow any increase in wages beyond a certain level determined based on its contribution to production (Ruslan Abdul Ghofur, 2020). Workers will also be considered oppressors if they force employers to pay wages that exceed their means. This is in line with the

words of Rosulullah SAW: (Ridwan, 2008) "From Iyas ibn Muawiyah he actually said that if you hire a helper or shopkeeper, then do not give more than what he does."

c. Actual wages

In setting wages, Islam provides space to provide protection for the rights of employers and workers. A fall in wages below the lowest level should not occur to protect workers' rights, on the contrary, raising wages that exceed the highest threshold should not occur in order to save the interests of employers. (Ruslan Abdul Ghofur, 2020). The basic principle in setting this wage standard is based on Surah Al Bagarah verse 279 which means: "... You have not done any harm and you have not been wronged." The above verse explains that in determining fair wage standards and limits that show exploitation of workers, Islam teaches how to set wages by not committing tyranny against workers or being wronged by workers (Isnaini Harahap, 2015)

# **METHOD**

### **Types of Research**

The type of research used by researchers in this study is qualitative research. Bogdan and Taylor define qualitative methods as research procedures that produce descriptive data in the form of written or spoken words of people and observable behavior (Mamik, 2015). The use of qualitative research is because in this study the data is presented descriptively in the form of words instead of numbers that discuss the implementation of labor wages below the minimum standard carried out by several companies in North Sumatra.

As it is necessary to know that in the discussion of legal science in general, legal research is divided into two research models, namely normative legal research and empirical legal research. In this study, the research model that researchers use is empirical legal research. Because in this

study researchers depart from real behavior obtained from field research locations. namely about the implementation of wages below the minimum standard carried out by several companies in North Sumatra as primary data. This is in accordance with the definition of empirical legal research explained by Abdulkadir Muhammad who explained that empirical legal research does not depart from written positive law (laws and regulations) as secondary data, but from real behavior as primary data obtained from field research locations (Muhaimin, 2020). Thus, empirical legal research is legal research that serves to see the law in a real sense and examine how the law works in the community (muhaimin, 2020).

## **Data Sources**

Based on the source, research data can be categorized into two types, namely:

- a. Primary Data
  - Primary data is data obtained or collected by researchers directly from their data sources (Sandu Siyono, 2015). Primary data is also referred to as original data or new data that has an upto-date nature. So to obtain primary data researchers must collect data directly from the source, in this case, researchers obtain primary data by conducting interviews directly with informants, namely interviews with company leaders PT Agro Jaya Perdana, 4 workers who work in the company consisting of 1 crew counter, 3 assistant supervisors. In addition to conducting interviews with informants, researchers these also conducted interviews with the Medan City Manpower Office and the Indonesian Ulema Council of Medan City to examine more deeply what had been obtained in previous interviews.
- b. Secondary data

Secondary data is data obtained or collected by researchers from various existing sources. Secondary data can be obtained from various sources such as the Central Bureau of Statistics (BPS), books, reports, journals, and others. In

this study, the data that the researchers used were:

- 1. Law Number 13 of 2003 concerning Manpower
- 2. Law Number 11 of 2020 concerning Job Creation
- 3. Government Regulation Number 78 of 2015 concerning Payroll
- 4. Government Regulation Number 36 of 2021 concerning Payroll
- Regulation of the Minister of Manpower of the Republic of Indonesia Number 1 of 2017 concerning the Scale and Structure of Wages
- Decree of the Governor of East Java Number 188.44/746/KPTS/2021 concerning the Minimum Wage of North Sumatra Province in 2022

# **Data Collection Techniques**

Data collection techniques are an important step in research, so it requires appropriate data collection techniques in order to produce appropriate data. Without having the ability of data collection techniques, researchers will find it difficult to obtain standard research data (Firdaus, 2018). There are several techniques that researchers use in collecting data in this study, namely by conducting interviews.

### **Data Analysis Techniques**

Data analysis techniques can be translated as a way of analyzing data, with the intention of processing the data into information, so that the characteristics or characteristics of the data can be easily understood and useful for answering problems related to research activities (Tarjo, 2019). The stages in conducting data analysis in this study are as follows:

a. Data reduction

The amount of data obtained from the field is quite a lot, so it needs to be recorded carefully and in detail. Reducing data means summarizing, choosing the main things, focusing on the important things, and looking for themes and patterns (Umrati, 2020). In this process, researchers record the data

that has been collected through interviews, observations, and documentation. Then summarize the data that is considered the subject of discussion in the study, namely data related to how the implementation of labor wages is below the minimum standard carried out by the company PT Agro Jaya Perdana.

b. Display data (data presentation)

Once the data is reduced, then the next step is to present the data. The data that had previously been analyzed and separated based on points related to the implementation of labor wages below the minimum standard carried out by the company PT Agro Jaya Perdana obtained through interviews. Then in presenting this data, the researcher presents the data descriptively in accordance with the problem formulation that the researcher has formulated.

c. Conclusion drawing and verification After the data is successfully reduced and presented in the form of descriptive text, the next step is for the researcher to draw conclusions. At this stage, researchers systematically compile the data that has been presented, namely data on the implementation of labor wages below the minimum standard carried out by the company PT Agro Jaya Perdana in terms of PP Number 36 of 2021 concerning Wages and Islamic law. then the researcher makes conclusions on these data which are adjusted to the formulation of the problem in this study, namely how to apply labor wages below the minimum standard carried out by the company PT Agro Jaya Perdana and how the implementation of labor wages below the minimum standard at PT Agro Java Perdana is reviewed from PP Number 36 of 2021 concerning Wages and Islamic law.

#### **RESULTS AND DISCUSSION**

# Enforcement of Labor Wages Below Minimum Standards at PT. Agrojaya Perdana

Based on the results of research that researchers have presented about the implementation of labor wages below the minimum standard at PT. Agro Java Prime. Researchers can explain the factors that cause the company PT. Agro Java Perdana imposes labor wages lower than the minimum standard set by the government, namely because of the profit obtained by the company PT. Agro Java Perdana is still small. While the number of workers employed by the company PT. Agro Java Perdana is also numerous, namelv approximately 170 workers from the current number of 15 branches. So that the company PT. Agro Jaya Perdana feels unable if it has to apply labor wages as the minimum wage set by the government. Labor wages imposed by the company PT. Agro Jaya Perdana itself ranges from 800-900 thousand for new workers or 1-4 million for old workers, of course, this amount is lower when compared to the Medan City Minimum Wage in 2023, which is Rp. 3,624,117,-

The implementation of wages below the minimum standard is carried out by the company PT. Agro Jaya Perdana is first notified to each prospective worker who wants to work at PT. Agro Jaya Prime. The workers actually realize that the wages they receive are lower than the minimum wage standard set by the government. Nevertheless, the workers stated that they still accepted and agreed with the number of wages lower than the minimum wage. There are several reasons that cause workers to accept and agree, namely a work location close to family, fierce job competition, choosing to get a certain income, and economic pressure. Based on these reasons, there is no other choice for workers but to

receive wages below the minimum imposed by PT. Agro Jaya Prime. So that the workers seem forced to agree to it, it is also evidenced by the expectations of workers who still want wages at PT. Agro Jaya Perdana can increase according to the minimum wage. However, on the other hand, it can also be said that workers are willing to pay below the minimum because from the results of research, there are also rarely demands to the company PT. Agro Jaya Perdana to raise wages equivalent to the minimum wage.

Company PT. Agro Jaya Perdana is aware that the wage it imposes is lower than the minimum wage standard. Therefore, there are several efforts made by the company PT. Agro Jaya Perdana so that workers remain enthusiastic about working and continue to contribute the best to the company. These efforts include recreational programs twice a year, business learning content transferred to workers, learning to obey worship with mandatory tadarrus and dhuha prayers for all workers, and bonuses and benefits provided by PT. Agro Jaya Perdana so that it can increase income for workers.

# Enforcement of Labor Wages Below Minimum Standards at PT. Agro Jaya Perdana Reviewed Government Regulation Number 36 of 2021 concerning Pay

As already described, there are causal factors so that the company PT. Agro Java Perdana imposes wages below the minimum standard, namely the profit earned by the company PT. Agro Java Perdana is still small. Regarding the implementation of labor wages, if referring to Article 23 paragraph (3) of Government Regulation Number 36 of 2021 concerning Wages, in principle, the implementation of wages is mandatory for a company to apply wages as minimum wage that has the been determined. The minimum wage is the

lowest wage received by workers and is a benchmark for other types of wages including daily wages, piece wages where the wage in a month must not be less than the value of the minimum wage that has been determined and applies in each province or district / city (Edytus Adisu, 2008) The minimum wage in question includes the Provincial Minimum Wage (UMP) and the Regency / City Minimum Wage (UMK). For North Sumatra itself, based on the Decree of the Governor of North Sumatra Number 188.44/1018/KPTS/2022 concerning the Minimum Wage of Medan City in 2023, which is Rp. 3,624,117,- . As for the wages imposed by the company PT. Agro Jaya Perdana ranges from 1 million to 4 million with initial wages received by workers of 800 thousand to 900 thousand. Of course, this wage is lower when compared to the minimum wage that has been set, besides that it has also violated the provisions mentioned in Article 23 paragraph (3) of PP Number 36 of 2021 concerning Wages.

However, it is also mentioned in Article 36 Paragraph (1) of PP Number 36 of 2021 concerning Wages that the minimum wage can also be exempted from its application as long as the company meets the criteria as a company engaged in micro and small enterprises.

In the practice of imposing wages below the minimum standard that occurs in PT. Agro Jaya Perdana, that the labor wages given by the company to its workers based on the exposure of research results are 800 thousand to 900 thousand for workers who have just entered the company PT. Agro Jaya Prime. As for workers who have long wages, their wages can increase according to the results of performance evaluations with a given wage range of 1 million to 4 million. So that if it is related to the calculation results of the two schemes above, the wages applied by the company PT. Agro Jaya Perdana is in accordance with the provisions in Article 36 Paragraph(2) of Government Regulation Number 36 of 2021 concerning Wages.

## Enforcement of Labor Wages Below Minimum Standards at PT. Agro Jaya Perdana Reviewed from Islamic Law

As the researcher explained, the implementation of labor wages below the minimum standard was carried out by the company PT. Agro Jaya Perdana occurred because of the profit obtained by the company PT. Agro Jaya Perdana is still small, so the company PT. Agro Jaya Perdana objected if it met the wages of its workers in accordance with the minimum wage set by the government.

Islam interprets wages or ujrah as rewards that must be given by the employer (musta'jir) to the worker ('ajir) for the benefits of the work he has done. The legal basis for the obligation to provide wages to workers who have been employed can be seen in the Qur'an Surat Al-Baqarah Verse 233 which means: ". And if you want to breastfeed your child to someone else, then there is no sin for you to give payment in a proper way. Be fearful of Allah and know that Allah sees what you do." (QS. Al-Baqarah:233).

The law of wages is also explained in various hadiths of the Prophet, one of which is narrated by Imam Bukhari which means: "From Abu Hurairah (r.a.) of the Prophet (peace be upon him) said: Allah the Exalted said: There are three types that I am their enemy on the Day of Judgment, one who swears an oath in My name and then denies it, one who sells a free person and eats (money from) the price and one who hires a worker and then the worker finishes it but not paid wages" (Isnaini Harahap, 2015).

Based on these two propositions, it can be understood that wages are labor rights that must be received by workers as a result of

the work they have done. Regarding this, the company PT. Agro Jaya Perdana is in accordance with Islamic religious recommendations, considering that the company has also paid its workers in accordance with what has been agreed. Although the wages received by the workers are lower than the minimum standard, the workers also accept it even though there are some workers who also feel that they are not enough with the wages they receive.

So that the contract that occurs between employers and workers related to wages is in accordance with the rules of Islamic law. In the question of wages, Islam has determined the principles that must be agreed upon by the two parties, the contracting parties. The principles of wages or ujrah in question are: 1. Fair, 2. Decent, 3. Ridha. 4.

### CONCLUSION

Based on the study and analysis of the implementation of labor wages below the minimum standard at PT. Agro Jaya Perdana is reviewed from Government Regulation Number 36 of 2021 concerning Wages and Islamic law, it can be concluded as follows:

The implementation of labor wages below the minimum standard at PT. Agro Jaya Perdana that the amount of wages given is determined directly by the company PT. Agro Jaya Perdana is Rp. 800,000 - 900,000 which is then notified to the workers at the interview before entering work, from the results of the interview the workers prefer to agree even though the wage is lower than the minimum wage, citing the location of work close to family, fierce job competition, choosing to get a definite income, and also because of economic pressure.

Judging from PP Number 36 of 2021 concerning Wages, the implementation of labor wages below the minimum standard carried out by Samchick companies can be excluded because the company PT. Agro Jaya Perdana meets the criteria as a micro and small enterprise, so it can impose labor wages below the minimum standard with the provision that it must be above 50% of the average public consumption at the provincial level or above 25% of the poverty line at the provincial level.

Judging from Islamic law that the implementation of labor wages below the minimum standard carried out by the company PT. Agro Jaya Perdana is allowed, because it has fulfilled two of the three principles of remuneration in Islamic law, namely the principle of justice and pleasure, while the principle that has not been fulfilled is the principle of worthiness.

### **SUGGESTION**

For future researchers who are interested in re-examining the implementation of wages below the minimum standard, it is expected to be able to review more sources related to the implementation of wages below the minimum standard in order to complete the shortcomings in this study.

For companies that in this case PT. Agro Jaya Perdana is expected to provide more space for its workers related to negotiations to determine the number of wages and also pay more attention to the feasibility aspects of wages given to workers

For workers, they should negotiate first before agreeing on wages that have been determined by the company in order to provide more decent wages, then if there is a violation of rights experienced by workers, workers are expected to report it to the Manpower Office in order to get the best solution.

For the government to be able to provide more socialization and supervision to employers regarding the implementation of appropriate labor wages. And also provide socialization and education to workers so that they can know what to do by workers when there is a violation of hunting rights.

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