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# Employment Dispute Resolution in Industrial Relations Justice Based on Simple, Fast and Light Costs

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After the birth of Law No. 2 of 2004 on the settlement of Industrial relations disputes, settlement of industrial relations disputes in employment law is known by a model of voluntary settlement. This settlement is done through bipartisanship, conciliation, mediation, and arbitration. The model of settlement through the Industrial Relations Court is mandatory. In addition, there is a restriction that only the settlement of rights disputes and disputes of termination of employment may be submitted to the Supreme Court without going through the appeals procedure. The problem of settlements of industrial relations disputes is the difference of opinion that results in conflict between entrepreneurs or joint entrepreneurs and workers/labour or unions/trade unions. This is due to disputes regarding rights, conflicts of interest, disputes in employment and disputes between trade unions/unions in one company. It is also about the incompetence of the Court of Industrial Relations that ineffectively resolves employment disputes. This study uses the normative juridical research approach. Given this research is normative legal research, the approach used is a normative juridical approach. It is accompanied by historical approaches to the law and empirical approaches. The results showed that the industrial relations dispute resolution mechanism is completed according to the industrial relations Court under Law No. 2/2004. The scope of industrial relations disputes brought before the judiciary includes four types of disputes: rights disputes, interest disputes, termination of employment disputes and disputes between labour unions/trade unions in one company. The objective of this research is to analyse employment dispute resolution mechanisms in the Industrial Relations Court based on simple, fast and light costs. In reviewing Law No. 2 of 2004 on the completion of industrial relations disputes, the relevance of the resolution of industrial relations disputes still requires revision. It is considered unable to accommodate and reflect a simple, fast and cost-effective principle.

**Key words:** *Disputes, effective, employment, and judiciary.*

## Introduction

In the Constitution of 1945, and in accordance with article 28 D, paragraph 2, everyone has right to work, be rewarded and receive fair and appropriate treatment in the working relationship.

The legal relationship between labour and entrepreneurs begins with the creation of a work agreement, made either in writing or orally. The agreement contains the rights and obligations. In its implementation, problems often arise if there is no mutual understanding. If unresolved, these problems can eventually lead to disputes between the parties. In English, the terms used to interpret disputes are conflict or dispute. Dispute regards a conflict or controversy. A conflict consists of claims or rights demanded on one side that are met by contrary claims or allegations on the other. The subject of litigation deals with the matter for which a suit is brought, which issue a suit is joined to, and the relation to jurors who are called and witnesses who are examined. See cause of action; claim, controversy; justiciable controversy; and labour dispute (Henry, 1979).

The company and its workers have different interests. Sometimes, there are disputes of rights, interests and termination of employment relationships as a result of violation of the legal norms of employment material. Hence, the formal juridical parties are not allowed to conduct vigilante action (eigenrichting) with nuanced arbitrariness. Instances but must be followed up through the implementation or enforcement of the law. The normal formal law is also called the law of the event, as stipulated in Law No. 2 of 2004 on the settlement of employment disputes between companies and workers.

Similarly, what is stated in Act No. 2 of 2004 has been explicitly arranged. The ordinances and procedures of the resolution of the working relations dispute can be completed by the bipartite institution, in order to deliberate the employment. Conciliation and arbitration can achieve consensus. Alternatively, it can sue by empowering the general judicial body as an independent institution that organises judicial powers. This is referred to in Law number 8 of 2004, which has changed and perfected Law No. 2 of 1986 on the general judiciary.

Conflicts or disputes can also occur in the employment world where the parties involved are called workers and entrepreneurs. Conflicts or disputes between workers and entrepreneurs do not need to be feared because conflicts can have a positive impact on the parties, as long as the conflict is not based on a violent spirit. If the conflict is based on violence, it will bring

losses and resentment. During this time, disputes between workers and entrepreneurs are often resolved in anarchist ways, such as demonstrations with violence, combustion and strikes until the closure of the company. We recommend that disputes be resolved peacefully and are mutually beneficial.

Industrial relations disputes can also occur with the preceded or unreconciled violation of laws by entrepreneurs and workers. Industrial relations disputes that begin with a violation of the law are caused by several factors:

1. They can result from an understanding of the implementation of labour law. This is reflected in the actions of entrepreneurs or workers who violate a legal provision. For example, the entrepreneur pays a worker under the provisions of the law governing the minimum wage; the entrepreneur may not provide an annual leave, as stipulated in the Law No. 13 of 2003 on employment; or workers who have committed overtime work may not be paid their wages by employers. The violation of worker's rights by employers is a factor in the cause of industrial relations disputes.
2. Industrial disputes, beginning with violations of the law, can also be caused by the occurrence of treatment distinction. This is reflected in the actions of entrepreneurs who discriminate based on gender, ethnicity, race or religion (Charles, 1981).

Industrial relations disputes are caused by differences in the understanding of the implementation of labour law, differentiations in treatment and inconsistency in interpreting labour laws, as outlined above. The latter refers to conflicts of rights (Hanami dan Blanpain, 1987). Industrial relations disputes are caused when an understanding of the change in employment conditions is categorised as a conflict of interest (Dennis, 1990). Disputes of legal rights are violated, not executed or interpreted differently. In a dispute of interest, the law does not exist because the parties dispute the law that is to be established.

The community has a variety of ways to resolve the disputes they face resulting in the cooperative compliance of the parties. This is done with the help of others (neutral third parties) (Lalu, 2005). Industrial relations disputes can be settled through the courts (litigation) and outside the courts (non-litigation), as stipulated in Law No. 2 of 2004 on the settlement of industrial relations disputes (PPHI). The parties are free to determine the alternative remedies to be used in resolving industrial relations disputes.

Convenient dispute resolution is usually done through a litigation or dispute settlement in advance of the tribunal. The fact of the matter in the court is not simple. The process in the court often raises new problems for the seekers of justice because it takes quite a long time and implies costs. In addition, there are other weaknesses in the formal judiciary. Litigants can be very troublesome and ineffective during proceedings. Each party is suffering a loss

equally. The settlement of disputes through the tribunal is known to contain weaknesses, so many people try to avoid settlement in court and further optimise settlement outside the courts.

This way is not new because it has long been practiced through deliberations for consensus. In the first instances, when there was a dispute between people, it was resolved by deliberation. Deliberations for consensus are slightly forgotten when many people are vying to complete the issue in the courts. Just now, the community has begun to retake such old ways. Completion through the courts caused a less fulfilling sense of justice. If the completion of the dispute through the court is perceived to confiscate considerable time, be costly and create a profound dispute (because in the court ruling there are only two alternatives, namely win or lose), then this alternative will be seen as cheaper and faster. Decisions produced in accordance with the will of the parties who dispute can be said to be a win-win solution.

As a judicial institution, PHI also has competencies that distinguish it from other judicial institutions. The presence of PHI is expected to provide solutions to industrial relations disputes that are felt less prominently. This is to provide the best solution for industrial relations actors. The presence of PHI, as stipulated in Law No. 2 of 2004 (which is effective as of January 15, 2006 through the government regulation of the substitute law No. 1 of 2005), was initially welcomed enthusiastically by the community due to many proposed claims.

PHI is tasked and authorised to inspect and discontinue: (a) on the first level of rights disputes; (b) in the first and last level of the dispute of interest; (c) on the first level of a dispute termination of employment; (d) at the first and last level of disputes between trade unions/unions in a company. PHI's absolute competence covers four kinds of disputes, according to Wijayanto Setiawan. The characteristics of labour disputes are only 2 kinds, namely the rights dispute (Rechtsgeschil, conflict of right) and the dispute of interest (Belangengeschillen, conflict of interest) (Wijayanto, 2007).

There is disharmony between LAW No. 2 of 2004 with Manpower Act. This disharmony is an issue that arises beyond the four absolute competencies of the Industrial Relations Court. This condition also agrees with the opinion that the revision of law No. 2 of 2004 on settlement of industrial relations disputes is deemed a necessary priority of the National Legislation Program. It begins in drafting academic design (manuscripts of academics). The revision is meant to be more comprehensive, so as to reflect the ratio of legal certainty to justice. This is done in the effort to realise a fast, precise, fair and inexpensive judicial principle based on the values of Pancasila.

In Law No. 2 of 2004 on the settlement of industrial relations disputes, the mentioned resolution of disputes between workers and entrepreneurs may be made in court. The conflict of contention, through the course of employment, has been governed in the judicial system. The judge's power has been supplemented by the Ad-Hoc judge, whose litigation process runs in general justice. The judicial system of the general judiciary consists of only 2 levels: The first is settlement of industrial relations disputes and the second is the level of change in the labour in handling P4D or P4P, as stipulated in Law No. 22 of 1957 on the settlement of labour disputes. This system is expected to be more effective. In this way the judge in the Industrial Court of Relations has implemented the aspect of legal justice against the workers and employees. This justice can also travel along a pathway outside the court. The completion of a course outside the court can be pursued by means of bipartisanship, mediation, conciliation and arbitration.

In the era of industrialisation, issues of industrial relations disputes are increasingly complex. Institutional and dispute resolution mechanisms of industrial relations are fast, precise, fair, and inexpensive. They are also harmonious, dynamic and fairn, so it is necessary to establish a dispute resolution mechanism that regulates industrial relations with legislation. It should accommodate all forms of industrial relations disputes in the realm of judicial industrial relations. This is the case for disputes resulting in conflicts between workers and entrepreneurs and resulting in actions requiring settlement in industrial relations courts. The specification of this study is descriptive analytical. It makes the information about the facts systematic and describes the rules that apply.

The mechanism of dispute settlement breaks down through the litigation path of the Industrial Relations Court under the guidance of Law No. 2 of 2004 on the completion of the Industrial relations dispute. Authors restrict PHI in resolving industrial relations disputes connected to the principles of fast completion, simplicity and inexpensive costs. Based on the explanation, the following issues are formulated: the effectiveness of Indonesia's Industrial Relations Court in resolving employment disputes, which are reviewed according to Law No. 2 of 2004 on the settlement of industrial relations disputes; and how the mechanisms dispute resolution in the Industrial Relations Court to achieve a simple, fast and inexpensive principle.

**Research Methods**

This research is a normative juridical study of legal research based on legal principles, legal regulations as well as a comparative legal inventory of positive laws. Normative legal research is library material or secondary data in the form of primary, secondary and tertiary legal materials needed to discuss legal issues in the study. The main research is literature research backed by field research.

As is the opinion of Terry Hutchinson: *Doctrinal Research: Research which provides a systematic exposition of the rules governing a particular legal category, analyses the relationship between rules, explains areas of difficulty and, perhaps, predicts Future developments; Theoretical Research: Research which fosters a more complete understanding of the conceptual bases of legal principles and of the combined effects of a range of rules and procedures that touch on a particular area of activity.* (Terry, 2002). The relevance of doctrinal research in the legal research paradigm was further advanced by Terry: *'A paradigm forms a model or pattern based on a set of rules that defines boundaries and specifies how to be successful within those boundaries'*(Terry, 2002).

According to Sunaryati Harotono, legal research is a daily activity of law scholars. Normative legal research can only be done by law scholars, i.e. people who are deliberately educated to understand and master the legal discipline (Sunaryati, 2006). Furthermore, it is mentioned that the normative research methods can be used together with social research methods (Sunaryati, 2006).

**Discussion**

The Industrial Relations Court (PHI) was formed under the Invitation of Law No. 2 of 2004 (PPHI LAW) on the settlement of Industrial relations disputes. The provision began to operate in January 14, 2006 based on PERPU Number 1 of 2005 on the validity of the start of Law No. 2 of 2004. It is one of the special courts in the public judicial (civil) environment. It has the foundation of fast, precise, fair and inexpensive dispute resolution of industrial relations. As a special court in the general judicial system, the Industrial Relations Court used a system of events in HIR and RBg, like a general court. There are only a few exceptions, such as the cost of the matter outlined for things worth under Rp. 150.000.000 (one hundred and fifty million), or the existence of an ad hoc judge from the proposed trade unions and employer organisations. However, it is generally from the registration of the lawsuit until the ruling execution follows the system at HIR or RBg (Bahal, 2009).

Prior to the PPHI Law, settlement of labour disputes was based on LAW No. 22 of 1957 on the settlement of labour disputes and LAW No. 12 of 1964 on termination of employment in private companies. The process is quite lengthy, starting from the P4D (the District Labor Dispute Resolution Committee). It can then be compared to the P4P (the central Labor Dispute Resolution Committee). Regarding the verdict of the P4P, the Minister of Labor has a veto that can suspend and cancel it. Consequently, the Government intervened to dominate the resolution of industrial relations disputes. Another very basic thing is the opening of the P4P opportunity, which is to be submitted to the judicial administration after the enactment of Law No. 5 of 1986 on the State Administrative Court. Thus, the decision of the P4P is an

object of state administrative disputes. It can even be filed as a legal effort of casting and reconsideration by the parties in dispute.

The length of the settlement process of industrial relations disputes is caused by an unassuming process and costs that are not low. It can involve the authority of several institutions, precisely describing the bad legal substance of the labour event in Indonesia. This is based on the fact that the court is deemed to not have accommodated legal certainty and justice as an absolute requirement in a law-based country. Responding to these conditions, M. Muhammad Saleh and Lilik Mulyadi revealed that for more than five decades, since the old order, the new order period and the time of the reform order, the legal political dispute resolution of industrial relations has not been able to produce a statutory product that can provide legal certainty for a worker/labourer. The previous legislation governing the settlement of labour disputes is Law No. 22 of 1957 and UU No. 12 of 1964. In fact, these cannot settle industrial relations disputes as quickly, precisely, fairly and inexpensively as required by industrialisation and knowledge advancement in the information technology era (Muhammad Saleh and Lilik, 2012).

The alignment of PHI and legal efforts of the MA linked to the fast-judicial principle has not been achieved. The positive thing about Law No. 2 of 2004 is the increasingly shortened time of dispute resolution. According to the previous regulation of Law No. 22 of 1957, the settlement of labour disputes could take 3 to 4 years. The extensive time period required by the parties to obtain a ruling that is legal force can be imagined. If it was wrong, and one party felt that it had not gained justice, as well as the verdict of the central Labor Dispute Resolution Committee (the P4P), it could still be appealed to the State Administrative High Court (PTTUN). This is due to the P4P being perceived as a decision of the state's administration. It was finally extended in the current labour settlement process. Based on this condition, the existence of PHI is expected to actually materialise the speed of the administration of justice by still guiding the substantial justice (material law) contained in the Law No. 2 of 2004. This has set the deadline that must be obeyed by the judicial institution at a minimum of 50 working days at the first level and at least 30 days at the Supreme Court level.

The costs to litigants are expensive, especially when the associated length of dispute resolution is also a problem. The longer the dispute resolution, the higher costs to be incurred, such as the official costs and wages of lawyers. The cost of an expensive litigation in court drains the time and mental resources of the people involved (litigations paralyse people) (Peter, 1989). Likewise, the settlement of industrial relations disputes is formal and technical. It often results in a protracted resolution of disputes, requiring a long time when the settlement of business disputes is demanded. A fast and inexpensive solution is an informal procedure. Slow solutions within the business world lead to high costs that can even deplete

the potential and resources of the company in question. Facing the slow reality of the dispute resolution process and the severity of the costs that must be incurred through the litigation process, emerging activities are directed to thinking of efforts to improve the judicial system (Susanti Adi, 2009).

The number of PHI judges since New Year 2006 has been no less than 155 ad hoc judges all over Indonesia and 6 ad hoc judges at MA level. Different arrangement of the judges' assembly at a commercial court consist of two career judges and one ad hoc judge (Tata, 2007). The results shows that the existence of an ad hoc judge in this particular court was ineffective. For example, at the time of the establishment of a commercial court 13 ad hoc judges were appointed. These thirteen appointed ad hoc judges played the active role of only one judge in the examination (Tata, 2008). The involvement of the ad hoc judge was in the examination of the case because of the confines of the appointed ad hoc judges in the court's law. (Tata, 2008).

The enforcement of civil program law becomes problematic. In fact, with the system of events in PHI that use the law of civil proceedings to be problematic, it will not be possible to carry out obligations quickly, even without an effort to appeal to certain disputes. The enforcement of civil program law is also an issue because civil litigation in labour disputes is very different. Civil litigation is generally concerned with property, while industrial relations disputes concern the work and livelihoods of workers and their families. Governments should be responsible and guarantee that every worker/labourer is not able to easily lose his or her job and livelihood. Therefore, employment problems require special handling under the law of special events, not the law of civil proceedings (Gindo, 2019). Another law of civil proceedings that is used rigidly concerns judges who often position themselves like civil judges in public courts. They consider themselves to be passive in court. Whereas, if referring to the provisions of article 83, paragraph (2) of PPHI Law, 'The judge is obliged to examine the contents of the lawsuit and if there is a shortage of judges, to ask the plaintiff to perfect the Gugatanya.' This provision is similar to the dismissal of the process (preliminary analysis) in the State Administration Court (PTUN) and the Constitutional Court. The latter is essentially a PHI judge, who must also be active to find justice. It can be said that the Industrial Relations Court adheres to active judge principles.

Criticism arises towards the judiciary. These symptoms do not only grow in Indonesia but happen around the world. The criticisms of the seekers of justice, especially in the economic group, are much more severe. American economists allege that the destruction of the national economy was caused by expensive judicial costs. Thony Mc. Adams, in his writings, suggests that *law has become a very big American bussiness and that litigation costs may be doing damage to nations and companies* (Thony, 1992). Criticism considers the costly cause of the event to affect economic life not only in America but in all countries, including Indonesia.

This is so in the settlement of industrial relations disputes, although there is a setting limit of below 150 million at no cost (pro bono).

Furthermore, the agency that deals with industrial relations dispute resolution is PHI. It does not necessarily make employees'/workers' fight for justice easy. The ruling judge, based on normative articles, often neglects the rights of labourers. Workers/labourers need extra energy, time and finances to fight for their rights, including when the workers/labourers are able to win. The decision of the judge to ensure workers are hired back is difficult because workers are noticed by the entrepreneurs during the dispute.

The resolution of simple, fast and lightweight industrial relations disputes was born out of the idea of implementing social justice in addressing the industrial relations disputes. These disputes involve two disputing parties: entrepreneurs and workers/labourers. Both are in an unbalanced position. Entrepreneurs are in a strong position in socio-economic status while workers/labourers are in a weak position. They rely on their income source by working for employers. Both are equally human beings who have human dignity (Agusmidah, 2007). The position of weak workers/labourers should not be a barrier for them to obtain justice in the Industrial Relations Court. The existence of the Industrial Relations Court is a focal point for justice seekers, especially workers, despite the bad substance of the labour events before. Public expectations of the Industrial Relations Court are expected to enforce legal authority based on simple, fast and light-weight judicial principles.

Ineffectiveness of existing systems can be a basis for a study to realise a more effective system. In this case, the government can improve the arrangement of the efforts to resolve industrial relations disputes through mediation. One of them is to learn from the mediation systems that has been successfully implemented in other countries.

Many countries in the world have successfully implemented resolutions to industrial relations disputes through mediation. One of particular interest is Japan. The settlement of industrial relations disputes in Japan are some of the most successful in the world (Kazuo, 2015).

The efforts to resolve industrial relations disputes in Japan have evolved since World War II. At that time, frequent disputes were collective disputes. Subsequently, the Labor Relations Commission (LRC) or the Employment Relations Commission was formed to settle the collective disputes that were marbling through the Rōdō Kankei Chōsei-Hō or the Labor Relations Adjustment Act (LRAA). In Indonesia, this can be interpreted as a labour relationship adjustment law (Labor Relations Adjustment Act, 1946).

Until the beginning of the 21st century, the LRC had an important role in the efforts to resolve industrial relations disputes in Japan. But then, the number of collective disputes

tended to decline. In contrast, individual disputes increase over time. (Arthuro, 2009) The Japanese government then issued an administrative service in the form of counselling and conciliation/mediation that offered a comprehensive, fast informal service. It was conducted primarily by the National Employment Administration, through *Kobetsu Rōdō Kankei Funsō No Kaiketsu No Sokushin Ni Kansuru Hōritsu or the Act on Promoting the Resolution of Individual Labor-Related Disputes* (APRILRD) (Act on Promoting the Resolution of Individual Labor-Related Dispute, 2001). Later, the Japanese government issued a new system specifically intended to settle individual disputes through the *Rōdō Shinpan-Hō or Labor Tribunal Act* (LTA), which formed a settlement system called the *Labor Tribunal System* (LTS) by involving an *Labor Tribunal* (LT) in *Labor Tribunal Proceedings* (LTP) (Labor Tribunal Act, 2004). These three systems have become popular systems and are effective and efficient in resolving industrial relations disputes in Japan (Kazuo, 2015).

The legal developments of the events regarding mediation in Indonesia are not separated from the influence of the events regarding mediation in Japan. In Indonesia, Supreme Court Regulation (PERMA) No. 1 of 2008 on the procedures of mediation in the courts is the adoption of a mediation system from Japan into the mediation of courts in Indonesia. The aim is to sample the success of Japan utilising mediation to solve cases with a win-win solution and overcome the issue of stacking matters in court (Herliana, 2012). The MA team has previously conducted a comparative study on the mediation system in courts of countries such as the United States, the Netherlands, Australia and Japan. A variety of analysis and practical considerations decided that the court mediation system in Japan, known as Wakai, is the system that best matches the Indonesian legal system (Herliana, 2012). However, the current Supreme Court (PERMA) Regulation No. 1 of 2008 on the mediation procedure in court has been superseded with the regulation of the Supreme Court (PERMA) No. 1 of 2016. This history continues to indicate that there is a relationship between the law of mediation in Indonesia and Japan.

Before the author goes further, it is important for the writer to emphasise that in general, Japan and Indonesia have different industrial relations dispute resolution efforts. However, the industrial relations dispute resolution system in both countries offers a settlement effort through mediation. The success of this mediation will determine the settlement with a win-win solution. It is then expected to be able to reduce the amount of dispute settlements in court.

The problem that has been described above relates to the effectiveness of the Industrial Relations Court in Indonesia in resolving employment disputes (reviewed by law number 2 of 2004 about the settlement of dispute involving industrial relations and the dispute resolution mechanisms in the Industrial Relations Court to achieve simple, fast and inexpensive fees). In The expert opinion of Sudikno Mertokusumo further addresses this problem. The simple

principle is that the show is clear, easy to understand and not convoluted. The fewer and more modest the formalities that are required in the court event, the better. Too many elusive formalities or rules that have a sense of meaning (dubies) allow the occurrence of various interpretations, lack of guarantees of legal certainty and unwillingness or fear to show up in advance to court (Sudikno, 1988). Light cost means the lowest possible cost, so that it can be sened by the people.

The word quickly points to the judicial course. Too much formality is an obstacle to the judicial course. In this case, it is not only the course of the judiciary in the examination in the face of the trial but also the settlement of the event in the trial. This occurs until the signing of the ruling by the judge and its implementation. The rapid judicial path will increase the court's authority and increase the community's confidence in the courts (Sudikno, 1988).

The goals of social justice can only be carried out by means of protecting workers/labourers against the unlimited power of the employers through law.[1] This study shows that legal facilities in the form of PPHI law still have many weaknesses, so they need to be revised. As long as they have not been revised, the Industrial Relations Court and its judges must dare to exceed themselves from the mere funnel, the funnel of justice and the hope of workers and entrepreneurs, where they are located. If this is done, this is where, perhaps, we can expect the emergence of a more harmonious and fair labour relationship in the country (Surya, 2007).

Based on the above study, the effectiveness of the efforts of the Industrial Relations Court in Indonesia in resolving disputes should be based on the principles of speed, precision, fairness and inexpensive justice. In revision of law No. 2 of 2004,

1. Conciliation institutions and industrial relations arbitrations need to be considered in the existence of law No. 2 of 2004.
2. There should be elimination of legal remedies for the disputes of rights and termination of employment cases whose value are under Rp. 150 million. A simple lawsuit model or Small Claim Court (SCC), set forth in the regulation of the Supreme Court (Perma) No. 2 of 2015 on simple lawsuit settlement procedures, should exist for lawsuits valued under Rp. 200.000.000. It should be done without appeals, cassation or reconsideration. It is very appropriate for the settlement of industrial relations disputes, especially when the value of the lawsuit is under Rp. 150.000.000, to not require any legal remedies.
3. To effectively check the content of the lawsuit by the judge, the law and the legal apparatus (judge) should be progressive, so there is no claim that they are not in the case of PHI.

[1] Imam Soepomo, Pengantar Hukum Perburuhan, dalam Agusmidah. Ibid., hlm.2.

Progressive comes from the word ‘progress’. The law should be able to keep up with the times, answer the problems that develop in society and serve the community by adhering to the moral aspects of the law enforcement officials themselves (Satjipto, 2008). According to Satjipto Rahardjo, legal thinking needs to return to its basic philosophy, which is the law of man. With this philosophy, people become determinants of the orientation point of law. The law serves mankind, not vice versa. Therefore, the law is not a loose institution of human interest. The quality of law is determined by its ability to serve human welfare. This causes progressive law to embrace 'ideology': the projustice law and the pro-folk law (Satjipto Rahardjo dalam Bernard and Tanya, 2010).

4. The establishment of special provisions in the execution of the ruling PHI has Inkracht van Gewijsde and established provisions. This is in order to not make an extraordinary legal efforts re-review, in the case of PHI.
5. There should exist legal certainty about the deadline of the decision and/or notification of the ruling in the signing of the verdict. This should be until the copy of the decision is issued and given to the parties. There must be legal sanctions and provisions in the event of a breach of administration.
6. Synchronisation of provisions on bankruptcy is an urgent condition that must be examined with a quick event check in the Law No. 2 of 2004. The provisions should regard the rights of workers as the right preference in the process of payment obligations. Companies’ debts, before being declared bankrupt under Law No. 37 of 2004, should succumb to bankruptcy and postponement of debt repayment obligations. The goal is that the demands of workers' rights and the family's survival are not lost but take precedence over the rights of other creditors.
7. There should be optimisation of the utilisation and development of information Technology (IT) in the process of the administration of matters. The call of ‘delegation’, in particular, must be intense. The application of an electronic judicial process, based on Perma No. 3 of 2018 on the electronic judiciary in the Industrial Relations Court, is a reform in the field of legal events utilising information technology. This involves the elimination of physical contact between the applicant's lawsuit and the court clerk. Regarding law enforcement, advocates, in this case, have benefited greatly in terms of time and effectiveness. In terms of the administration of matters, generally, in the case of defending the importance of a client due to the issuance of the Perma (with the foundation of the principles involving litigated settlements in the courts) quick processes and light costs can be achieved.

## Conclusion

These review results identify some of the weaknesses of industrial relations dispute resolution in terms of legal structure, substance and legal culture. Public expectations of the Industrial Relations Court are expected to enforce legal authority, legal certainty and justice. Therefore, the efforts made in the Industrial Relations Court can implement a fast, precise, fair and inexpensive principle by utilising the formation of PHI at each district/city court. The revision of Law No. 2 of 2004 involves the arrangement of conciliation institutions and industrial relations arbitrations that need to be considered. Arrangements of legal subjects include informal workers/labourers, government agencies that employ daily freelance workers/labourers and foreign countries' representative offices in Indonesia that employ Indonesian workers/labourers.

It should be a setting for the legal remedy for rights disputes. Termination of employment disputes valued under Rp. 150 million should not exist. There is necessity for a PHI judge to effectively check the contents of the lawsuit in order not to be find the same verdict again. There should be legal certainty about the deadline for the administration of matters until the execution of the decision. The urgency for regulation in the establishment of the Industrial Relations Court at the district/city level throughout Indonesia requires a thorough assessment. This is so that these expectations can be realised in the regulation of legislation. The revision of the law No. 2 of 2004 on the settlement of Industrial relations disputes was deemed a necessary priority of the National Legislation Program. It started drafting the academic draft (academic manuscript). Through the revision, the law became more comprehensive, so as to reflect the ratio of legal certainty and justice in the effort to realise a fast, precise, fair and inexpensive judicial principle, based on the Pancasila values.

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