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ESTABLISHMENT OF DRAFT AGREEMENT/WORK CONTRACT FOR SCRAP SMES (WAREHOUSE PARDEDE)

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Abstract

Scrap (Gudang Pardede) is a business engaged in collecting used goods which will then be sold to recipient companies, but the author's focus on this service is on partner businesses in other fields, namely oil palm agriculture. The background of the problems faced by partners is an alleged unlawful act committed by their workers, in the form of embezzlement of harvest money, and others that result in losses to partners, where from the harvest the partners do not get the slightest result or profit, while the land is partner's. So the author believes that the work agreement is an alternative solution that partners can use to deal with problems like this, and of course also useful for partners in the future. The expected outputs from this community service activity are community service reports, service articles and draft work agreements. In this community service activity, the implementation method consists of four stages. The first stage is preparation where the researcher will conduct observations and interviews. The second stage is implementation where researchers will go directly to the field to carry out service activities. The third stage is assessment, and the fourth stage is reporting.

Keywords: *MSME, Employment Agreement, Rights and Obligation*)

Introduction

Scrap (Gudang Pardede) is a business that already has a Business License. This business itself is engaged in two types of business, namely the collection of used goods and oil palm farming. The address for the used goods collection business is in the city of Batam, precisely at Kampung Nenas No. 210 RT 3 RW 9, Teluk Tering Village, Batam City District. As for the location of the oil palm farm itself, it is located in the city of Dumai, precisely at Jl. Putri Ayu RT 1 RW 4 Head of Mumugo District, Tanah Putih District, Rokan Hilir Regency. Based on data obtained from the Central Statistics Agency (BPS), the population of working age as of August 2018 was 927,011 people and as many as 604,831 people had jobs (Candra Maitri, 2021). As well as in the category of Workers in Micro and Small Enterprises in Batam City by Gender and Age (Soul) obtained from the official BPS website, as many as 5,548 people in the male group and 3,172 people in the female group, so that the total number of workers working in micro-enterprises and small is 8,720 (Central Bureau of Statistics, 2019). As for the city of Dumai itself, out of a total population of 308,812 people in 2019, there were

150,323 people in the workforce, of which 140,600 people were workers and 9,723 people had not worked or were unemployed (Central Bureau of Statistics, 2020). Judging from these data, we can conclude that both cities have a large number of working age. Based on research that has been done previously, that Indonesia ranks fourth largest in the world in the category of the number of the workforce (Ahmad Soleh, 2017). This proves the importance of legal protection for workers in Indonesia. In Indonesia, we are familiar with labor law. As for the labor law, there are rules regarding work agreements. As for the understanding of the agreement itself, according to Subekti, it is "an event in which a person promises and promises each other in terms of carrying out an agreed-upon thing" (Chritina, 2021). The type of work agreement itself is based on Kepmenaker No. 100 of 2004 is divided into two, namely a Specific Time Work Agreement (PKWT) and an Indefinite Work Agreement (PKWTT). What is meant by PKWT is a work agreement for a predetermined time (F Salihah, 2017). While the PKWTT is a work agreement that is permanent and for a long period of time (N. Adani, 2018). Considering that Indonesia is a legal state, and has a legal basis regarding employment as legal protection for workers, a work agreement is important for both parties, both employers/employers and workers. The work agreement itself is useful as a basis for making an employment relationship, to find out what are the rights, obligations, prohibitions, settlement in case of disputes, termination of employment, and other matters related to employment.

In connection with the importance of work agreements for employers and workers, in this case the author is committed to doing a service to the community, where the author's output to partners is a draft work agreement in the form of PKWT. A draft work agreement is needed because until now the partners do not have any work agreements, whereas previously, work agreements between partners and workers were only made verbally. Due to complaints from partners regarding theft, smuggling, and embezzlement of oil palm fruit and harvests, which have an impact on partners' incomes from harvests, partners hereby request that a draft work agreement be drawn up, which will be useful and provide responsibility to workers to keep the harvest safe, and to avoid losses like those that have happened before. The purpose of this community service activity, apart from fulfilling lecture activities, is also to help people who need assistance in the legal field, as is the goal that has been mentioned by the previous author, and aims to add experience to the author, and add insight to the students. employers regarding the importance of work agreements.

Methods

According to Sutrisno Hadi, the purpose of a research is "an effort in terms of getting something that is intended to fill existing weaknesses or vacancies, either by sharpening the understanding of existing problems, elaborating or testing the truth of things that already exist but do not have certainty. (Vera Nengsih, 2021). To compose a study, a writer needs a method in conducting his research, because the method is an important element in a research. Community service activities carried out by the author at Scrap (Gudang Pardede) are drafting a work agreement/contract. To achieve the output in the form of a draft work agreement,

the authors carried out several methods in the form of observation and interviews to obtain the necessary data. In compiling this research, the writer took the normative juridical research method. In the process of achieving the output, the author carried out service activities for approximately four months. During that time, the author carried out the activities as previously mentioned.

Result and Discussion

This community service activity, where the author is committed to helping partners draft a work agreement, has been described in the previous chapter in the author's service report. The output in the form of a draft work agreement is in the form of PKWT. In designing the work agreement, of course, the author also adjusts to the conditions and needs of partners. The author provides an understanding of partners regarding the problems they face and an understanding of the importance of work agreements. As for drafting the work agreement, the author in this case divides it into several parts, namely: title & preamble, comparison/identity of the parties, premise, contents of the agreement, closing, and signatures of the parties.

1. Title & Preamble

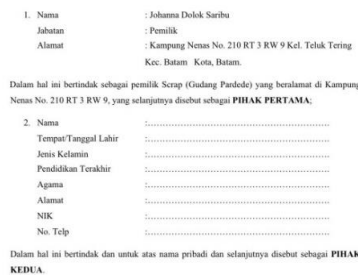
This section is accompanied by the title, number, and place and date of the agreement.



Picture 1. Title & Preamble

2. Identity of the Parties

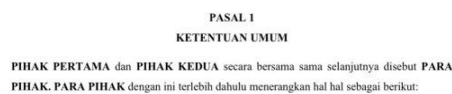
This section contains the identity of the partner as the entrepreneur/employer, as well as the identity that is left blank which will be filled in by the prospective workers.



Picture 2. Identity of the Parties

3. Premise

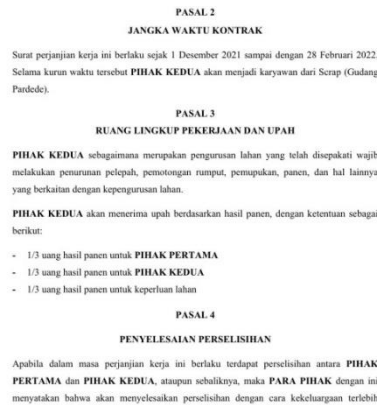
This section is a brief explanation of the background of the employment agreement.



Picture 3. Premise

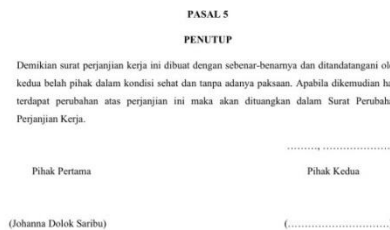
4. Agreement Contents

In this section, the agreement contains: the term of the contract, the scope of work and wages, as well as dispute resolution.



Picture 4. Agreement Content

5. Closing



Picture 5. Closing

After completing the draft of the work agreement, the next step in this stage is to explain, provide understanding to partners regarding the contents of the work agreement that has been made. At the time of explaining the contents of the work agreement, the workers were also attended, so that in this case the author adds insight to the workers regarding their rights and obligations, as well as the importance of work agreements as legal protection. After discussing with partners regarding the implementation of the work agreement letter when it is used, and the results obtained that it will be used as soon as possible after the partner can increase the area of his oil palm plantation a little more. The advantages and disadvantages related to these outcomes are seen in their suitability with the conditions of the community in the PkM location, which are beneficial for both employers and workers, but the drawback is that the community is still rural, so they do not pay much attention to the importance of work agreements, or feel that work agreements are not important, which The important thing is that they are paid to be able to eat, so that if in the future something unwanted happens, for example, harming one of the parties, the workers in this case will be confused about solving problems in the labor system. Due to the lack of understanding of work agreements, the authors hereby carry out community service activities to provide understanding and add insight to the community, both for employers and workers regarding the importance of work agreements.

Conclusions

Scrap (Gudang Pardede) is an individual business engaged in the collection of used goods and oil palm farming. In this service activity the author focuses on business in the field of oil palm agriculture, where the partner's own oil palm land is on Jl. Putri Ayu RT 1 RW 4 Head of Mumugo District, Tanah Putih District, Rokan Hilir Regency, Dumai City. Because this business is a sole proprietorship, there is no organizational structure chart because the business owner deals directly with the workers. In addition to not having an organizational structure, partners also do not have a written work agreement, but only delivered orally. Because there is no legality related to work agreements that regulate the rights and obligations of employers and workers, therefore the author intends to carry out this service activity with the output in the form of a draft work agreement.

The author has gone through several stages to complete this service activity including the preparation, implementation, assessment and reporting stages. During this period of service, the author has carried out observation activities by going directly to the partner's land in the city of Dumai to see the condition of the partners and their workers. After getting the necessary data, the writer then makes a draft work agreement, which is adjusted to the partner. Furthermore, the author also provides an understanding of the contents of the work agreement that has been made to partners and workers. Until finally at the reporting stage where the author has completed the expected outputs, namely in the form of PkM reports, draft work agreements and PkM articles. The partners feel that the assistance in drafting the work agreement is very useful, and the partners feel that their land is safer because of the obligation for workers to maintain land security from things that can bring harm to partners. Therefore, PkM activities like this are very much needed, especially for areas with a high working age rate, as well as to detect the presence of entrepreneurs who have businesses and employ employees but do not have work agreements.

Finally, the author would like to thank the partners who have allowed the author to carry out this service activity and complete it to the end, as well as to the supervisor who has always provided guidance for the author to complete this service activity.

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