Analysis of the Effectiveness of Labor Supervision in Enforcing the Minimum Wage in Indonesia

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Info Articles	Abstract
	This study aims to analyze the level of success in the implementation of the labor supervision function in ensuring compliance with the minimum wage provisions in Indonesia. The minimum wage is a basic right of workers that is guaranteed by law, but its implementation in the field still often encounters obstacles. Through a normative juridical research approach, this study examines related laws and regulations, such as Law Number 13 of 2003 concerning Manpower and Government Regulation Number 78 of 2015 concerning Wages, as well as evaluating various previous reports and studies. The results of the analysis show that the effectiveness of labor supervision has not been optimal. The main inhibiting factors include the limited number of supervisory personnel, inadequate budget and infrastructure, and the lack of strict sanctions against violators. Comprehensive efforts are needed, both in terms of strengthening regulations, building institutional capacity, and consistent law enforcement, to increase the effectiveness of supervision in order to guarantee workers' rights to a real minimum wage.

I. INTRODUCTION

Fair and decent wages are at the heart of harmonious industrial relations. In the Indonesian context, this right is not only a normative demand, but has been elevated to an explicit constitutional guarantee, as enshrined in Article 28D paragraph (2) of the Constitution of the Republic of Indonesia of 1945, which states that everyone is entitled to fair and decent remuneration in employment relations (F. A. P. Nasution et al., 2022).

The state, through its legal apparatus, realizes this fundamental guarantee through the institution of the minimum wage. This policy is a protective mechanism designed to prevent economic exploitation of workers by setting a minimum limit on the value of wages. Juridically, the construction of the minimum wage in Indonesia is built based on the framework of Law Number 13 of 2003 concerning Manpower (Manpower Law), which is then operationalized in more detail through Government Regulation Number 78 of 2015 concerning Wages as well as various ministerial regulations and governor decrees at the regional level (Sherly et al., 2021).

However, the establishment of a legal norm is only the initial stage. The substantive value of a policy will only be realized if it can be effectively enforced on the ground.

The function of enforcing the rules of the labor game, including provisions on the minimum wage, is relied on the supervisory institution. Employment supervision is a crucial subsystem in the Indonesian labor law architecture. It acts as an extension of the state to ensure that the working relationship that occurs in the private space between the employer and the worker takes place within the corridor that has been established by law. Organizationally, this responsibility is carried out by the Technical Implementation Unit (UPT) of Manpower Supervision which is under the agency in charge of employment at the provincial government level.

The performance and effectiveness of this UPT are the main determining factors whether workers' normative rights to a decent minimum wage will remain a mere writing on paper (law in

book), or can really be enjoyed as a reality (law in action) in every workplace (Duncan, 2017).

The empirical reality that is developing in Indonesia, unfortunately, shows more of a portrait of the latter. Violations of the payment of the minimum wage are still an endemic problem and are spread across a wide range of industrial sectors, from formal sectors such as manufacturing and construction, to the informal sector and plantations that are often out of the spotlight.

The rise of these cases is not a stand-alone phenomenon, but a symptom that indicates a dysfunction or at least a serious ineffectiveness in the surveillance mechanism that is supposed to be the goalkeeper. The high number of violations reflects that the preventive and repressive functions of supervisory agencies have not been functioning as they should, raising critical questions about how effective labor supervision is in carrying out its mandate as a law enforcer in the field of wages.

If examined more deeply, the roots of this ineffectiveness are multidimensional and intertwined. Previous studies, such as those conducted by Fitriani et al. (2022) and Dewi & Tampubolon (2025), have consistently revealed similar patterns of problems. At the level of institutional capacity, the most basic and classic obstacle is the question of resources (S. M. Sinambela et al., 2024).

There is a very wide gap between the workload that must be borne and the resources owned by the supervisory apparatus. The number of labor supervisory personnel throughout Indonesia is still very limited when compared to the number of companies, business units, and workplaces that are widely distributed, making it impossible to carry out routine and thorough supervision. This limitation is exacerbated by the lack of operational budget allocation and inadequate supporting facilities and infrastructure, such as official vehicles, communication tools, and technological devices, which are vital for mobility and work effectiveness in the field (Law No. 13 of 2003, Manpower, 2003).

However, the problem does not stop at the quantity and facilities aspects. At a more strategic level, there is also the issue of a regulatory framework that is not yet fully solid. The insynchronization between various laws and regulations, both vertically between the central and regional governments and horizontally between ministries/institutions, often leads to overlapping authority, confusion in interpretation, and ultimately, inefficiency in the implementation of duties. This situation weakens the position and authority of supervisors in the eyes of entrepreneurs. In addition, although regulations have threatened sanctions for violators, in practice, enforcement of such sanctions is often inconsistent and unenforceable. The weak imposition of sanctions erodes the deterrent effect that should be inherent in the rule of law. Entrepreneurs who violate do not feel that they are getting significant consequences, so they view violations as low and tolerable business risks (S. M. Sinambela et al., 2024).

External factors of the social environment in which supervision operates also play a big role. On the one hand, the culture of legal compliance among some entrepreneurs is still low. The understanding that paying the minimum wage is an absolute legal obligation, not just a form of kindness or negotiation, has not been fully embedded. On the other hand, the vulnerable position of workers is often a passive obstacle to supervision. The fear of being fired, harmed, or treated unpleasantly if they report a violation, makes many workers choose to remain silent. This helplessness and reluctance to report cuts off one of the important sources of information for the supervisor and makes many violations hidden from official monitoring (Dwiprigitaningtias, 2024).

Based on the above description, it becomes clear that the issue of the effectiveness of labor supervision in enforcing the minimum wage is a complex systemic problem. It concerns the interaction between regulatory aspects, institutions, resources, legal culture, and power dynamics in the workplace. Therefore, a partial and simplistic approach to analysis will not be able to capture the root of the problem in its entirety. A comprehensive and in-depth study is needed, which does not stop at describing the symptoms,

but is able to analyze the cause and effect and interrelationships between the various inhibiting factors. This research is driven by this need. Using a normative juridical approach, this study aims to critically analyze the level of effectiveness of labor supervision as an instrument of minimum wage law enforcement in Indonesia. The analysis will focus on evaluating the gaps between the legal design and its implementation, as well as identifying the key factors that determine the success or failure of the supervisory function. The results of this research are expected to make a meaningful contribution, not only to the development of the treasures of labor law, but also as material for concrete evaluation and policy recommendations for stakeholders, especially in an effort to build a more effective, authoritative labor supervision system, and ultimately able to ensure the fulfillment of the constitutional right of every Indonesian worker to a living wage.

II. RESEARCH METHODS

This research is a normative legal research that is descriptive and analytical. The normative approach was chosen because the research focuses on the evaluation of laws and regulations and legal principles related to labor supervision and minimum wages, as well as the effectiveness of their implementation (Jonaedi Efendi et al., 2018). This type of research is appropriate to analyze the conformity between the written law (law in book) and its implementation, as well as identify factors that affect the effectiveness of law enforcement.

The data sources in this study include primary and secondary legal materials. Primary legal materials are in the form of relevant laws and regulations, such as the 1945 Constitution, Law Number 13 of 2003 concerning Manpower, Government Regulation Number 78 of 2015 concerning Wages, and other implementing regulations in the field of labor supervision. Meanwhile, secondary legal materials include law textbooks, scientific journals, previous research results, and scientific papers from experts who provide explanations and analyses of primary legal materials.

The data collection technique is carried out through library research by examining and reviewing various literature and related legal documents. The collected data is then analyzed qualitatively by the content analysis method to understand the meaning and context of legal materials, as well as deductive analysis to draw conclusions from existing legal premises. This analysis is directed to answer the formulation of research problems regarding the effectiveness of labor supervision in enforcing the minimum wage, inhibiting factors, and efforts that can be made to improve it.

III. RESULTS AND DISCUSSION

A. The Effectiveness of Labor Supervision in Enforcing the Minimum Wage in Indonesia

The discussion of the effectiveness of labor supervision in enforcing the minimum wage in Indonesia conceptually cannot be separated from the relationship between legal norms and their workability in social reality. Labor supervision is a state instrument designed to bridge the gap between normative provisions on minimum wages and industrial relations practices that take place in the field. Therefore, the effectiveness of supervision is not only measured by the existence of the rule of law, but also by the extent to which the regulation is able to affect the behavior of entrepreneurs in a real and sustainable manner (Asyhadie et al., 2019).

Normatively, the legal framework for labor supervision has been built in a relatively complete manner through constitutional guarantees of the right to a decent livelihood, which is then lowered into sectoral arrangements through the Labor Law and its implementing regulations in the field of wages. The regulation places supervision as the government's authority, as well as providing legitimacy for supervisory officials to conduct coaching, inspections, and enforcement of sanctions against violations of the minimum wage. In a positive legal perspective, this construction reflects the will of the state to make the minimum wage an imperative non-negotiable norm in employment relations (M. S. Nasution et al., 2021).

However, the effectiveness of a supervisory system is not only determined by the

completeness of the norms, but also by the purposes and functions it carries out. Labor supervision basically has preventive and repressive functions that are interrelated. The preventive function is intended to prevent violations through socialization, coaching, and creating legal awareness for entrepreneurs, while the repressive function is directed at taking action on violations that have occurred through examination, investigation, and sanctioning. When one of these functions is not running optimally, then the overall effectiveness of supervision will degrade (S. M. Sinambela et al., 2024).

In practice, the implementation of labor supervision still faces various structural and operational obstacles. The limited number and capacity of labor supervisors, the breadth of the supervisory area, and the complexity of the business sector cause supervision to not be able to reach all companies equally. This condition has a direct impact on the low probability of violation detection, thus creating space for employers to ignore the minimum wage provisions without significant legal consequences. In this context, the law loses its coercive power as a tool of social engineering (Rozikin & Muhyiddin, 2025).

The most concrete indicator of the weak effectiveness of supervision is reflected in the level of compliance of employers with the minimum wage provisions. Various empirical findings show that the practice of paying wages below the minimum wage is still ongoing, both openly and covertly, especially in sectors with vulnerable labor characteristics. This fact shows that the existence of legal norms has not been fully internalized as a standard of behavior in the business world, but is still seen as a regulatory burden that can be avoided (S. B. Sinambela et al., 2025).

The problem of the effectiveness of supervision is also exacerbated by the weak enforcement of sanctions against violations of the minimum wage. Although normatively there are administrative and criminal sanction instruments, their application is often inconsistent and tends to be persuasive. This indecisiveness reduces the deterrent effect and weakens the credibility of the law, so that the threat of sanctions loses its

meaning as a tool of social control. In such conditions, labor supervision risks being reduced to a mere administrative formality (Harahap et al., 2024).

In addition, the problem of institutional coordination between the central and regional governments also affects the effectiveness of supervision. The unclear division of authority, coupled with the dynamics of regional autonomy, has the potential to cause overlap or even a vacuum of supervision at a certain level. This discontinuity reflects that the issue of supervisory effectiveness is not solely normative, but is also closely related to institutional design and governance (Umboh et al., 2023).

Based on the overall analysis, it can be concluded that the effectiveness of labor supervision in enforcing the minimum wage in Indonesia is still at a level that is not optimal. The existing legal framework has provided an adequate normative basis, but has not been able to be effectively converted into consistent and coercive law enforcement practices. This gap between norms and reality shows that labor supervision still needs to be strengthened, both in terms of regulation, institutional, and sanction enforcement, so that the minimum wage really functions as a real protection instrument for workers.

B. Factors Inhibiting Employment Supervision in Enforcement of the Minimum Wage

The ineffectiveness of labor supervision in enforcing the minimum wage in Indonesia cannot be understood as a single problem that stands alone, but rather as the result of the interaction of various structural, institutional, cultural, and sociological inhibiting factors. These factors are interrelated and form a chain that weakens the effectiveness of supervision as an instrument of law enforcement (Dyan Arni Firmanti, 2023). Therefore, an analysis of the barriers to supervisory effectiveness must be carried out holistically by looking at the overall labor supervision system in practice.

One of the most fundamental obstacles lies in the limited resources of the labor supervisory apparatus. Empirically, there is a significant

disparity between the number of supervisors and the breadth of the object of supervision, both in terms of the number of companies, variations in business sectors, and the geographical distribution of work areas. This condition causes supervision to not be carried out regularly, systematically, and thoroughly (Rozikin & Muhyiddin, 2025). In such a situation, supervision tends to shift from a preventive function to a reactive function, which is only carried out when there are complaints or reports from certain parties. This reliance on the grievance mechanism has resulted in many minimum wage violations going unchecked, especially in sectors with minimal union representation.

The limitation of human resources is further exacerbated by the lack of operational budget support and supporting infrastructure. Employment supervision basically demands high mobility, technical skills, and adequate administrative support. Without this support, supervisory officials face difficulties in reaching companies in remote areas or the informal sector. As a result, the effectiveness of supervision becomes uneven and creates a gap in legal protection for workers (Arifuddin Muda Harahap, Rahmad Efendi, 2023).

The next obstacle is related to the complexity of regulations and weak coordination between institutions. The legal framework for labor supervision is at a juncture between national labor policy and the implementation of regional autonomy. Although the Labor Law provides a supervisory mandate to the government, the division of authority between the central and local governments in practice does not always run harmoniously. This unclear boundary of responsibility has the potential to lead to overlapping authority, tug-of-war, or even a vacuum of oversight at some level. In this context, the effectiveness of supervision is influenced not only by legal norms, but also by the institutional design and quality of intergovernmental coordination (Dyan Arni Firmanti, 2023).

In addition, labor supervision often intersects with the authority of other agencies, such as immigration, business licensing, and other law enforcement officials. Without an integrated coordination mechanism, overlapping authority can actually slow down the law enforcement process and reduce responsiveness to minimum wage violations. This complexity ultimately creates structural inefficiencies that weaken the coercion of labor laws (Arifuddin Muda Harahap, 2020).

An equally significant inhibiting factor is the weak enforcement of sanctions and the low culture of legal compliance among entrepreneurs. Normatively, laws and regulations have provided various types of sanctions for violations of the minimum wage, both administrative and criminal. However, in practice, the application of such sanctions is often inconsistent and tends to be persuasive. Many cases of violations stop at the reprimand or coaching stage without firm follow-up. This indecisiveness reduces the deterrent effect and creates the perception that violating the minimum wage is a low legal risk (Syahputra, 2000).

The low level of sanctions enforcement also has an impact on the formation of a weak compliance culture. In conditions where the violation does not cause significant consequences, some employers view the minimum wage not as an imperative legal obligation, but as a variable cost that can be negotiated or minimized. This view shows that legal norms have not fully functioned as binding standards of behavior in industrial relations (Sinaga & Zaluchu, 2021).

On the other hand, the effectiveness of supervision is also hampered by the vulnerability of workers' positions in employment relationships. Structurally, the employment relationship is colored by the power imbalance between employers and workers. In these situations, workers are often in an unsafe position to report minimum wage violations they experience. Fear of retaliation, such as termination, mutation, or discriminatory treatment, is a major factor that silences workers' voices. This condition is further exacerbated by the complaint mechanism which is considered not simple, lacks transparency, and does not fully guarantee protection for whistleblowers (Oktafianto & Fatmawati, 2023).

As a result of this vulnerability, many minimum wage violations have never come to the surface. In

fact, information from workers is one of the most important data sources for the effectiveness of labor supervision. When workers are reluctant or unable to report, the surveillance system loses one of its main pillars in detecting violations.

All of these inhibiting factors do not work separately, but rather reinforce each other in a cycle that is difficult to break. Limited resources cause suboptimal supervision, weak supervision results in rarely imposed sanctions, low sanctions reinforce a culture of non-compliance, and a culture of non-compliance further suppresses the courage of workers to report. In this context, the ineffectiveness of labor supervision is a systemic problem that requires a comprehensive and integrated approach to improvement, not just partial improvement in one particular aspect.

C. Strategy to Strengthen Labor Supervision in Minimum Wage Enforcement

Efforts to increase the effectiveness of labor supervision in ensuring the fulfillment of the minimum wage require a strategic approach that is systemic and oriented towards improving the root of the problem. Supervision cannot be understood solely as an administrative activity, but as part of a law enforcement mechanism that must be able to influence the behavior of industrial relations actors. Therefore, the strategy to strengthen supervision must be designed in a multidimensional manner by touching on the aspects of institutional, regulatory, law enforcement, worker participation, and the use of technology (Izzati, 2021).

The most fundamental step lies in strengthening the institutional capacity of labor supervision. Strong institutions require the adequacy of human resources who are professional, have integrity, and have adequate technical competence. The increase in the number of supervisors is an urgent need to overcome the imbalance in the ratio between supervisory apparatus and supervisory objects. However, quantity alone is not enough without quality improvement. Continuous training needs to be directed not only at understanding labor regulations, but also at investigative skills, law enforcement ethics, and sensitivity to the

dynamics of industrial relations. This capacity building must be supported by adequate budget allocation so that supervisors have operational facilities that enable the effective implementation of their duties, especially in areas that have been difficult to reach (August, 2019).

In addition to institutional strengthening, another important strategy is regulatory structuring through harmonization and clarity of authority. The complexity of labor supervision in Indonesia is inseparable from the dynamics of the division of authority between the central and regional governments. This ambiguity has the potential to weaken the effectiveness of supervision because it opens up space for overlapping authority or a lack of responsibility. Regulatory harmonization is necessary to create a coherent supervisory system, where each level of government has a clearly defined role. Clarity of authority not only increases the effectiveness of the work of supervisory officials, but also provides legal certainty for employers regarding who is authorized to supervise and impose sanctions (Basri, 2006).

The next crucial strategy is to strengthen law enforcement through the application of sanctions that are consistent and oriented towards deterrent effects. Law enforcement is the point at which legal norms are tested for coercion. Without firm enforcement, supervision will lose its legitimacy and authority (Irsyad, 2025). Therefore, any proven minimum wage violations must be dealt with proportionately and consistently, without undue compromise. Administrative sanctions must be applied progressively and meaningfully, while criminal channels need to be optimized for violations that are systematic, repetitive, or carried out in bad faith. This consistency of enforcement serves as a strong signal that the state is present and serious about protecting workers' rights.

However, the effectiveness of supervision is not only determined by the apparatus and regulations, but also by the extent to which workers are involved as active subjects in the supervision system. Therefore, worker empowerment is an inseparable strategy. Education on the right to a minimum wage must

be carried out on an ongoing basis so that workers have adequate legal awareness. More than that, the state is obliged to provide a safe, simple, and credible reporting mechanism. Protection of whistleblowers from retaliatory actions is an absolute prerequisite for workers to dare to report violations. Without this guarantee of protection, the surveillance system would lose one of its most important sources of information (Harahap & Nasution, 2025).

In the context of limited conventional resources, the integration of digital technology is becoming an increasingly relevant strategy. The use of an integrated information system allows supervision to be carried out in a smarter and data-based manner. Through data analysis, surveillance can be directed to companies with a high level of breach risk, so that limited surveillance resources can be used more effectively. This risk-based oversight approach not only improves efficiency, but also strengthens the accuracy and impact of surveillance.

The whole strategy cannot stand alone. Institutional strengthening, regulatory harmonization, firm law enforcement, worker empowerment, and technological integration must be understood as a complementary system. When these strategies are implemented simultaneously and consistently, labor supervision no longer functions symbolically, but rather becomes an effective law enforcement instrument in ensuring the fulfillment of minimum wage rights for workers. Thus, the goal of labor law to realize justice and welfare in employment relationships can be realized in a real way, not just normatively.

IV. CONCLUSION AND SUGGESTIONS
A. Conclusion

Based on the results of the analysis, it can be concluded that the effectiveness of labor supervision in enforcing the minimum wage in Indonesia is still not optimal. Although legal frameworks have been made available in a relatively comprehensive manner, ranging from constitutional guarantees to implementing regulations in the areas of wages and supervision, their implementation has not been able to create a high level of compliance among employers. The ineffectiveness is caused by various interrelated factors, including the limited resources of the supervisory apparatus, the complexity of regulations and coordination between institutions, weak sanctions enforcement, and the vulnerability of workers' positions in reporting violations. This condition shows that there is a gap between law in text and law in practice. Labor supervision has not fully functioned as a coercive law enforcement instrument oriented to the protection of workers' rights. Therefore, strengthening labor supervision requires a systemic approach that focuses not only on normative improvements, but also on institutional reform, law enforcement, and the balanced participation of industrial relations actors.

B. Suggestion

The government needs to strengthen integrated labor supervision through increasing the capacity and number of supervisory apparatus, harmonizing regulations and clarity of authority between levels of government, and enforcing sanctions that are consistent and oriented towards deterrent effects. In addition, worker empowerment through employment rights education and the provision of safe and secure reporting mechanisms must be a priority. The use of digital technology based on risk analysis also needs to be optimized so that supervision can be carried out more efficiently and on target, so that the enforcement of the minimum wage really provides real protection for workers.

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