


Implementation of the Employment Termination System at MIT Al-Ishlah, Gorontalo City

 Sri Ambiyah^{1*},  Sitti Roskina Mas²,  Novianty Djafri³,  Arifin Sukung⁴
Universitas Negeri Gorontalo
Gorontalo, Indonesia
✉ sriambiyah92@gmail.com*



Article Information:

Received February 7, 2024

Revised March 15, 2024

Accepted March 18, 2024

Keywords:

Foundation; System
Implementation; Termination of
Employment

Abstract

The implementation of the Termination of Employment system has rules that are per the work contract agreement mutually agreed upon by the Al-Ishlah Foundation and teachers/employees at MIT Al-Ishlah. This research aims to describe the implementation of employment relations through work agreements and the implementation of the teacher and employee termination system at MIT Al-Ishlah. The research used descriptive qualitative methods. Data was collected through interviews, observation and documentation. The results of the research show that: The implementation of employment relations through work agreements for teachers and employees at MIT Al-Ishlah, namely the appointment, placement, transfer and dismissal of teachers and employees is the full right of the Al-Ishlah Foundation after coordinating with the Madrasah Head based on a work agreement or collective work agreement with the teacher/employee concerned; In implementing the teacher and employee termination system at MIT Al-Ishlah, there are 7 types of employment termination, namely: termination of employment by the foundation, termination of employment due to sanctions imposed on employees, termination of employment due to resignation, termination of employment due to death, termination of employment due to retirement, termination of employment due to the end of the employment contract, and termination of employment work because the teacher/employee is sick for 12 consecutive months or annually. So, it is concluded that the implementation of employment relations through employment agreements for teachers and employees at MIT Al-Ishlah per Law of the Republic of Indonesia No. 14 of 2005 concerning Teachers and Lecturers Article 25 paragraph 3, while the implementation of the teacher and termination system at MIT Al-Ishlah is implemented based on articles 73 and 74.

A. Introduction

Every living person definitely needs money to survive. To be able to get these costs, everyone has to look for and do work. Work can be done alone or for other people. In carrying out a job, of course there is an employment relationship between the worker and the person who employs it, where the employment relationship is stated in the form of an agreement or employment contract (Kamil et al., 2022; Nurdiansyah & Lie, 2022; Toha et al., 2023). The work contract contains the rights and obligations of workers and those who employ them, such as wage/salary income and work safety (Ayu et al., 2022; Fauzan & Effendy, 2021; Shalihah et al., 2023). This is no exception in schools, especially private schools which have employees, namely teachers and education staff, most of whom are recruited under the Foundation and also leave through the Foundation.

How to Cite : Ambiyah, S., Mas, S. R., Djafri, N., & Sukung, A. (2024). Implementation of the Employment Termination System at MIT Al-Ishlah, Gorontalo City. *Indonesian Journal for Islamic Studies*, 2(1), 19–24.
<https://doi.org/10.58723/ijfis.v2i1.164>

ISSN : 3025-0684

Published by : CV Media Inti Teknologi

Madrasah Ibtidaiyah Terpadu (MIT) Al-Ishlah City of Gorontalo is a private madrasah under the Al-Ishlah Foundation which has its own regulations listed in the AD/ART of the Al-Ishlah Foundation, including a system of dismissal/Termination of Employment Relations (PHK) adopted from the Law RI Employment No. 13 of 2003 concerning Termination of Employment Relations (PHK). So that employees, namely teachers and education personnel, go through a fairly long process if they want to quit or be dismissed either honorably or dishonorably.

Termination of employment (PHK) or dismissal of employees is termination of employment, either temporarily or permanently, carried out by the company at the request of the employee or because of the wishes of the company (Asuan & Rizayusmanda, 2023; Marbun et al., 2024; Turnea et al., 2020). The purpose of dismissing employees is to maintain the effectiveness and efficiency of the company's organization. Termination of employment (PHK) is one of the things in the world of employment that is most avoided and undesirable by workers/laborers who are still actively working (Faisal et al., 2023; Hadin & Rumainur, 2023; Oktaviani et al., 2023). For the issue of termination of an employment relationship that occurs due to the expiration of the time stipulated in the employment agreement, it does not cause problems for both parties, namely the worker and the employing person, because the parties concerned are both aware or aware of the end of the employment relationship so that each of them has to try to prepare yourself to face this reality.

This is different from the issue of Termination of Employment (PHK) which occurs unilaterally, namely by the employing party. Hopes of earning an income and meeting life's necessities have simply vanished due to unexpected layoffs among workers. This was due to shaky political conditions, followed by chaotic economic conditions which resulted in many industries having to close down, and of course this resulted in layoffs which were carried out in a very unplanned manner. However, like it or not, workers have to accept the fact that they have to be laid off.

In carrying out employment termination, the parties concerned, namely employers and workers, must really know the things related to layoffs, especially for workers who in this research are teachers/educational staff at schools, so that they can get what they need. their rights after being laid off.

From the explanation above, it can be understood that this research aims to describe the implementation of the employment termination (PHK) system at MIT Al-Ishlah, Gorontalo City with two sub-focus problems, namely the implementation of employment relations through work contract agreements and the implementation of the employment termination system for teachers/employees in MIT Al-Ishlah.

B. Research Methods

The research was conducted in April-November 2023 at MIT Al-Ishlah, Gorontalo City. The approach used in this study is a descriptive qualitative research approach. A qualitative research approach is a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior (Aspers & Corte, 2019; Busetto et al., 2020). Data collection techniques are carried out through in-depth interviews, observation and documentation. The key instrument in this qualitative research is the researcher himself. Researchers collected data themselves obtained from interviews, observations and documentation. However, researchers use guidelines for each data collection technique. The qualitative data analysis used in this research uses the stages as developed by Miles & Huberman, namely: data collection, data reduction, data display, and conclusion drawing (Miles et al., 2018).

C. Result and Discussion

Implementation of Employment Relations through Employment Agreements at MIT Al-Ishlah, Gorontalo City

MIT Al-Ishlah is a private madrasah under the Al-Ishlah Foundation where subjectThe appointment, placement, transfer and dismissal of teachers and employees is the full right of the Al-Ishlah Foundation after coordinating with the Head of the Madrasah. This is in accordance with the Law of the Republic of Indonesia no. 14 of 2005 concerning Teachers and Lecturers Article 25 paragraph 3, namely that the appointment and placement of teachers in educational units organized by the community is carried out by the education provider or educational unit concerned based on a work agreement or collective work agreement.

There are several things that can be revealed from the Principal's statement, one of which is the teacher/employee contract agreement which continues to be renewed every year based on evaluation.

Evaluation is carried out every month and year in the form of supervision, peer assessment and the Foundation's quality assurance agency. Some of the assessments carried out include several aspects based on documents obtained from the Head of the Madrasah, namely daily teacher behavior, teacher relationships with colleagues, teacher professional behavior, and Islamic personality, as typical of JSIT (Integrated Islamic School Network) which is a guideline from MIT Al-Ishlah in carrying out monthly and annual evaluations. Including supervision from the Principal in the classroom has a big influence on the assessment during the evaluation.

According to the Head of the Madrasah, at the annual meeting, especially for all teachers and employees, peer assessment questionnaires are distributed to assess whether to continue the contract with the person concerned or not. Especially for new teachers/employees, this is a very important determination. If it is felt that the teacher/employee's contract cannot be continued for various reasons, then recruitment and selection will be held again at a later date.

Implementation of the Employment Termination System at MIT Al-Ishlah, Gorontalo City

Based on Articles 73 and 74 in the Articles of Association and Bylaws of the Al-Ishlah Foundation, the types of Termination of Employment Relations for teachers and employees are as follows: **First**, Termination of employment by the Foundation: Termination of employment by the Foundation may occur when the Foundation goes bankrupt or goes bankrupt. This has never happened before, because the Al-Ishlah Foundation itself is not a company or franchise institution. However, termination of employment relations like this is still regulated in the Al-Ishlah Foundation's AD/ART for the benefit of school principals, teachers and employees under the auspices of the Foundation.

The results of interviews with the Head of the Madrasah and two senior teachers, since the founding of the Al-Ishlah Gorontalo Foundation in 1997, this has never happened (unilateral termination of employment relations by the Foundation). On average, when unfavorable circumstances occur, madrasa heads, teachers and employees remain at the Foundation. The Al-Ishlah Foundation itself is in principle a foundation that operates deeply managing education, socio-economics and superior da'wah in service. The Al-Ishlah Foundation itself is a non-profit institution so it is not based solely on materials to maintain the loyalty of school principals/teachers/employees.

Apart from that, the thing that results in unilateral termination of employment by the Foundation is usually when the person concerned is found to be registering at another school/madrasah or taking the CPNS/PPPK test. This is usually stated in the employment contract agreement. So it is best if you want to register to another school or want to take the CPNS/PPPK test to withdraw first, so as not to harm the Foundation and the madrasah.

Second, Termination of employment due to sanctions imposed on employees: In article 74 of the Articles of Association and Bylaws of the Al-Ishlah Foundation it is explained that the Foundation has the right to dismiss or terminate employment relations with employees/teachers/employees which is a serious sanction for negligence on the part of those who concerned.

In the Employment Law Number 13 of 2003, it also regulates the provision of warning letters before being given heavy sanctions, which are also included in the Al-Ishlah Foundation's AD/ART. Basically, at MIT Al-Ishlah, Gorontalo City itself, there have never been any very serious cases related to madrasa heads/teachers/employees. In this case, MIT Al-Ishlah has a special tip, namely holding a Teacher Ruhayah Majelis. The Teacher Spiritual Assembly program is held every morning before entering school at the Al-Ishlah Mosque. The Teacher Ruhayah Council aims to strengthen the Islamic personality of each teacher/employee. Apart from that, it strengthens discipline, daily behavior and professionalism at work. This assembly can also minimize violations that lead to sanctions ranging from light to heavy.

Third, Termination of employment due to resignation: Termination of employment due to resignation is the most common type of layoff at MIT Al-Ishlah. Several reasons teachers/employees want to resign: a. The desire to focus more on family, this is a common reason for female teachers/employees. But it doesn't rule out the possibility for male teachers/employees too. Usually occurs after marriage or after having children. This usually also happens when a family member is sick and the person concerned wants to take care of him. b. The desire to take the CPNS (Civil Servant Candidate) or PPPK (Government Employee with a Work Agreement) test, this has been stated in the work contract agreement. If teachers/employees feel like taking the CPNS/PPPK test, they should immediately submit their resignation. c. The desire to work elsewhere, this has also been stated in the employment contract agreement. Every teacher/employee is prohibited from working anywhere other than MIT Al-Ishlah because it will interfere with the main work

at the madrasa. If you want to work elsewhere, you should immediately submit your resignation. d. A work environment that feels uncomfortable for teachers/employees is also one of the various reasons for resigning. However, in this case, according to the Head of Madrasah, MIT Al-Ishlah Gorontalo City is trying hard so that all teachers/employees feel comfortable in the environment of MIT Al-Ishlah Gorontalo City.

The procedures that must be carried out before resigning based on the Al-Ishlah Foundation's AD/ART are as follows. a. Communicate with the Principal of the Madrasah regarding resignation; b. Submit an official resignation application to the personnel department at the Foundation a maximum of 1 (one) month in advance, so that the Foundation and the madrasa head can prepare for the next recruitment and selection; c. During the resignation submission process, teachers/employees continue to complete tasks as usual, leaving important notes for the replacement teacher/employee.

Fourth, Termination of relationship due to death. For the record, compensation has been provided by the Foundation, namely condolence money. Likewise, the madrasah itself has compensation money from the Friday blessing collection which has its own treasurer so that money management is very transparent.

Fifth, Termination of employment due to retirement according to the AD/ART of the Al-Ishlah Foundation is for teachers/employees who have reached the age of 60 years. However, if it is deemed still productive and the person concerned is still willing to teach, the Foundation will still extend the work contract agreement, considering the dedication and loyalty of the teacher/employee.

Unlike companies, the Foundation does not provide any type of severance pay to retirees. So teachers/employees have to save their own savings for retirement. However, teachers/employees who serve until retirement age are given Umrah prizes by the Foundation. This prize was recently given by the Foundation to two teachers who had reached retirement age.

Sixth, Termination of employment due to the end of the employment contract occurs when the annual employment contract agreement has ended, while foundations and madrasahs based on data through monthly and annual evaluations of teachers/employees do not show progress in terms of academics, professionalism or daily behavior. This also applies to interns who will continue to become permanent employees or are considered to have a 3 (three) month work contract ending without extension.

Seventh, Termination of employment because the teacher/employee is sick for 12 consecutive months or annually. This type of termination of employment is carried out because the teacher/employee is deemed no longer productive or is in the recovery period. So that the Foundation, according to what is stated in the employment contract, can terminate the employment relationship of the teacher/employee concerned.

However, in accordance with the Foundation's policy, considering that the Foundation is not a company, if the person concerned recovers from a prolonged illness and has recovered, the person concerned can apply without participating in recruitment and re-selection. This is of course after considering whether the person concerned is worthy of being retained or not to remain a teacher/employee at MIT Al-Ishlah, Gorontalo City.

D. Conclusion

The conclusions of this research based on the research results and discussion are: The implementation of employment relations through work agreements for teachers and employees at MIT Al-Ishlah, Gorontalo City, namely that the appointment, placement, transfer and dismissal of teachers and employees is the full right of the Al-Ishlah Foundation after coordinating with the Madrasah Head. This is in accordance with the Law of the Republic of Indonesia no. 14 of 2005 concerning Teachers and Lecturers Article 25 paragraph 3, namely that the appointment and placement of teachers in educational units organized by the community is carried out by the education provider or educational unit concerned based on a work agreement or collective work agreement.

The implementation of the teacher and employee termination system at MIT Al-Ishlah, Gorontalo City is carried out based on articles 73 and 74 in the Articles of Association and Bylaws of the Al-Ishlah Foundation, there are 7 (seven) types of employment termination, namely Termination of Employment by the Foundation, Termination of Employment due to sanctions imposed on employees, Termination of Employment due to resignation, Termination of Employment due to death, Termination of Employment due to retirement, Termination of Employment due to the end of the employment contract, and Termination of Employment Work because the teacher/employee has been sick for 12 consecutive months or annually.

E. Acknowledgments

Thanks are addressed to the Chairman Al-Ishlah Foundation, Head of Madrasah and teacher/employee at MIT Al-Ishlah Gorontalo City, District Service and Gorontalo City Education Service.

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First publication right:

Indonesian Journal for Islamic Studies

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