

Analysis of the Outsourcing System from an Islamic Economic Perspective and Labor Law (Study at PT. Karya Putra Surya Gemilang, Samarinda Branch)

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ABSTRACT

The purpose of this research is to analyze the outsourcing system from an Islamic economic perspective and labor law, study at PT. Karya Putra Surya Gemilang, Samarinda Branch. This research is research designed using a qualitative research model. The data analysis used in this research is qualitative analysis. Data analysis techniques consist of two types, namely data condensation and data validation testing. The research results show that the outsourcing system at PT. Karya Putra Surya Gemilang, Samarinda Branch is in accordance with labor law and Islamic law.

Keywords: Outsourcing System, Islamic Economic Perspective, Labor Law

INTRODUCTION

The conventional economic view states that basically economic activity is an activity that prioritizes a goal where the owner of capital is profit and the main goal is to gain profit and gives rise to the derivative assumption that every economic activity must produce the greatest profit with the smallest possible sacrifice (Rosyidi, 2014).

According to the Islamic economic view itself, it is confirmed that the main motive for doing business is to gain profit, but in the Islamic perspective there are divine rules that regulate business activities so that mutual benefit is achieved, so that there is no withdrawal of benefit for some people

which results in mafsadat or harm for others (Fauzia and Riyadi, 2014).

Basically, the relationship between a company and work is a mutual need for each other, where the company needs the services of workers to carry out company activities in order to achieve the company's goals. On the other hand, workers need work to get a source of income, salary or wages to meet their economic needs. With this relationship of mutual need, a good communication management and agreement is needed between the company and the workers so that misunderstandings do not occur and can cause losses between the two parties. However, in practice it is very difficult to balance the rights between workers and companies fairly and correctly. In fact, companies have a very important role in improving the welfare of workers by providing rewards in the form of salaries or wages (Soleh, 2017).

The good response from entrepreneurs is based on economic reasons where the use of an outsourcing system can increase the efficiency of company activities so that business operations can produce quite high returns at the lowest possible economic expense. Meanwhile, the workers reject this policy based on the fact that in practice this system leads to the practice of new slavery and the use of violations of workers' rights.

In producing a quality product or service that can have strong competitiveness in the market, the increasing competition in the

business world requires a company to make efficient production costs of a good or service by using an outsourcing system, and by using this system it can reducing the value or expenses of the company to pay for human resources, namely workers or laborers who work for the company (Pujiastuti, 2014). Workers who have special skills in certain fields that will be used by the company will help in running the company's work system so that it is based on the performance required by the company, so by outsourcing the company's workforce can minimize labor costs by maximizing employee contributions optimally (Suhendi, 2014).

The labor problem is indeed a quite complex and very urgent problem that must receive special attention. The progress and decline of a company's business in particular and the economy in general cannot be separated from the role of the workforce or human resources.

Allah SWT gives a call to his people to be fair and kind. In this case, the company should be fair to workers and do good to them as company employees.

Remuneration in Islam is included in the *ijarah* or rental contract, which in this case is the hiring of a labor service. The amount of wages that will be given is through mutual agreement with the first and second parties. So that there is no violation of the rights and obligations of each party. From the company's side, employees receive job loyalty obligations and employees receive appropriate rights or wages from the company.

There are benefits from the use of outsourcing that are more detrimental to the workforce, so outsourcing must receive more attention from both the government and companies that use the energy.

This company uses a distribution system by means of gradual recruitment online or offline, the psychological test stage aims to determine the extent of the prospective employee's abilities and the candidate's personality, interviews with internal parties at PT. KPSG if declared to have passed the

psychological test, interview user or client who uses labor, medical check-up stage (if needed) if the candidate is declared to have passed the interview stage, training stage for selected candidates in order to make the candidate the best employee who will later be placed in each user, and finally at the writing letter stage, if they have agreed, a mutually agreed work agreement will be issued containing the worker's status, salary or wages, allowances and other benefits. After the entire distribution system above has been completed, the employee will be placed at the designated work location and carry out his obligations as an employee as well as his wage rights for his work.

The purpose of this research is to analyze the outsourcing system from an islamic economic perspective and labor law, study at PT. Karya Putra Surya Gemilang, Samarinda Branch.

RESEARCH METHODS

This research is research designed using a qualitative research model. Qualitative research emphasizes the search for meaning, understanding, characteristic concepts, symptoms, and, symbols describing a phenomenon, and presenting it narratively (Hamidi, 2008). Qualitative research is research that intends to understand what challenging phenomena are experienced by research subjects, for example, behavior, perceptions, motivation, actions, etc., holistically, and by means of descriptions in the form of words and language in a natural context and by utilizing various methods natural (Patilima, 2007). Qualitative research emerged because of a paradigm shift in viewing reality, phenomena and symptoms. In this paradigm, social reality is seen as holistic or complete, complex, dynamic, and full of meaning (Sugiyono, 2015).

This research was conducted by PT. Karya Putra Surya Gemilang (KPSG), Samarinda Branch. The reason the researcher chose KPSG as the research location is because this company is one of the labor providers or outsourcing companies that has been

developing for quite a long time in Indonesia and has a clear business license where KPSG has helped many companies that collaborate with them in providing labor for approximately 30 years. KPSG expanded its business expansion in Indonesia to 10 branches throughout Indonesia and internationally.

The data required in this research are as follows:

1. Data regarding outsourcing system of PT. Karya Putra Surya Gemilang, Samarinda Branch.
2. Other data that supports this research.

The data analysis used in this research is qualitative analysis. The qualitative analysis technique used is to systematically compile data that has been obtained through literature study, field notes and documentation, namely by organizing the data into categories, breaking it down into units, synthesizing it, arranging it into patterns, to choose which ones are appropriate, important and which ones will be studied, as well as making a conclusion so that it is easily understood by yourself and others (Prastowo, 2011). Data analysis techniques consist of two types, namely (Mahmud, 2011):

1. Data Condensation
Selecting, simplifying, abstracting, and transforming rough data obtained from field notes.
2. Data Validation Testing
In validity testing, triangulation techniques are used to later obtain valid data, by comparing the results of interviews with research subjects in the field. Triangulation has two strategies, namely, checking the degree of trustworthiness of research findings and the degree of checking data sources using the same method as source triangulation, namely:
 - a. Compare the results of the interview with observations.
 - b. Comparing what people say in public with what they say in private.
 - c. Compare what people say with what is said all the time.
 - d. Comparing one's perspective from various people's opinions and views.
 - e. Compare the results of interviews between sources from internal companies and outsourced employees.

RESULT AND DISCUSSION

General Description

Figure 1. PT. Karya Putra Surya Gemilang, Samarinda Branch



PT. Karya Putra Surya Gemilang or KPSG Group is a company that operates in the business process as a service (BPaaS) sector in providing human resources or labor located in South Jakarta. This company has

been operating since 1990 as the first outsourcing company in Indonesia, where this company is one of the first and leading outsourcing companies according to research in 2020 and has ISO Company

27001:2013, ISO Company 9001:2015, and PCI DSS Compliant certification, developed into a BPaaS company with a focus on customer experience and employee experience solutions, as currently KPSG Group has around 2,000 contact center workstations and around 7,000 managed employees, serving many clients in the insurance, banking, plantation, and mining industries.

The company's vision is to focus on harmonizing sustainable business with healthy growth, through the implementation of a digitalized corporate strategy to provide direct and indirect impacts on community welfare, along with the increasing absorption of a mature workforce and economic acceleration. This company's mission is to build mutually beneficial relationships with stakeholders by providing international standard solutions for their business needs.

Analysis of the Outsourcing System from an Islamic Economic Perspective and Labor Law, Study at PT. Karya Putra Surya Gemilang, Samarinda Branch

The research results show that the outsourcing system at PT. Karya Putra Surya Gemilang, Samarinda Branch is in accordance with labor law and Islamic law. Implementation of labor law begins with the recruitment of workers in an open manner without restrictions by including the necessary documents and then taking part in psychological tests, interviews, and medical tests with the PT. Karya Putra Surya Gemilang after being selected by the company and meeting the criteria of the company client who uses the workforce, the workforce will enter the final stage, namely the final interview with the user, and if the workforce passes then PT. Karya Putra Surya Gemilang will make an offering letter that is agreed upon in advance by each party, which contains the rights that will be obtained by the workforce and is signed by both parties without any element of coercion or fraud it on the basis of mutual agreement. After the offering letter has been agreed

upon, the outsourcing party will issue a work agreement for a certain period of time or work agreement, the contents of which explain the validity period of the work contract, location of work placement, position, termination of the work relationship, which is obtained according to the offering letter and the obligations of the worker. This work contract is an agreement agreed upon by both parties and signed. Where is PT. Karya Putra Surya Gemilang as the first party and the workforce as the second party.

Based on the Islamic employment system which prioritizes justice, responsibility and benefit, the author explains in the points below:

1. Outsourcing agreement at PT. Karya Putra Surya Gemilang according to Islamic law has fulfilled the requirements and is harmonious in Ijarah so that this system can be implemented in the outsourcing business. It can be seen in work agreement system. PT. Karya Putra Surya Gemilang has fulfilled the terms and conditions of the work agreement in accordance with positive law in Indonesia and also with Islamic law. And if viewed with Islamic business ethics, the description of the work agreement system fulfills the principle of honesty in terms of mutual agreements and negotiation between the rights and obligations of each party without anyone being harmed. Judging from the working hours in the fixed term work agreement, this company understands the words of Allah and the messenger of Allah regarding providing rest time for its employees, not forcing them to work continuously, if there are employees who have worked for more than 1 year they will get annual leave. This reflects Islamic business principles, namely the principle of respect for oneself and good faith, where this principle upholds that fellow human beings are required not to allow them to be treated unfairly, blackmailed,

exploited and the like and vice versa, they are not allowed to treat other people in unfair ways. fair only for profit or gain and overemploying employees. When the work contract is terminated or the work period is not extended, the worker will receive a fund called compensation money which the worker will receive. With the existence of a work accident insurance system, health insurance and life insurance obtained by the workforce, health facilities and work safety for the workforce are guaranteed.

2. In terms of wages PT. Karya Putra Surya Gemilang work is very good and in accordance with Islamic law and labor law. Where this company has complied with the rules of paying salaries or wages to its employees regularly without any delays, sometimes even sooner than the specified date. The salaries or wages received by employees are also agreed upon at the beginning of the offering letter as a result of negotiations between the employee and the company. Where it can be seen that in Islam it is taught to pay wages to workers before their sweat dries and this company has adhered to this principle well and there is no delay in disbursing salaries for workers. Even in the disbursement process, clear calculations are used and based on detailed data or details of the salary received by the employee which will be explained in the payslip or salary slip received by the employee every month. When the salary is disbursed, employees will know what deductions they get and what items they get every month. With the existence of a payslip, between the company management and the workforce there is an element of transparency in the calculation and details of the salary received by employees without any fraud in it and employees get their rights fairly without feeling disadvantaged in any form.

CONCLUSION AND SUGGESTION

The research results show that the outsourcing system at PT. Karya Putra Surya Gemilang, Samarinda Branch is in accordance with labor law and Islamic law.

From the results of the research above, the suggestions for this research are:

1. Labor
 - a. Before demanding rights, it is better for workers to carry out their obligations first.
 - b. The workforce is expected to improve their performance so that companies using outsourcing services or clients will be satisfied with the results of their work.
2. Outsourcing Company
 - a. In outsourcing companies, it is best to instill a business paradigm that workers are an important company asset that they must protect and not treat arbitrarily.
 - b. There is a need for the principle of openness and honesty between each party to be instilled in all related parties.
 - c. There is a need for development or progress in digitalization so that more job candidates can find out about job vacancy information without being left behind.
3. For Further Researchers
In order to help provide knowledge and knowledge regarding outsourcing system management or to collaborate with agencies related to workforce distribution and outsourcing.

Declaration by Authors

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