



Employment Law Industrial Revolution Perspective 4.0

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ABSTRACT

This article aims to find solutions due to educated unemployment in the era of the Industrial Revolution 4.0. The problem of the high level of labor with the availability of inadequate job vacancies further adds to the problems in the employment sector. Data from the Central Statistics Agency shows that the unemployment rate is quite high at the high school and university level compared to the diploma level. On the other hand, employers consider that they find it difficult to find potential workers who fit the desired criteria. With the regulation on the use of foreign labor is one of the things that can help in overcoming the needs of Labor. However, the existence of regulations on foreign labor must be examined further. Don't let the existence of these regulations actually close the opportunity for Indonesian workers to get a job in Indonesia. It is necessary to find a solution to solve the problem in the field of employment. Any party can help reduce the unemployment rate in the era of the Industrial Revolution 4.0. The government has a central role in reducing educated unemployment. The government can evaluate employment legislation to protect the workforce and respond to the Industrial Revolution era 4.0. In addition, the government can review the curriculum at every level of education so that graduates have the soft skills and hard skills needed in the era of the Industrial Revolution 4.0. Each educational unit has a special focus in preparing its graduates in the era of the Industrial Revolution by adding practical learning hours. In addition, graduates must have innovative thinking in creating new jobs in the era of the Industrial Revolution 4.0.

INTRODUCTION

Indonesia's population growth rate is quite high. Data from the Central Statistics Agency shows that Indonesia's population reached 261 million people in 2017. This number indicates a large number. The large number of the population of Indonesia has not been balanced with the equitable distribution of the population. The highest population density in Indonesia is in the province of West Java. The population in West Java province reached 48 million people or 18.34 percent of the total population of Indonesia. The population in the

provinces of East Java and Central Java followed with 39 million people and 34 million people. the three provinces are all located on the island of Java. The population density on other islands is still low. This resulted in the level of population distribution in Indonesia is still not evenly distributed. An uneven population increase must be addressed with good policies. Do not let the high population growth cause problems to the country in the future. The problem of uneven population distribution is always overcome by transmigration programs. Residents living on the island of Java are given the opportunity to occupy areas outside the island of Java such as Sumatra, Kalimantan, and Sulawesi.

Transmigration Program is an effort to unite the population in all regions of Indonesia. The population spread evenly in Indonesia will affect the rotation of the national economy. Do not let economic progress centered on the island of Java.

The problem of population will have a systemic impact on other elements. Elements that can be affected by population problems include population distribution, adequacy in terms of consumption, population quality, population structure, decreased working hours productivity, capital and technology, as well as crucial problems related to employment. labor problems related to efforts to improve the quality of human life. One of the problems of Labor, namely the wage system, labor agreements, and the protection of the rights of workers or laborers. The problem of Labor is never solved. In fact, every year there are always new problems such as wage Systems, outsourcing, inequality in labor needs with the availability of Labor, and the influx of foreign workers. These problems affect the national economic system. Various problems that occur in the field of employment have relevance to the number of the labor force. The large number of residents must be balanced with an increase in employment opportunities. Erick Permana Saputra stated that unemployment will occur if the number of vacancies available is not able to accommodate the number of Labor requests. The results of Erick Permana Saputra's research show a problem between the high level of the labor force and the availability of job vacancies. this statement must be taken seriously by the government. Do not let the problem of population has an impact on the problems of public welfare.

Based on BPS Research, the number of Indonesian labor force in August 2021 reached 140.15 million people, an increase of 1.93 million people compared to August 2020. While the number of working-age population who had worked in August 2021 amounted to 131.05 million people. Suhariyanto stated that the increase in the number of labor forces in Indonesia resulted in an increase in the number of unemployed.⁴ in essence, the high number of unemployed is not only caused by an increase in the number of the labor force alone. The availability of jobs and the lack of creativity in

creating new jobs is part of the cause of the high number of unemployed. Therefore, all parties should pay attention to the threats that will occur to the Indonesian nation with the high number of population and the lack of employment opportunities, as well as the low level of creativity of the labor force in creating new jobs.

Data from the Central Statistics Agency (BPS) shows that the Open unemployment rate (TPT) of vocational high schools (SMK) is still the highest. The figure reached 11.13% as of August 2021. Meanwhile, TPT high school (SMA) recorded at 9.09% in second place. Following, TPT Junior High School (SMP) by 6.45%, University 5.98%, Diploma I/II/III 5.87%, and Elementary School (SD) 3.61%. TPT at each level of education was recorded to decrease, except for elementary school graduates who were stagnant when compared to August 2020 (year-on-year). TPT SD recorded to remain at 3.61% when compared to August 2020. The SMK level recorded the largest TPT decline compared to other levels of Education. SMK TPT fell 2.42% from 13.55% to 11.13%. When compared to February 2021, the elementary to high school education category has increased TPT. The largest increase in TPT was recorded in the Junior High School Education category at 0.58%. In contrast, vocational education categories, Diploma I/II/III, and universities have decreased TPT. The largest decrease in TPT was recorded in the university education category at 0.99% compared to February 2021. In general, Indonesia's TPT is at 6.49% as of August 2021. This figure is down 0.58% from the August 2020 TPT. Male TPT was recorded at 6.74%, higher than female TPT at 6.11%. A diploma from college is not a guarantee of a person getting a job. The Indonesian government and universities should be aware of the problem. Do not let universities only be able to print graduates without paying attention to the quality of graduates. The country will be burdened with high educated unemployment. Macro, educated unemployment is a waste when associated with the opportunity cost of the country due to the disruption of the educated labor force.

The problem of the high level of labor with the availability of inadequate job vacancies further adds to the problems in the employment sector. In addition, the high population growth in Indonesia

with high technology usage conditions can cause other problems. The use of high energy and resource consumption can result in environmental damage. On the other hand the condition of the world economic sector has entered the era of the Industrial Revolution 4.0.

This will be a challenge for the workforce. They not only compete with fellow human beings as job seekers, but they are also faced with competitive conditions with technology. Indonesia as a developing country must respond to this condition with full confidence. Large human resources with abundant natural potential must be a force in the face of the Industrial Revolution 4.0 era. The readiness of the government in facing the era of the Industrial Revolution 4.0 must start from a clear regulatory adjustment. At this time, Law No. 13 of 2003 on employment became the legal umbrella for the implementation of the labor system in Indonesia. Article 4 of the labor law states that the construction of Labor aims to:

- a. Empower and utilize the workforce optimally;
- b. Creating equal employment opportunities and the provision of labor in accordance with the needs of national development;
- c. Provide protection for the workforce in realizing welfare; and
- d. Improve the welfare of workers and their families.

The objectives that have been included in the labor law should be realized in the form of clear protection of the workforce, especially in the era of the Industrial Revolution 4.0. The labor law has also accommodated and regulated the use of foreign workers as workers in Indonesia. In the law, it is stipulated that foreign workers should not take care of personnel and/or certain positions as stipulated in the ministerial decree. The existence of restrictions on the position-jabatan is considered as an effort to protect the Indonesian workforce. However, the government should regulate more detail about the protection of Indonesian workers so that their rights are not deprived by the presence of foreign workers working in Indonesia.

Article 4 paragraph (1) Presidential Regulation No. 20 of 2018 concerning the use of foreign workers regulates that every employer of

foreign workers is obliged to prioritize the use of Indonesian workers in all types of positions available. However, in Paragraph (2) provides opportunities for foreign workers to occupy positions before the position is occupied by Indonesian workers. This regulation provides great opportunities for foreign workers to occupy strategic positions in the company where they work. On the other hand, the ability of the Indonesian workforce is still minimal. The government should conduct a full study related to policy-making on foreign workers. Do not let the government ignore the welfare of Indonesian workers and their families. The existence of these regulations can provide great opportunities for foreign workers to enter Indonesia. On the other hand, Indonesia's labor force is very large and there are still many unemployed. Conditions are all the more ironic when the government gives foreign workers the opportunity to work in various sectors of employment. The government must show a strong commitment in providing protection to the Indonesian workforce, especially the workforce who are looking for work. Do not let the number of unemployed in Indonesia increases especially educated unemployment.

The problem of educated unemployment in Indonesia is quite complex. The parties, both the government, educational institutions, and the educated labor force must find solutions to reduce the unemployment rate, especially for the educated labor force. Stigmatization of universities will arise if universities are not able to create qualified graduates and have competitiveness in the era of the Industrial Revolution 4.0. Moreover, the government has already made rules on foreign labor. Of course this is a threat as well as a challenge for the Indonesian nation to show the quality of Indonesian human resources. Through the study entitled "Review of Employment Law in dealing with educated unemployment in the era of the Industrial Revolution 4.0" is expected to contribute useful thinking. This study was conducted solely to criticize government policies and provide solutions to problems that occur in the world of Indonesian labor.

The labor system in Indonesia is being hit by problems as previously stated. Therefore, researchers try to conduct research to find a

solution to the problem of educated unemployment in Indonesia. Formulation of the problem to be raised, namely how the review of labor law in overcoming the problem of educated unemployment rate in the era of the Industrial Revolution 4.0? The study entitled "Review of Employment Law in dealing with educated unemployment in the era of Industrial Revolution 4.0" aims to examine the problem and find solutions to the high level of educated unemployment in Indonesia. The results of the study are expected to be a solution for stakeholders, namely the government, educational institutions, and graduates to reduce educated unemployment.

METHOD

The method used in this study is normative juridical approach, namely testing and reviewing secondary data. With regard to the normative juridical approach used, the research is carried out through two stages, namely literature study and field research that is only supporting. Data analysis used is qualitative juridical analysis, namely the data obtained, both in the form of secondary data and primary data analyzed without using statistical formulation.

RESULTS AND DISCUSSION

A. Employment Law

The Constitution of the Republic of Indonesia in 1945 provides guarantees in realizing a prosperous life. The guarantee can be seen from Article 28D paragraph (2) of the Constitution of the Republic of Indonesia year 1945 stipulates 'everyone has the right to work and get rewards and fair and decent treatment in the employment relationship.' The rules in the article indicate that all people, especially Indonesian citizens get equal opportunities in employment. Even the workers deserve and deserve to establish a good working relationship between workers and job seekers. Indeed, both parties have a mutual interest. Even people with disabilities are given opportunities and privileges as stipulated in Article 28h paragraph (2) of the Constitution of the Republic of Indonesia year 1945. The article stipulates that all people have the right to get the opportunity to get justice. Both articles have a positive correlation about the

fulfillment of rights in the field of employment. Article 28D paragraph (2) and Article 28h paragraph (2) it can be understood that all people have equal rights in the field of employment. Men, women, and people with disabilities have the same right to be treated fairly in employment relationships. Even those workers who have special education have the right to get a suitable job in order to achieve equality and fairness in labor relations.

The rules on employment were then embodied in the form of laws. Law No. 13 of 2003 on employment (labor law) is one of the laws and regulations governing the field of employment. Although currently there is an Omnibus labor law aimed at realizing national development. In the consideration of labor law, the weighing section explains " that national development is carried out in the framework of Indonesian human development as a whole and the development of Indonesian society as a whole to realize a prosperous, just, prosperous, equitable society, both materially and spiritually based on Pancasila and the Constitution of the Republic of Indonesia in 1945.' In realizing the maximum national development required Employment Development. This is done in order to improve the quality of Labor and protection for workers and their families according to their dignity and dignity. Labor protection needs to be prioritized as an effort to protect labor rights from unfair treatment in the employment relationship. Therefore, legislation is needed that can protect the rights of Labor to protect the dignity and dignity in the field of Labor.

Labor is any person who is able to produce goods and / or services to meet their own needs as well as for others. Based on the objectives of the labor law there is an obligation to the parties to empower and utilize the workforce optimally and humanely. Therefore, the implementation of Labor Relations or industrial relations must be done well in accordance with the values of Pancasila and the Constitution of the Republic of Indonesia year 1945. The employer may provide job training to the workforce to improve work competence in order to improve productivity, ability, and well - being as provided for in Article 9 of the labor law.

The provision of job training is important for workers. The provision of training helps workers to familiarize themselves in the work environment and improve their professional abilities. This job training is very important for workers whose educational background does not correspond to their field of work. The phenomenon of differences in educational background with the field of work is becoming common at this time. This happens because of several factors, among others, the difficulty of finding a job that matches the educational background and the financial ability of the workplace to provide salaries or wages for the workforce. Thus, the existence of rules on providing training opportunities to workers is essential. Not only that, job training is still given to workers who fit their field of expertise. This is done in order to improve the quality and professionalism in work.

The implementation of job training in addition to being beneficial for workers is also beneficial for employers. Employers can have skilled workers and have qualified human resources. This advantage will have a positive impact on Business Development. Therefore, in Article 12 it is regulated that the employer is responsible for providing job training to improve and/or develop the competence of his workers. Government or private can organize job training. Article 15 of the labor law determines the conditions for the implementation of job training as follows :the availability of coaching personnel, the existence of a curriculum in accordance with the level of training, the availability of job training facilities and infrastructure and the availability of funds for the continuity of job training activities.

The professional implementation of job training helps to generate good output for the company and for the workers themselves. The ability of workers should always be improved by providing training to workers. It is no less important than the implementation of job training is to improve the competitiveness of the quality of domestic and foreign workers. The existence of foreign workers in Indonesia can be a threat or challenge. Foreign labor can be a threat when the government does not strictly regulate the recruitment of foreign labor. Foreign workers can be a challenge to increase the morale of domestic

workers to get lessons and improve the quality and productivity of work.

Labor law does provide opportunities for foreign workers to work in Indonesia. This is inseparable from the influence of globalization which seems to eliminate borders between countries in all areas of life, especially in the field of employment. To overcome this, the government has anticipated that the recruitment of foreign workers is well monitored. The rule can be seen in Article 45 of the labor law as follows.

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In the era of globalization as it is today the opportunity to find work is wider. Anyone can even find a job across the country. This condition is a challenge as well as a threat to the Indonesian workforce. For Indonesian workers who do not have good academic competence and ability will certainly be very detrimental. Unlike the case for workers who have good academic competence and ability is certainly an opportunity. The ability of Indonesian human resources needs to be improved in order to compete with foreign workers. Do not let Indonesian workers, especially educated Indonesian workers become unemployed in their own country. This is very ironic when the number of labor forces with the needs of the workforce is always contrary.

The government must always work hard to protect the Indonesian workforce. The existence of regulations on labor protection needs to be improved in order to protect the rights of Indonesian workers. The existence of labor laws must be complemented by other regulations in order to provide broad opportunities to Indonesian citizen job seekers. Moreover, in the era of the Industrial Revolution 4.0 as it is today, workers are not only competing with their fellow human beings. They have to compete with the technology created by man himself. Therefore, the existence of existing regulations must be adapted to current conditions in

order to protect the rights of workers, especially educated workers in the era of the Industrial Revolution 4.0 & Influence of Industrial Revolution 4.0 in the field of employment

B. Industrial Revolution 4.0 in employment

The Industrial Revolution is an era where everything is done faster with the help of advanced technologies. The industrial revolution has developed from the first to the fourth period. The 18th century was the beginning of the history of the Industrial Revolution. The invention of the steam engine marked the first period of the Industrial Revolution. In the period of the Industrial Revolution, many human activities have changed, especially in the Labor field. The work originally carried out by man was completely replaced by steam engines. Production results are increasingly abundant with the help of steam engines. The distribution system is getting more massive. In addition to the positive effects, there were negative effects of the Industrial Revolution. One of the negative effects of the Industrial Revolution was unemployment. The development of the Industrial Revolution went hand in hand with the development of science. The invention of electrical energy resulted in the production of large quantities. This discovery marked the birth of the second generation industrial revolution or known as the Industrial Revolution 2.0. The development of Science provides enormous benefits for human life. With the discovery of various technologies have an influence on the human production system. In the era of the second generation industrial revolution increasingly showed human dependence on technology. This is a new round of increasingly advanced industrial activities and humans cannot give up their dependence on technology.

The rapid development of understanding science with the presence of digital technology and the internet shows the beginning of the third generation revolution. The Internet so affects human life, especially in interaction. The existence of the internet seems to eliminate the distance that has been there. The distance seems closer. Long time as if more briefly. The emergence of digital technology and the internet affect the field of employment.

Business development is getting easier because people can run a business anywhere. The emergence of the third generation revolution still has an influence on the field of work, both positive and negative. The positive side is that more and more people are opening online businesses. On the negative side, for people who are not literate technology it becomes a nightmare because human competition is no longer fellow human beings, but with technology. As a result, unemployment is growing. Even an educated labor force that does not have sufficient qualifications will only be a burden for the state. Only people who are technologically literate are able to survive in the middle of the Industrial Revolution era as it is today. Therefore, people constantly adapt to the existing conditions. Especially for those who are looking for a job trying to find a job according to the needs of the Times.

At this time, the world began to enter the era of the fourth generation industrial revolution or industrial revolution 4.0. This Fourth-Generation Revolution had a wider scale than the previous industrial revolution. All disciplines have been influenced by the development of the physical, digital and biological worlds. Areas of influence include nanotechnology, artificial intelligence robots, quantum computer technology, biotechnology, blockchain, internet-based technology, and 3D printers.⁹ the development of Science in these fields has a great impact on human life. Klaus Schwab in his book *The Fourth Industrial Revolution* mentions that there are some jobs that will be lost in the near future. Not only that, the Industrial Revolution 4.0 will transform human activity in scale, scope, complexity, and transformation of life experience.

At this time, the world of work does not just need smart people. The world of work today requires people who have a high commitment and always think innovatively to create new things for human life. The current condition must be answered immediately by the government, educational institutions, and private parties. The government is constantly creating regulations that accommodate the Industrial Revolution 4.0.

Educational institutions should start updating the curriculum and learning models that are able to produce graduates who are ready in the

face of the Industrial Revolution 4.0 do not let educational institutions only focus on the quantity of graduates not on the quality of graduates. College graduates should be of good quality in an era like today. Curricula in all educational institutions must be adapted to the needs of the times so that graduates are able to answer the demands of the ever-changing times. The new curriculum system and learning methods are expected to be a way out in producing the best graduates so that unemployment can be reduced.

The paradigm shift of workers must also be changed. At this time, the world of Labor does not only need people good at work. Good at work is not enough to become capital in the world of work as it is today. The workers are required to be able to produce production with a short time and quality. This is a demand in which humans have to work harder to produce a better quality of production. Therefore, knowledge of technology is very helpful for graduates to become candidates for a productive and innovative workforce in the era of the Industrial Revolution 4.0.

The private sector played an important role in the face of the Industrial Revolution 4.0. People who have been accustomed to the culture in the era of the Industrial Revolution 3.0 must want to change according to the Times. The changes made must be focused on creating high quality production results by constantly innovating. Keep in mind that long-standing companies are not necessarily able to survive in the era of the Industrial Revolution 4.0. Quite the contrary, the companies are newly established, but have good productivity that is able to survive in the current era. The phenomenon of the emergence of start-up companies in Indonesia is one of the characteristics that the Industrial Revolution 4.0 has entered Indonesia in the economic field.

C. Strategies to face the changing world of work in Indonesia

The growth of occupation in Indonesia must be addressed wisely. Because, uncontrolled population growth will add to the problem for the Indonesian nation. The problem of population growth can have a significant influence on the lives of Indonesian people. One of them can create unemployment. Unemployment occurs as a result of

groups in the labor force who are trying to find a job, but have not been able to get it.

Competition in the world of work is very tight. For prospective workers who are not prepared for the challenges of the Times will only be spectators. That means he will be a burden on the state. The more unemployment, the greater the burden on the country. The emergence of Presidential Regulation Number 20 of 2018 on the use of foreign labor can add to the heavy burden of job seekers. This severe condition is not only felt by prospective workers who do not get higher education. Candidates who have higher education are also the target of the regulation. Therefore, Inter-labor competition is not only about who has a high education qualification, but Indonesian workers are also faced with conditions to be ready to compete with foreign workers.

D. The role of government in reducing educated unemployment

The development of the Times affects human life. Man is forced to keep up with the Times. There are several patterns of human or individual action in addressing the development of the Times. First, individuals who keep up with the Times quickly. The individual is constantly following the development and sees the development as an indisputable. The individual has a more visionary mindset. They are open to existing developments. The tendency to keep up with the Times is very high.

Secondly, individuals who follow the Times slowly. The individual seems to still feel comfortable with the existing conditions. They are more about waiting until the existing development has a great influence on themselves and their environment. They tend to behave slowly, but surely in noticing all changes in the surrounding conditions. Some people have thoughts that are more inclined to accept in advance the existing conditions.

Third, individuals who are more passive to development. They don't care about the conditions. They tend to be passive and always perform actions that they can do every day. The changing times that affect humans in general are not the focus of attention to adjust the Times. In this third category can also be divided into two. First, individuals who really do not want to change. Second, individuals

who change slowly due to compulsion. This can happen because of pressure from outside him so that he accepts the changes that exist.

The sharing of individual thinking patterns in addressing the development of the Times should be a concern of the government, especially in the economic field. The economic field is one of the main influential areas in human life. One of the economic areas of concern in this study, namely about labor. The government must have a strategy so that the Indonesian workforce has the ability and capacity to keep up with the Times.

In the era of the Industrial Revolution 4.0, the workforce is required to be more innovative in doing work. They have to get used to working with technology. For people who do not understand technology is certainly very influential in the effort to get a decent job. Almost all jobs use high technology. This was an effect of the industrial revolution, from the first to the fourth generation. Some jobs that innovate quickly keep up with the times such as online ojek and taxi, online food ordering, delivery services, and online lectures. That is a small percentage of human activities that previously did not have time to think that these activities are affected by technology quickly and have a significant impact.

Based on the exposure, the government must take action so that Indonesian human resources are ready to face the world of work in the era of the Industrial Revolution 4.0, especially in preparing educated prospective workers. Based on the data already presented earlier, the unemployment rate of diploma graduates is lower than that of high school and university levels. This can be an evaluation material related to the curriculum given to each graduate in each level of Education. Diploma education puts more emphasis on practical education so that graduates are better prepared to face the world of work. This can be the basis for the government in making policies in the world of education that can later affect the world of Labor.

The government can make various efforts to adapt to these conditions. First, the adjustment of legislation, especially those related to the Labor field. The law is always left out of the event is andagium which until now is still in force. It is true

that the existence of regulations is constantly lagging behind the development of society. For example, the existence of rules on online transportation that had not previously been regulated in Law No. 22 of 2009 on traffic and Road Transport. In addition, Law No. 13 of 2003 on employment has not fully accommodated the rules of organizing online-based work.

Second, the government can make rules in the field of education to ask institutions providing higher education to improve the quality of graduates. Creating quality graduates is no less important than the quantity of graduates. Universities should be able to create an education that suits the needs of the Times. Therefore, the government should appeal to conduct a review of the existing curriculum in universities. All existing curricula must be adapted to the needs in the labor environment. An example of adjusting the curriculum to fit the current conditions, which requires all learning at every level of technology-based education. Every graduate must have the ability of soft skills and hard skills that are qualified in order to become a superior graduate.

Curriculum changes tailored to the needs of the Times will trigger graduates to work well and innovatively. Innovation is necessary in improving the competitiveness of a country or company.¹⁴ even they can create their own jobs with the skills that have been acquired during their education. Of course, the number of jobs created will help reduce the number of educated unemployed. With this effort, graduates do not need to be afraid to compete with foreign workers in Indonesia.

CONCLUSION

The unemployment rate, which is increasing every year, must be addressed quickly. In the era of the Industrial Revolution 4.0 as it is today, job opportunities for educated workers are increasingly competitive. They don't just need knowledge about the world of work. Educated workers must have good soft skills and hard skills in order to compete for better jobs. Thus, an effort is needed to improve the quality of prospective graduates. Increasing the quality of graduates helps increase the availability of educated workforce candidates who are ready to work. In addition, many parties should play a role in

helping improve the quality of graduates. The increasing quality of graduates can be followed by a decrease in educated unemployment. Educated graduates who are of good quality will not only find work. They can create jobs for themselves and others.

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