

Agreement Policy on Lecturers at State Islamic Religious Colleges

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Abstract: Lecturers are professional educators and scientists with the main task of transforming, developing, and disseminating science, technology, and arts through education, research, and community service. Apart from being mandated by Law Number 14 of 2005 concerning Teachers and Lecturers, lecturer qualifications are also regulated in Government Regulation Number 19 of 2005 concerning National Education Standards. The recognition of lecturers as professional educators is a renewal in the national education system whose implementation takes into account various laws and regulations in the fields of education, employment, labor, finance, and regional government. The work agreement policy by Permanent Lecturers who are not Civil Servants with the State Islamic Religious College at this time is in accordance with what is stated in the agreement, namely permanent lecturers who are not Civil Servants will actively teach according to the retirement age of 65 (sixty-five) years for does not violate the contents of the agreement.

Keywords: Employment Agreement Policies, Government Regulations, Lecturers

1. Introduction

The human quality needed by the Indonesian nation in the future is to be able to face increasingly fierce competition with other nations in the world. The quality of Indonesian people is produced through the provision of quality education by professional educators. Law Number 20 of 2003 concerning the National Education System states that educators are professionals. Therefore, lecturers as professional educators have a very strategic function, role, and position. Lecturers as professionals have a vision for the realization of the implementation of learning in accordance with the principles of professionalism to fulfill the same rights for every citizen in obtaining a quality education.

Law Number 14 of 2005 concerning Teachers and Lecturers confirms that lecturers are required to have academic qualifications, competencies, teacher certificates, be physically and mentally healthy, and meet other qualifications required by the higher education unit in which they are assigned, and have the ability to realize the goals of national education.

Lecturers are professional educators and scientists with the main task of transforming, developing, and disseminating science, technology, and arts through education, research, and community service. Apart from being mandated by Law Number 14 of 2005 concerning Teachers and Lecturers, lecturer qualifications are also regulated in Government Regulation Number 19 of 2005 concerning National Education Standards.

The recognition of lecturers as professional educators is a renewal in the national education system whose implementation takes into account various laws and regulations in the fields of education, employment, labor,

finance, and regional government. Educator certificate-granting for lecturers is done through certification by considering the assessment of the portfolio of educational and research experiences as well as other academic or professional activities obtained during their assignment. This is based on the consideration that for lecturers as professional educators and scientists, the acquisition and deepening of science, technology, and/or art can be done through direct experience which is internalized and interpreted reflectively. Therefore, recognition of this experience is an integral part of the process of forming lecturer competence as learning agents.

Other regulations concerning lecturers are certification for lecturers who do not meet academic qualifications but occupy structural positions, the equivalent of teaching experience with a cumulative credit score, and limitation on the age of lecturers based on functional positions. This special arrangement is based on the consideration to motivate and reward the dedication of lecturers in carrying out professional duties as dignified educators and scientists.

2. Theoretical Basis

In accordance with the mandate of Law Number 14 of 2005 concerning Teachers and Lecturers and with due observance of the relevant laws and regulations and future conditions and trends, it is necessary to stipulate a Government Regulation on Lecturers with the following regulatory scope:

- a) Rights, compulsory work, and official ties.
- b) Appointment, placement and transfer.
- c) Sanctions, and
- d) Transitional regulations.

The purpose of this Government Regulation is to:

- a) Improve the dignity of lecturers.

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- b) Guarantee the rights and obligations of lecturers.
- c) Improve the competence of lecturers.
- d) Advancing the professions and careers of lecturers.
- e) Improve the quality of learning, research, and community service.
- f) Improve the quality of national education.
- g) Reducing the gap in the availability of lecturers between tertiary institutions in terms of number, quality, academic qualifications, and competence.
- h) Reducing the gap in the quality of education between tertiary institutions; and
- i) Improve quality higher education services.

Human resources are the main driver of organizational activities. Likewise with government organizations in Indonesia, where Civil Servants who are the main human resources, play a key role in providing services to the community. It is said to be the main human resource because, in practice, Civil Servants are not the only human resource in government organizations.

Apart from Civil Servants, there are also other employees who are not Civil Servants such as outsourcing employees who handle hygiene and security issues within organizations or government agencies. In addition, there are also employees who are commonly referred to as 'honorary' staff. The work of non-Civil Servant employees of the first type is generally not directly related to the work performed by Civil Servants, because it is needed only to support office activities, especially regarding hygiene and security issues. Another case with honorary staff, whose existence is more or less intended to assist Civil Servants in carrying out their daily duties. Non-Civil Servants who come from 'management' outsourcing are not handled directly by the government agencies where they work but by third-party companies that are human resource providers, while for honorary staff, handling starts from recruitment, payment of salaries, to with his dismissal becomes the authority and responsibility of the government (central and regional) where he works. Therefore, honorarium workers need special attention regarding their recruitment decisions and fulfillment of their rights and obligations.

Recruitment of honorary staff is allowed to be carried out by central and local government agencies based on regulations governing Non-Permanent Employees in Law Number 43 of 1999 concerning Amendments to Law Number 8 of 1974 concerning Personnel Principles (Law 43/99), Article 2 paragraph (3) which states: "In addition to Civil Servants as referred to in paragraph (1), the authorized official can appoint non-permanent employees." Then in the explanation, it states: "What is meant by non-permanent employees are employees who are appointed for a certain period of time to carry out government and development tasks that are technically professional and administrative in accordance with the needs and capabilities of the organization. Temporary employees are not registered as Civil Servants. "

3. Research Methods

The approach method used in this research is the normative juridical approach, which is a research method that

emphasizes the science of law, besides examining the legal principles that apply in society (Sumitro, 1990) with a descriptive-analytical research specification. Collecting data in this study will use literature study techniques, virtual studies, and interviews. The analysis was carried out using qualitative juridical methods, namely by reviewing and analyzing data based on legal aspects.

4. Result and Discussion

The existence of honorary staff in government agencies is recognized as quite helpful in resolving workloads so that the provision of public services is more effective (compared to if without honorary employees), but also raises its own problems in personnel management in Indonesia. The recruitment of honorary staff does not go through a strict selection so that the honorary staff who are accepted are often not in accordance with their competence with the tasks they are doing and their performance is not as expected.

Then there were irregularities in recruitment, the number of honorary staff became uncontrollable and it was difficult to determine which honorary staff the government actually needed. Furthermore, sometimes there are abuses where the workload of honorary workers is actually higher than that of employees with the status of Civil Servants, causing a sense of injustice because it is clear that the rights received by honorary staff are no more than employees with the status of Civil Servants. In addition, the stipulation of Government Regulation Number 48 of 2005 concerning Appointment of Honorary Staff to Candidates for Civil Servants is deemed inappropriate because the appointment of honorary staff as Candidates for Civil Servants does not reflect real needs and is not in accordance with the merit system.

As a result, in addition to the increasing budget for personnel expenditures, the increase in the number of employees was not followed by an increase in productivity because the competence of employees from the appointment of honorary staff tended to below. Seeing the above problems, it is necessary to review what exactly is a temporary employee, what is the reason for its existence, why the existence of temporary employees in government organizations in Indonesia which are then referred to as honorary staff can cause such complex problems, and how to do something about it. guess how to solve it? This article attempts to answer these questions by using a review of the theories regarding precarious employees, the practices carried out by organizations in other countries, and a comparison of these theories and practices with practices in government organizations in Indonesia which will be explained in the section the rest of this article.

Regulation of the Minister of Research, Technology and Higher Education of the Republic of Indonesia Number 2 of 2016 concerning Amendments to the Regulation of the Minister of Research, Technology and Higher Education Number 26 of 2015 concerning Registration of Educators in Higher Education Article 1, which reads:

- 1) Lecturers are professional educators and scientists with the main task of transforming, developing, and disseminating Science and Technology through Education, Research, and Community Service.

- 2) Permanent Lecturers are lecturers who work full time and have the status of the permanent teaching staff at certain higher education units.
- 3) Non-permanent lecturers are lecturers who work part-time and have the status of the temporary teaching staff at certain higher education units.
- 4) Lecturers with work agreements are lecturers who are recruited with a minimum work agreement of 2 (two) years and can be extended as needed.
- 5) Instructors are educators who emphasize coaching on the mastery of aspects of skills in tertiary institutions.
- 6) Tutors are educators who are appointed to assist lecturers and function to facilitate student learning in the higher education system.
- 7) A practitioner is a professional who practices certain skills according to their field of knowledge.
- 8) Operator is a person who is technically responsible for the process of proposing and validating the teacher registration file.
- 9) Retired is someone who has completed a formal period of service at his place of work.
- 10) The applicant is the leader of the college.
- 11) National Lecturer Identification Number, hereinafter abbreviated as NIDN, is the identification number issued by the Ministry for lecturers who work full time and are not currently employees of other base/agency administrative units.
- 12) Special Lecturer Identification Number, hereinafter abbreviated as NIDK, is a registration number issued by the Ministry for lecturers/instructors who work part-time or lecturers who work full time but the administrative unit is based in another institution and is appointed to a university-based on a work agreement.
- 13) Educator Serial Number, hereinafter abbreviated as NUP, is a serial number issued by the Ministry for Lecturers, Instructors, and Tutors who do not meet the requirements given NIDN or NIDK.
- 14) Director-General is the Director-General of Resources for Science, Technology and Higher Education.
- 15) Directorate General is the Directorate General of Resources for Science, Technology and Higher Education.
- 16) Ministry is the Ministry that administers government affairs in the field of higher education.
- 17) Minister is the Minister who administers government affairs in the field of Higher Education.

Among the most important factors causing the growth of Islamic institutions is the expansion of the santri through education. It must be admitted that you Indonesian Muslims generally only had very limited access to the Dutch colonial education system. But with the achievement of independence, the Muslims got wider opportunities to get an education. This wider opportunity has actually started to materialize, especially since the late 1950s with the establishment of state universities, and more specifically Islamic religious colleges (Azra, 1999).

The development of Islamic higher education in Indonesia, especially the State Islamic Institute is a further development of the State Islamic Higher Education in Yogyakarta and the Academy of Religious Sciences in Jakarta. From these two institutions, Islamic Religious Colleges then developed

rapidly, until the end of the 1970s there were 14 State Islamic Institutes.

As many as 33 branch faculties of the State Islamic Institute in the regions were made STAIN in 1997. To respond to the demands of society and advances in science and technology, as well as globalization, a renewal of Islamic educational institutions emerged, including Islamic higher education institutions. The reform of the Islamic education system in Indonesia cannot be separated from the role of the State Islamic Institute and Islamic Higher Education which is a continuation of the reform of the previous education system.

B. Weaknesses in the Non-Civil Servant Lecturer Work Agreement seen from the Perspective of Policy Theory and Theory of Justice

1) Weaknesses of Non-Civil Servant Lecturer Work Agreements in Policy Theory Perspective

A non-civil servant lecturer job agreement seen from the perspective of policy theory is a decision taken in an employment agreement where this decision will be taken as policy material in the agreement. The weakness of the non-Civil Servant Lecturer work agreement from the perspective of policy theory is the lack of supervision in decision making, in which many policies that have been taken and arranged have not been realized. There are still many decisions that have not been applied in accordance with statutory decisions.

2) Weaknesses of Non-Civil Servant Lecturer Work Agreement in Justice Theory

The weakness of the non-Civil Servant Lecturer work agreement in the theory of justice is that the lecturers' rights are not conveyed during teaching. The theory of justice is correct but the application is not yet appropriate. What non-civil servant lecturers should accept as mandatory is not receiving it. In this study, there was a default, where the permanent lecturers who were not still civil servants were dismissed from work unilaterally by the campus. In fact, if you look at the law regarding the appointment of lecturers for the contract period of permanent lecturers for non-civil servants, it is up to the retirement age of 65 (sixty-five) years, as long as the Permanent Lecturer Non-Civil Servant does not violate the work agreement.

5. Conclusion

The work agreement policy by Permanent Lecturers who are not Civil Servants with the State Islamic Religious College at this time is in accordance with what is stated in the agreement, namely permanent lecturers who are not Civil Servants will actively teach according to the retirement age of 65 (sixty-five) years as long as they are not violating the contents of the agreement. However, the reality in the field is not in accordance with the agreement, namely the lecturers are not given teaching hours at all by the State Islamic Religious College.

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