

## Legal Protection for Private Lecturers: Addressing Sub-Minimum Wage Challenges in West Java

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### ABSTRACT

Private lecturers in Indonesia play a crucial role in higher education; however, they face significant welfare issues, particularly concerning salaries that often fall below the Regional Minimum Wage (UMK). This study aims to identify the challenges faced by private lecturers in West Java related to inadequate salaries and offer recommendations for improvement. Using a qualitative research approach, the study interviews private lecturers and analyzes employment agreements from several private universities. It also examines relevant laws and regulations, including Law Number 14 of 2005 on Teachers and Lecturers, Government Regulation Number 37 of 2009 on Lecturers, Law Number 30 of 2014 on Government Administration, and Law Number 13 of 2003 on Manpower. The findings reveal that, despite formal employment agreements, many lecturers earn less than the UMK, negatively impacting their welfare. Contributing factors include a lengthy certification process, inadequate social security, and the lack of academic ranks for many permanent lecturers. Many private lecturers are not registered with the social security program (BPJS). This study concludes that salaries below the UMK create injustice and undermine the teaching profession. Strengthening employment contracts, clarifying rights and obligations, and raising awareness about lecturers' rights are essential for improving their welfare.

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## 1. Introduction

Private lecturers in West Java, Indonesia, face significant legal protection and welfare challenges, particularly due to salaries below the Regional Minimum Wage (UMK). Many lecturers work under contracts that fail to meet the UMK and lack social security benefits,

forcing them to seek additional income sources. This issue is most apparent at institutions like Miftahul Huda Al-Azhar Islamic College and Darussalam Islamic Institute. At the same time, the Islamic University of Bandung provides adequate salaries and benefits to permanent lecturers, excluding those on temporary contracts. Despite legal frameworks such as Law No. 14 of 2005 and Government Regulation No. 37 of 2009, which guarantee income above the minimum living needs, many lecturers' salaries violate these regulations. The study explores the legal protection and welfare gaps, highlighting the negative impacts of low pay and lack of social security, and urges policy improvements to ensure better working conditions and legal safeguards. By addressing these issues, the research aims to enhance the status and welfare of private lecturers, ensuring they receive fair remuneration and professional protection in line with their contributions to education.

Employment agreements for private lecturers at universities in West Java are vital for ensuring legal protection and welfare. These contracts define lecturers' and institutions' rights and responsibilities, preventing conflicts and ensuring clarity regarding academic and administrative duties. Legal protections, such as wages, social security benefits, and safeguards against discrimination, are central to these agreements, offering lecturers security and legal certainty. Furthermore, agreements address working hours, access to academic facilities, and administrative support, which are necessary for lecturers to fulfill their responsibilities effectively. Protecting intellectual property rights is also crucial, as lecturers produce valuable intellectual works like research, articles, and teaching materials. The employment agreement must outline these works' ownership and usage rights to maintain lecturers' control over their academic contributions. Such protections align with the broader legal frameworks discussed by Dimyati et al.,<sup>1</sup> and Sarabdeen and Ishak.<sup>2</sup> Moreover, ensuring effective personality and occupational health, as explored by Nguyen and Anh,<sup>3</sup> supports lecturers' well-being, making these agreements even more important. A comprehensive legal approach is necessary, as demonstrated by Jatchavala et al.,<sup>4</sup> and Wei,<sup>5</sup> to foster a supportive and legally sound environment for academic professionals.

Career sustainability for lecturers is crucial in employment agreements, as long-term contracts and performance evaluations can enhance their stability and psychological well-being.<sup>6</sup> Employment agreements also protect lecturers' rights to academic freedom and expression,

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<sup>1</sup> Khudzaifah Dimyati and others, 'Indonesia as a Legal Welfare State: A Prophetic-Transcendental Basis', *Heliyon*, 7.8 (2021), e07865. <https://doi.org/10.1016/j.heliyon.2021.e07865>.

<sup>2</sup> Jawahitha Sarabdeen and Mohamed Mazahir Mohamed Ishak, 'Intellectual Property Law Protection for Energy-Efficient Innovation in Saudi Arabia', *Heliyon*, 10.9 (2024), e29980. <https://doi.org/10.1016/j.heliyon.2024.e29980>.

<sup>3</sup> Nguyen Hai Thanh and Nguyen Ngoc Anh, 'The Relationship between Effective Personality and Occupational Health of Lecturers: An Empirical Assessment in Vietnam', *Heliyon*, 9.2 (2023), e13231. <https://doi.org/10.1016/j.heliyon.2023.e13231>.

<sup>4</sup> Chonnakarn Jatchavala and others, 'Child Sexual Abuse, Mental Health, and Legislation in India and Thailand: A Cross-Country Comparison', *Journal of Forensic and Legal Medicine*, 102 (2024), 102655. <https://doi.org/10.1016/j.jflm.2024.102655>.

<sup>5</sup> Xingxing Wei, 'Rule of Law or Not? A Critical Evaluation of Legal Responses to Cyberterrorism in the UK', *Computer Law & Security Review*, 53 (2024), 105951. <https://doi.org/10.1016/j.clsr.2024.105951>.

<sup>6</sup> Michael Palmer and Jenny Williams, 'Are Employment Protection Laws for Persons with Disabilities Effective in a Developing Country?', *Economic Development and Cultural Change*, 71.3 (2023), 1057–92. <https://doi.org/10.1086/717279>.

ensuring they can conduct research and share opinions without fear of threats.<sup>7</sup> Additionally, these agreements establish standards for fair wages and compensation, promoting the economic well-being of lecturers and their families.<sup>8</sup> They also support inclusivity by incorporating policies on diversity, anti-discrimination, and gender equality, fostering a fair academic environment.<sup>9</sup> These agreements bridge expectations between lecturers and institutions, ensuring harmonious working relationships by reinforcing mutual commitments.<sup>10</sup> They can also set standards for academic ethics, professionalism, and conflict management, offering procedures for dispute resolution through mediation or legal channels.<sup>11</sup> Such provisions create a respectful and efficient academic atmosphere in private universities.<sup>12</sup> Finally, these agreements should address lecturers' intellectual property rights, ensure their academic and research outputs are protected and fairly utilized,<sup>13</sup> and enhance lecturers' overall job satisfaction by addressing workplace issues such as workload, autonomy, and institutional support.<sup>14</sup>

From the background above, the author seeks to uncover issues related to private lecturers' legal protection and welfare, focusing on salaries below the Regional Minimum Wage (UMK), which violates the agreements established in the work contracts between lecturers and the institution. This study aims to identify the impact of inappropriate salary policies and explore how work agreements can provide better legal protection. With a deeper understanding of the working conditions and rights of lecturers, it is hoped that the findings of this research will offer recommendations for stakeholders to enhance the welfare of lecturers and improve related policies.

## 2. Research Method

This research adopts a qualitative approach to investigate the employment agreements of private university lecturers in West Java, Indonesia. Data was collected through in-depth

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<sup>7</sup> Arzetta Zahra Metthania and Siti Nurul Intan Sari Dalimunthe, 'Legal Protection for Parties in Sale and Purchase Transactions of Virtual Objects', *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 5.2 (2022), 267–77. <https://doi.org/10.24090/volksgeist.v5i2.7066>.

<sup>8</sup> Tomer Blumkin, Haim Pinhas, and Ro'i Zultan, 'Wage Subsidies and Fair Wages', *European Economic Review*, 127 (2020), 103497. <https://doi.org/10.1016/j.euroecorev.2020.103497>.

<sup>9</sup> Leonie Hewitt and others, 'Midwifery Group Practice Workforce in Australia: A Cross-Sectional Survey of Midwives and Managers', *Women and Birth*, 37.1 (2024), 206–14. <https://doi.org/10.1016/j.wombi.2023.09.002>.

<sup>10</sup> Salahuddin Gaffar and others, 'The Concept of Procedural Law Regarding the Implementation of Collective Agreements with Legal Certainty in Termination of Employment in Indonesia', *Heliyon*, 7.4 (2021). <https://doi.org/10.1016/j.heliyon.2021.e06690>.

<sup>11</sup> Tracey Ahern and others, 'Linking Student in Nursing/Student in Midwifery Employment to Australian Professional Standards: A Cross-Sectional Study', *Collegian*, 30.3 (2023), 498–505. <https://doi.org/10.1016/j.colegn.2023.02.003>.

<sup>12</sup> Ending Solehudin, Miftakhul Huda, and Hisam Ahyani, 'Transformation of Shariah Economic Justice: Ethical and Utility Perspectives in the Framework of Maqashid Shariah', *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 24.1 (2024), 103–19. <https://doi.org/10.30631/alrisalah.v24i1.1467>.

<sup>13</sup> Jakob Windisch and others, 'Unexpected Pathways of Mercury in an Alkaline, Biologically Productive, Saline Lake: A Mesocosm Approach', *Journal of Hazardous Materials*, 427 (2022), 128163. <https://doi.org/10.1016/j.jhazmat.2021.128163>.

<sup>14</sup> Yordan Gunawan, Arif Budiman, and others, 'Journalist Protection on the Battlefield Under the International Humanitarian Law: Russia-Ukraine War', *Jurnal Hukum Unissula*, 39.1 (2023), 1–11. <https://doi.org/10.26532/jh.v39i1.24685>.

interviews with 14 lecturers, focusing on their experiences with legal protection, salary issues, and welfare concerns. Content analysis was used to identify thematic patterns from the interviews. The study employs a combination of two research methodologies: a normative juridical approach, which examines the relevant laws governing employment contracts (e.g., Law No. 14 of 2005, Law No. 13 of 2003), and an empirical juridical approach, which analyzes the actual employment agreements at selected universities. This approach helps to understand the lecturers' subjective experiences and the gaps in legal protections, especially concerning wages below the Regional Minimum Wage (UMK).<sup>15</sup> By integrating legal frameworks such as the Civil Code and government regulations,<sup>16</sup> the research aims to provide a comprehensive view of how employment agreements impact lecturers' welfare and professional rights. The qualitative method offers insights into the nuanced perspectives of lecturers, highlighting the need for clearer, fairer contracts.<sup>17</sup> The findings are expected to contribute to policy improvements that ensure better legal protection and welfare for private university lecturers. The research's implications are significant for improving conditions and fostering more transparent academic labor practices.<sup>18</sup>

### 3. Result and Discussion

The study's findings reveal that work agreements for private university lecturers are vital in ensuring legal protection and welfare. However, several significant issues have emerged. Five lecturers reported that their employment contracts lacked clarity regarding their rights, such as leave, health benefits, and access to social security programs, including the Health Social Security Agency (BPJS Kesehatan). Furthermore, 18 lecturers indicated that their contracts failed to define these fundamental rights, directly impacting their well-being adequately. Among the lecturers affected are M. S., D. P., M. S., R. M., M. H., A. M., M. Z., and I. H. from STAI Miftahul Huda Al-Azhar; A. Z., D. D., J. N., R. G. G., S. S., L. N., H. W., and A. B. H. from Institut Agama Islam Darussalam, Ciamis; and A. A. from Universitas Islam Bandung. The lecturers emphasized the need for clearer employment agreements, particularly in areas such as allowances, leave, and social security benefits, to enhance their welfare and job performance. Additionally, the study found that 18 lecturers receive salaries below the Regional Minimum Wage (UMK). This concern, reported by lecturers from STAI Miftahul Huda Al-Azhar, the Darussalam Islamic Institute, and Bandung Islamic University, underscores their financial challenges. The inadequacy of salaries relative to the UMK significantly affects their overall well-being and job satisfaction. The discussion highlights the urgent need to raise awareness and improve protections for private university lecturers. This includes addressing the issue of unclear employment contracts and ensuring fair

<sup>15</sup> Michael Anthony C. Dizon, 'Socio-Legal Study of Technology: A Norms and Values Approach to Hacking and Encryption Law and Policy', *Computer Law & Security Review*, 52 (2024), 105958. <https://doi.org/10.1016/j.clsr.2024.105958>.

<sup>16</sup> Matthew Mitchell, 'Analyzing the Law Qualitatively', *Qualitative Research Journal*, 23.1 (2022), 102–13. <https://doi.org/10.1108/QRJ-04-2022-0061>.

<sup>17</sup> Hisam Ahyani, Memet Slamet, and Tobroni, 'Building the Values of Rahmatan Lil 'Alamin for Indonesian Economic Development at 4.0 Era from the Perspective of Philosophy and Islamic Economic Law', *Al-Ihkam: Jurnal Hukum & Pranata Sosial*, 16.1 (2021), 111–36. <https://doi.org/10.19105/al-ihkam.v16i1.4550>.

<sup>18</sup> Nanang Naisabur and others, 'The Prohibition of Social E-Commerce on TikTok Shop: A Fiqh Examination Based on Sharia Compliance and Economic Justice', *Al-Manahij: Jurnal Kajian Hukum Islam*, 18.1 (2024), 59–78. <https://doi.org/10.24090/mnh.v18i1.9674>.

compensation. Concrete actions, such as revising work agreements to provide explicit provisions and ensuring salaries meet or exceed the UMK, are essential to safeguard the welfare and rights of lecturers.

### 3.1. Effectiveness of Private Lecturer Employment Agreements at West Java

In providing legal protection and welfare for private university lecturers at in West Java, it is essential to evaluate the effectiveness of employment agreements. Key considerations include the clarity and comprehensiveness of these agreements and how well they address the needs and rights of lecturers. Based on interviews with lecturers and management at various universities, the effectiveness of private employment agreements for lecturers in higher education can be assessed by how well these agreements have provided legal protection and welfare, including compliance with the Regional Minimum Wage (UMK). At the Islamic University of Bandung, lecturers have reported feeling secure because their salaries meet the UMK, and they have access to social security through BPJS. One lecturer stated, "The assurance of a salary that aligns with the UMK makes a significant difference, and the additional housing for permanent staff is a great benefit." Management echoed this sentiment, highlighting the effectiveness of the agreements in ensuring a decent standard of living for staff.

Conversely, at the Darussalam Islamic Institute in Ciamis, lecturers noted that their salaries also meet the UMK, and they have benefited from BPJS coverage. However, they pointed out the lack of official housing for permanent staff as an area needing improvement. One lecturer remarked, "While the agreements are relatively effective, better housing provisions could greatly enhance our welfare and job satisfaction." At STAI Miftahul Huda Al-Azhar in Banjar, the situation is less favorable, with many lecturers receiving salaries below the UMK. Some lecturers mentioned, "Even though we have access to BPJS, the low compensation creates significant financial stress." They emphasized the need for clearer employment agreements that specify their rights and benefits. The lack of clarity has contributed to their struggles, underscoring the importance of well-defined contracts in promoting both effectiveness and welfare. Overall, these examples illustrate the varying effectiveness of private employment agreements in addressing the needs and rights of lecturers across different institutions. From the explanation above, clarity in the employment agreement is proven to be important in determining its effectiveness.<sup>19</sup> Clear agreements delineate the duties of lecturers, institutional obligations, and lecturer rights such as wages, allowances, and social security benefits. Clarity helps avoid ambiguous interpretations and potential conflicts in the future regarding disagreements over stipulated duties and rights.<sup>20</sup> The comprehensiveness of employment agreements also needs evaluation in the context of legal protection. <sup>21</sup> A comprehensive agreement includes provisions ensuring lecturers are protected from discrimination, unfair

<sup>19</sup> Ending Solehudin and Hisam Ahyani, 'Legal Compliance on Sharia Economics in Halal Tourism Regulations | Petita: Jurnal Kajian Ilmu Hukum Dan Syariah', *PETITA: Jurnal Kajian Ilmu Hukum Dan Syariah (PJKIHDs)*, 9.1 (2024). <https://doi.org/10.22373/petita.v9i1.224>.

<sup>20</sup> Bruno Jiménez and Silvio Rendon, 'Does Employment Protection Unprotect Workers? The Labor Market Effects of Job Reinstatements in Peru', *Labour Economics*, 80 (2023), 102286. <https://doi.org/10.1016/j.labeco.2022.102286>.

<sup>21</sup> Ida Vangone and others, 'The Efficacy of High-Fidelity Simulation on Knowledge and Performance in Undergraduate Nursing Students: An Umbrella Review of Systematic Reviews and Meta-Analysis', *Nurse Education Today*, 139 (2024), 106231. <https://doi.org/10.1016/j.nedt.2024.106231>.



dismissal, or abuse of power. This encompasses clear and fair dispute resolution procedures in case of disputes between lecturers and the institution.<sup>22</sup>

The welfare of lecturers is a crucial element in assessing the effectiveness of employment agreements, which should include provisions for academic development, access to educational resources, and recognition of contributions. These agreements must be evaluated based on practical implementation, not just on paper, considering how well they are enforced by private institutions in West Java and how lecturers perceive their treatment.<sup>23</sup> Additionally, fairness is a key factor in effective agreements, which should ensure equal opportunities for career development, academic freedom, and protection of intellectual property rights.<sup>24</sup> Monitoring and assessing the implementation of these agreements by designated authorities is vital for maintaining lecturers' legal protections and promoting job satisfaction. Including religious and moral values in these agreements can align them with the institution's ethos, increasing lecturers' sense of being valued and supported. Legal validity is also a critical consideration; agreements that comply with labor laws provide lecturers with a solid foundation of protection in case of disputes.<sup>25</sup> Research into these agreements' clarity, welfare provisions, fairness, and legal compliance will yield valuable insights that can guide improvements in human resource management within private Islamic higher education institutions.<sup>26</sup> The inclusion of comprehensive provisions can also enhance lecturer satisfaction and institutional reputation, ultimately contributing to the success of private universities in a competitive academic landscape.<sup>27</sup> Furthermore, agreements that address both material and immaterial rights, such as academic freedom and intellectual property, foster a positive working environment where lecturers feel empowered to contribute effectively.<sup>28</sup> Additionally, providing clear dispute resolution mechanisms in these agreements is essential for resolving conflicts effectively and ensuring a harmonious academic environment.<sup>29</sup> Ensuring that lecturers are protected against discrimination and treated fairly according to the contract's material and non-material aspects further enhances the relationship between the

<sup>22</sup> Carmen Camacho and Waleed Hassan, 'The Dynamics of Revolution: Discrimination, Social Unrest and the Optimal Timing of Revolution', *Economic Modelling*, 128 (2023), 106489. <https://doi.org/10.1016/j.econmod.2023.106489>.

<sup>23</sup> S. B. Doyle and others, 'Producer Perceptions of Dairy Calf Management, Behavior, and Welfare', *Journal of Dairy Science*, 107.8 (2024), 6131–47. <https://doi.org/10.3168/jds.2023-24363>.

<sup>24</sup> Karen Zilberstein and others, 'Providers' Experiences Collaborating with Child Welfare Workers: The Good, the Bad, and the Impacts', *Child Abuse & Neglect*, 152 (2024), 106772. <https://doi.org/10.1016/j.chiabu.2024.106772>.

<sup>25</sup> Kaila Witkowski and others, 'Understanding Problematic Substance Use among First Responders during the COVID-19 Pandemic: A Survey of Law Enforcement, Fire, and EMS Workers in the United States', *International Journal of Drug Policy*, 123 (2024), 104261. <https://doi.org/10.1016/j.drugpo.2023.104261>.

<sup>26</sup> Rida Batool and others, 'Impact of Internal Identity Asymmetry on Employee's Behaviors and Feelings: A Mediating Role of Psychological Distress', *Heliyon*, 10.10 (2024). <https://doi.org/10.1016/j.heliyon.2024.e31438>.

<sup>27</sup> Alexander Caramento, 'Navigating Mine Supply and Service Provision in Neoliberal Zambia: Tracing Processes of Indigenous Capital Formation among Former ZCCM Employees', *The Extractive Industries and Society*, 11 (2022), 100931. <https://doi.org/10.1016/j.exis.2021.100931>.

<sup>28</sup> Tamirat Tafese Keltu, 'The Effect of Human Resource Development Practice on Employee Performance with the Mediating Role of Job Satisfaction among Mizan Tepi University's Academic Staff in Southwestern Ethiopia', *Heliyon*, 10.8 (2024). <https://doi.org/10.1016/j.heliyon.2024.e29821>.

<sup>29</sup> Hu Xiao, Wei Xie, and Bo Liu, 'An Empirical Study on the Influence of New Generation Employees' Job Satisfaction on Contextual Performance in the Energy Industry', *Heliyon*, 10.9 (2024). <https://doi.org/10.1016/j.heliyon.2024.e30073>.

institution and faculty members.<sup>30</sup> Finally, adherence to national labor regulations and international standards is crucial for ensuring that these agreements offer robust protection to lecturers and serve as a strategic tool for attracting and retaining high-quality academic staff.<sup>31</sup> With these considerations, employment agreements can be a powerful instrument for enhancing job satisfaction, institutional performance, and the overall academic environment.<sup>32</sup>

### 3.2. Limitations of Protection Provided by Employment Agreements at PTKIS West Java

Employment agreements for lecturers at private Islamic Higher Education Institutions (PTKIS) in West Java often fail to address key issues affecting academic staff's welfare and protection.<sup>33</sup> While these agreements typically outline various rights and obligations, certain limitations, such as inadequate provisions for health and safety, workplace discrimination, and unclear leave and retirement rights, remain. For example, despite the inclusion of anti-discrimination clauses, the practical implementation of these provisions is often ineffective, especially when it comes to gender, religion, and other forms of discrimination. Health and safety guarantees, although mentioned in agreements, are often vague, leading to uncertainty about lecturers' protection in the event of accidents or unsafe working conditions. Similarly, provisions related to annual leave, sick leave, and retirement benefits are often unclear, which affects lecturers' future security and contributes to dissatisfaction.<sup>34</sup>

Interviews with lecturers at various PTKIS, including STAI Miftahul Huda Al-Azhar, revealed that the wage terms outlined in the agreements often do not match actual compensation. For instance, while the agreements stated a monthly wage of IDR 1,500,000 and additional meal allowances, lecturers reported receiving far less, covering only teaching hours and transportation costs. This discrepancy highlights a lack of clarity and enforcement in the agreements. Moreover, lecturers raised concerns about protecting their intellectual property rights, which are often not explicitly defined in these agreements. Intellectual property, such as research and scholarly work, is frequently used by the institution without proper acknowledgment or compensation, leading to confusion and disputes regarding ownership and usage rights.

The need for comprehensive improvements in employment agreements is evident. Key areas such as workplace discrimination, health and safety provisions, leave entitlements, and intellectual property rights must be more clearly addressed to ensure lecturers' welfare and

<sup>30</sup> Abdulrazaq K. Daudu and others, 'Does Youth Participation in the Farming Program Impact Farm Productivity and Household Welfare? Evidence from Nigeria', *Heliyon*, 9.4 (2023). <https://doi.org/10.1016/j.heliyon.2023.e15313>.

<sup>31</sup> Aditya Jain, Daniel Ripa, and Luis Torres, 'Have Companies Arisen to the Challenge of Promoting Sustainable Work? The Role of Responsible Business Practices in the Context of Evolving Employment and Working Conditions', *Safety Science*, 170 (2024), 106364. <https://doi.org/10.1016/j.ssci.2023.106364>.

<sup>32</sup> Muhammad Majid Aziz and others, 'A Discursive Presentation of Community Pharmacies: Premises, Storage, Staff, Documentation and Legal Compliance', *Heliyon*, 9.12 (2023), e23112. <https://doi.org/10.1016/j.heliyon.2023.e23112>.

<sup>33</sup> Yordan Gunawan, Muhamad Haris Aulawi, and others, 'Command Responsibility of Autonomous Weapons under International Humanitarian Law', *Cogent Social Sciences*, 8.1 (2022), 2139906. <https://doi.org/10.1080/23311886.2022.2139906>.

<sup>34</sup> Emmanuelle Auriol, Sara Biancini, and Rodrigo Paillacar, 'Intellectual Property Rights Protection and Trade: An Empirical Analysis', *World Development*, 162 (2023), 106072. <https://doi.org/10.1016/j.worlddev.2022.106072>.

legal protection. As demonstrated through interviews with lecturers from different institutions in West Java, the existing agreements often fail to meet lecturers' expectations and needs, which can negatively impact job satisfaction and overall institutional performance. To improve the working conditions for lecturers, PTKIS must focus on creating clearer, more equitable agreements that provide adequate protection and support for their academic staff.<sup>35</sup>

Several critical issues emerge in evaluating the limitations of employment agreements for private university lecturers at PTKIS in West Java. Firstly, while agreements often include anti-discrimination clauses, their practical implementation is frequently inadequate. Lecturers may face discrimination based on gender, religion, or ethnicity that is not effectively addressed or managed within the agreements. This gap can result in lecturers feeling unfairly treated or marginalized, lacking clear avenues for recourse or support.<sup>36</sup> Secondly, guaranteeing health and safety at work is another area where employment agreements may fall short. While there may be general provisions on workplace safety, these can be vague or insufficiently detailed to address the diverse needs of lecturers at PTKIS. Workplace accidents, occupational hazards, and well-being may not be adequately covered or protected under current agreements. Thirdly, rights related to leave and retirement are crucial for lecturer welfare but may not be fully addressed in agreements. Lecturers need clear assurances regarding annual leave, sick leave, and retirement benefits. Inadequate or ambiguous provisions in these areas can lead to uncertainty and impact job security and long-term planning. Additionally, intellectual property rights are another significant limitation that existing agreements may not properly cover. Despite lecturers frequently producing valuable scholarly works and research, intellectual property ownership and protection are often inadequately defined, leading to potential disputes and undermining incentives for academic innovation. Addressing these limitations is essential for enhancing the effectiveness of employment agreements at PTKIS in West Java. By addressing gaps in discrimination protections, improving health and safety provisions, clarifying leave and retirement rights, and strengthening intellectual property safeguards, institutions can better support and empower their lecturers. This evaluation will help advocate for policy revisions, ensuring more comprehensive and inclusive agreements, and fostering a supportive and equitable working environment for lecturers in private Islamic higher education institutions in Indonesia.<sup>37</sup>

### 3.3. Challenges in Implementing Employment Agreements at PTKIS West Java

Implementing employment agreements for private university lecturers at Islamic Higher Education Institutions (PTKIS) in West Java faces several challenges that can impact the effectiveness of the protection and well-being promised in these agreements. Understanding these challenges is essential for grasping the dynamics of workplace practices within Indonesia's Islamic higher education context. A major challenge in enforcing employment agreements is the inconsistent application of laws and regulations. Despite solid legal

<sup>35</sup> Rizaldy Anggriawan and others, 'Passenger Name Record Data Protection under European Union and United States Agreement: Security over Privacy?', *Hasanuddin Law Review*, 8.2 (2022), 95–110. <https://doi.org/10.20956/halrev.v8i2.2844>.

<sup>36</sup> Dorcas Peggy Somuah and others, 'Factors Enhancing and Restricting the Success of SRA Compliance on the FLEGT/VPA Initiative in Ghana. Insights from Juaso Forest District in Ghana', *Heliyon*, 10.11 (2024), e32368. <https://doi.org/10.1016/j.heliyon.2024.e32368>.

<sup>37</sup> Yordan Gunawan and Yovi Cajapa Endyka, 'The Protection of Small and Medium Enterprises in Yogyakarta: The Challenges of ASEAN Economic Community', *Pertanika Journal of Social Sciences and Humanities*, 25.October (2017), 199–206.



frameworks, institutional administrators often poorly monitored and unevenly enforced these rules. This can lead to uncertainty among lecturers regarding their treatment and the rights guaranteed in the agreement, particularly during conflicts or disagreements. Ambiguities in employment agreements, whether due to vague language or multiple interpretations, present significant challenges, complicating the resolution of disputes and the understanding of rights and obligations. This complicates the consistent and fair application of agreement provisions, as involved parties may have different understandings of what is actually stipulated in the agreement.<sup>38</sup> Additionally, limited institutional resources can impede the effective implementation of employment agreements. Financial constraints, insufficient personnel, and inadequate infrastructure at PTKIS can impact their ability to meet the commitments specified in these agreements. For instance, delays in salary or allowance payments, inadequate support facilities for teaching and research, or limited access to training and professional development can be issues encountered by lecturers.<sup>39</sup>

Another challenge is the presence of organizational culture or norms that may not support the effective implementation of employment agreements.<sup>40</sup> In some cases, organizational culture or specific norms within institutions can influence how employment agreements are understood and executed.<sup>41</sup> This includes aspects such as respect for academic freedom, participation in decision-making, or openness to diverse perspectives in the academic context. It is also important to acknowledge that the complexity of administrative structures in PTKIS can pose additional challenges in the implementation of employment agreements. Higher education institutions often have intricate hierarchies and bureaucratic procedures that may slow down decision-making processes or resolution of issues related to employment agreements. Additionally, changes in policies or regulations that affect the implementation of employment agreements can pose challenges.<sup>42</sup> Policy changes at institutional and governmental levels may require renegotiation of employment agreements, which can create uncertainty and impact the stability and trust in the employment relationship.<sup>43</sup>

In conclusion, addressing the challenges in implementing employment agreements for private university lecturers at PTKIS in West Java is essential for enhancing their protection and well-being. Key issues include inconsistent enforcement of laws, which leads to uncertainty about rights and protections, particularly during disputes. Furthermore, ambiguities in the agreements—caused by vague language or varied interpretations—complicate their consistent

<sup>38</sup> Amanda Kenny and others, 'Evaluation of a Rural Undergraduate Nursing Student Employment Model', *Collegian*, 28.2 (2021), 197–205. <https://doi.org/10.1016/j.colegn.2020.07.003>.

<sup>39</sup> Martitah Martitah and others, 'Transformation of the Legislative System in Indonesia Based on the Principles of Good Legislation', *Journal of Indonesian Legal Studies*, 8.2 (2023), 545–94. <https://doi.org/10.15294/jils.v8i2.69262>.

<sup>40</sup> Khaldoun Faris Qani Al-aloosy, Sajjad Mirvalad, and Naser Shabakhty, 'Evaluating the Impact of Internet Communication Quality in Human Resource Management on the Productivity of Construction Projects', *Heliyon*, 10.7 (2024), e28500. <https://doi.org/10.1016/j.heliyon.2024.e28500>.

<sup>41</sup> Gamze Destek and others, 'Can the Resource Curse Be Reversed through Financialization, Human Capital, and Institutional Quality? Evidence from Sustainable Development Index', *Resources Policy*, 86 (2023), 104245. <https://doi.org/10.1016/j.resourpol.2023.104245>.

<sup>42</sup> Md. Nazmus Sakib, Fariya Tabassum, and Dr. Md. Mesbah Uddin, 'What We Know about the Trends, Prospects, and Challenges of Human Resource Outsourcing: A Systematic Literature Review', *Heliyon*, 9.8 (2023), e19018. <https://doi.org/10.1016/j.heliyon.2023.e19018>.

<sup>43</sup> Rais Torodji and others, 'The Role of the Corporate Penalty System Environmental Regulation', *Journal of Human Rights, Culture and Legal System*, 3.3 (2023), 600–624. <https://doi.org/10.53955/jhcls.v3i3.179>.

application and may result in disagreements. Identifying these challenges is crucial for developing strategies to improve clarity, enforce laws effectively, and strengthen institutional support, thereby ensuring that employment agreements are effective instruments for supporting lecturer success and welfare in PTKIS environments.<sup>44</sup>

Resource limitations within PTKIS present significant challenges, including financial constraints, inadequate infrastructure, and limited personnel. These issues can hinder the fulfillment of commitments outlined in employment agreements, leading to delays in salary payments, insufficient support for teaching and research, and restricted access to professional development. Additionally, the organizational culture of PTKIS institutions plays a crucial role; norms that do not prioritize transparency, academic freedom, or equitable treatment can undermine effective agreement implementation. The complexity of administrative structures, with hierarchical bureaucratic processes, further complicates resolving issues related to employment agreements.<sup>45</sup> The bureaucratic complexity within PTKIS can impede timely responses to lecturer concerns or grievances, negatively affecting morale and institutional trust. Additionally, changes in policies or regulations at the institutional or governmental level can disrupt the implementation of existing employment agreements, potentially requiring renegotiation or adjustments and creating uncertainty and instability in the employment relationship.

In conclusion, addressing the challenges in implementing employment agreements at PTKIS in West Java is essential for ensuring lecturers' protection and well-being. Strategies to enhance enforcement mechanisms, clarify agreement terms, address resource constraints, foster supportive organizational cultures, streamline administrative processes, and adapt to policy changes are crucial. These measures will improve the effectiveness of employment agreements, better supporting lecturer success and welfare within Islamic higher education institutions in Indonesia.<sup>46</sup>

### 3.4. Improvement and Enhancement Efforts at PTKIS West Java

The discussion on improving private university lecturer employment agreements is pivotal in enhancing their protection and welfare. It focuses on concrete steps such as revising agreements, offering training to better understand lecturer rights, and increasing access to welfare resources. By identifying and proposing actionable solutions, this analysis aims to guide the development of a more effective system for private university lecturers in West Java. In the effort to improve lecturer employment contracts at private universities in West Java, interviews with several lecturers have highlighted the need for a more effective system to ensure their rights and welfare. A more effective system includes regular revisions of employment contracts to align with current regulations, addressing ambiguities related to salaries, benefits, and other rights. Lecturers, such as M.Ag (M) from STAI Miftahul Huda Al-Azhar, emphasized the importance of clarifying the rights and obligations of lecturers,

<sup>44</sup> Abraham Stefanidis and others, 'Managers' Dispositions toward Formal Contracts: A Cross-Country Examination', *Journal of Business Research*, 168 (2023), 114231. <https://doi.org/10.1016/j.jbusres.2023.114231>.

<sup>45</sup> Fendy Suhariadi and others, 'Work from Home: A Behavioral Model of Indonesian Education Workers' Productivity during Covid-19', *Heliyon*, 9.3 (2023), e14082. <https://doi.org/10.1016/j.heliyon.2023.e14082>.

<sup>46</sup> Nur Putri Hidayah, Quincy R Cloet, and David Pradhan, 'The Implementation of Labor Development Principles According to Job Creation Law as a Reason to Protect Wages Rights', *Bestuur*, 9.1 (2021), 68–76. <https://doi.org/10.20961/bestuur.v9i1.49252>.

particularly in relation to allowances, to enhance their welfare. Additionally, M.Pd.I (D.P) proposed increasing transparency in employment contracts, arguing that this would improve lecturers' welfare and reduce dissatisfaction. Another crucial aspect is providing training on lecturer rights, which would help lecturers navigate their entitlements and better understand their contracts. M.M (R.M) also suggested adding clarity on the roles and responsibilities of lecturers, which would contribute to their overall well-being.<sup>47</sup>

Furthermore, access to welfare resources, including health benefits and social insurance, is vital in supporting lecturers' needs. Dr. M. S.H (S.H) from STAI Miftahul Huda Al-Azhar called for more transparency in the allocation of allowances and clearer dispute resolution mechanisms. This would not only enhance lecturers' welfare but also reduce uncertainties about their entitlements. M.Pd (M.Z) echoed this need for clarity, particularly concerning allowances and health benefits, which directly impact their teaching performance and job satisfaction. The establishment of a transparent budget management system, along with clear legal protections for lecturers, would help foster a sense of security, allowing lecturers to focus more on their academic duties.

Lecturers from Universitas Islam Bandung (UIB) also shared their concerns about the clarity of their employment contracts. For example, Dr. A.S (A.S) noted that while the contract is generally clear, ambiguities regarding allowances persist, affecting their welfare. Similarly, M.Pd (S.N) and Ph.D. (A.K) noted the need for more detailed provisions about career guarantees and allowances, as these impact both their job satisfaction and long-term career prospects. M.E (A.B.H) and M.H (I.H) also highlighted that while the employment contract was mostly clear, the lack of explicit mention of benefits like health insurance and career progression led to dissatisfaction. These lecturers stressed the importance of amending the contracts to reflect the reality of their work and improve their overall working conditions.

Lastly, creating an accessible and responsive complaint system is essential for addressing any violations of lecturers' rights. This system and fair conflict resolution processes would improve relationships between lecturers and their institutions. Dr. A.Z (A.Z) from the Institute Agama Islam Darussalam and M.Pd (S.N) from Universitas Islam Bandung pointed out that clearer employment contracts, particularly regarding allowances and legal protection, would support lecturers in their responsibilities without uncertainty. As Dr. A.Z (A.Z) from the Institute Agama Islam Darussalam pointed out, amending employment contracts to clarify rights and obligations is crucial to ensuring that lecturers are better protected and supported. Overall, a more effective system that includes regular revisions, training, better welfare access, and clearer legal protections is necessary to improve the welfare of lecturers at private universities in West Java.

It thoroughly examines the effectiveness, limitations, challenges, and improvement efforts related to these agreements in providing legal protection and supporting lecturer welfare.<sup>48</sup> To improve the working conditions and welfare of private university lecturers in West Java, concrete steps are needed to enhance the implementation of employment agreements. This

<sup>47</sup> Tetyana M Vakhoneva and others, 'Legal Challenges to the Protection of Labor Rights of Refugees in the Digital Age', *Legality : Jurnal Ilmiah Hukum*, 31.2 SE-Journal's Articles (2023), 245–65. <https://doi.org/10.22219/ljih.v31i2.26576>.

<sup>48</sup> Daniel Kikulwe, Derrick Ssewanyana, and Sarah Maiter, 'Child Safety Reporting, Services, and Child Welfare Interventions with Newcomer Families during the COVID-19 Pandemic: A Survey of Ontario Child Welfare Workers.', *Child Protection and Practice*, 1 (2024), 100004. <https://doi.org/10.1016/j.chipro.2024.100004>.

discussion will explore actionable measures to strengthen protection and welfare systems for lecturers, providing guidance to enhance the effectiveness of these agreements.

Based on interviews with lecturers from Universitas Islam Bandung, Institut Agama Islam Darussalam, and STAI Miftahul Huda Al-Azhar, many lecturers expressed the need for more detailed and clear employment agreements to protect their rights. At STAI Miftahul Huda Al-Azhar, M.Ag (M) mentioned uncertainties regarding allowances that affect his welfare and job satisfaction, suggesting that the agreement should include more comprehensive provisions on lecturers' rights and obligations, particularly regarding adequate allowances. Dr. M.S.H, also from STAI Miftahul Huda Al-Azhar, highlighted the lack of clarity regarding legal protections and benefits, which impacts his well-being, and recommended that the employment contract explicitly address lecturers' rights and dispute resolution. At Institut Agama Islam Darussalam, Dr. A.S felt that while his contract was clear, there were still ambiguities regarding job security and benefits, which caused dissatisfaction and a need for further clarification. Meanwhile, at Universitas Islam Bandung, both Dr. A.S and S.N also found their contracts lacking in legal protections and career guarantees, with S.N adding that more details regarding career security should be included in the contract to improve lecturers' overall welfare. These findings highlight the need for improvements in employment agreements to make them more transparent and detailed in order to enhance lecturers' welfare at these three institutions.

Furthermore, strengthening enforcement mechanisms and monitoring the implementation of employment agreements is crucial. Institutions should establish clear and effective procedures for addressing complaints or disputes between lecturers and administrative parties. This ensures that issues are resolved promptly and fairly, enhancing the overall effectiveness of the agreements and supporting a positive working environment.<sup>49</sup> This could include the establishment of committees or specialized units tasked with resolving issues related to employment agreements.

In addition to internal efforts, collaboration with external organizations or institutions supporting workers' rights, including lecturers, can also strengthen protection systems.<sup>50</sup> Institutions can partner with labour unions or legal advocacy organizations to obtain advice and support in enhancing employment agreements and protecting lecturer rights more effectively.<sup>51</sup> These steps should be implemented with full support and commitment from institutional management, lecturers, and administrative staff. Open communication and transparent dialogue are essential for ensuring that changes or improvements to employment agreements are effectively accepted and implemented. Overall, enhancing private university lecturer employment agreements in West Java will not only improve working conditions and welfare but also boost the institutions' reputation and educational quality. By adopting this

<sup>49</sup> Tulio A. Cravo, Paulo de Andrade Jacinto, and Rodrigo Quintana, 'Can Work Sharing Sustain Employment during Economic Downturn? Evidence from Brazil', *Labour Economics*, 90 (2024), 102584. <https://doi.org/10.1016/j.labeco.2024.102584>.

<sup>50</sup> Steven Rolf, Jacqueline O'Reilly, and Marc Meryon, 'Towards Privatized Social and Employment Protections in the Platform Economy? Evidence from the UK Courier Sector', *Research Policy*, 51.5 (2022), 104492. <https://doi.org/10.1016/j.respol.2022.104492>.

<sup>51</sup> Courtnee Melton-Fant, 'Corporate Influenced State Preemption and Health: A Legal Mapping Analysis of Workers' Rights Preemption Bills in the US South', *Social Science & Medicine*, 336 (2023), 116255. <https://doi.org/10.1016/j.socscimed.2023.116255>.

approach, lecturers are expected to feel more valued and supported, ultimately contributing to the delivery of high-quality higher education.

Improving and enhancing private university lecturer employment agreements at Islamic Higher Education Institutions (PTKIS) in West Java involves several strategic steps to strengthen legal protection and welfare for lecturers. First, revising agreements to improve clarity and specificity is crucial, incorporating robust anti-discrimination measures, clear health and safety guidelines, and comprehensive provisions for leave and retirement. These revisions will help lecturers better understand their entitlements and protections. Second, implementing regular training programs for both lecturers and administrative staff is vital. Such training will ensure thorough understanding of the agreements and their effective implementation, minimizing misunderstandings and promoting consistent application of terms.<sup>52</sup>

Improving access to resources that support lecturer welfare is crucial. This includes providing adequate teaching and research facilities, well-equipped libraries and laboratories, and opportunities for professional development, such as attending conferences and workshops. Such resources are essential for lecturers to excel in their academic roles and make meaningful contributions to their institutions.<sup>53</sup> Developing evidence-based and inclusive policies is another critical step.<sup>54</sup> These policies should be based on comprehensive data and evaluations of lecturer needs and challenges within the PTKIS context. Emphasizing justice, transparency, and sustainability will help create a stable and attractive working environment for lecturers. Additionally, strengthening enforcement mechanisms and monitoring processes for employment agreements is essential to ensure their effective implementation and uphold lecturer welfare.<sup>55</sup> Institutions should establish clear procedures for handling complaints and disputes to ensure timely and fair resolution of issues between lecturers and administrative bodies. This proactive approach enhances accountability and reinforces trust within the institution.<sup>56</sup>

Collaboration with external organizations and stakeholders, such as labor unions and legal advocacy groups, can strengthen protection systems for lecturers. Partnering with these entities provides valuable expertise and support, enhancing the development of employment agreements and effectively safeguarding lecturer rights.<sup>57</sup> Ultimately, these efforts require the commitment and collaboration of all stakeholders, including institutional management,

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<sup>52</sup> Kate Fitt and others, 'Independent Non-Legal Advocacy in the Child Protection Context: A Descriptive Review of the Literature', *Child Abuse & Neglect*, 143 (2023), 106285. <https://doi.org/10.1016/j.chiabu.2023.106285>.

<sup>53</sup> Bernardo Fanfani, 'The Employment Effects of Collective Wage Bargaining', *Journal of Public Economics*, 227 (2023), 105006. <https://doi.org/10.1016/j.jpubeco.2023.105006>.

<sup>54</sup> Pierfrancesco Rossi, 'The Interplay of State Immunity and Contractual Forum Selection Clauses in Employment Cases: Return to Normalcy', *The Italian Review of International and Comparative Law*, 3.1 (2023), 169–84. <https://doi.org/10.1163/27725650-03010011>.

<sup>55</sup> Yen-Chiang Chang and others, 'Legal or Illegal? —Transferring Jurisdiction in the Course of Maritime Law Enforcement', *Heliyon*, 10.4 (2024), e26265. <https://doi.org/10.1016/j.heliyon.2024.e26265>.

<sup>56</sup> Nicholas Lassi, 'Strengthening Pill Press Control to Combat Fentanyl: Legislative and Law Enforcement Imperatives', *Exploratory Research in Clinical and Social Pharmacy*, 11 (2023), 100321. <https://doi.org/10.1016/j.rcsop.2023.100321>.

<sup>57</sup> Zhen Lin, 'Joint Law Enforcement Mechanism with Regard to Underwater Cultural Heritage at Sea Led by China Coast Guard: Legislation and Practice', *Marine Policy*, 160 (2024), 105979. <https://doi.org/10.1016/j.marpol.2023.105979>.



lecturers, and administrative staff. Open communication and transparent dialogue are crucial for successfully implementing changes and ensuring that lecturers feel valued and supported in their essential role in delivering quality higher education.<sup>58</sup> By implementing these strategies, PTKIS in West Java can significantly enhance working conditions and lecturer welfare, improving institutional reputation and educational quality. Such improvements are essential for creating a positive and supportive environment where lecturers can thrive professionally and make meaningful contributions to the academic mission of their institutions.

#### 4. Conclusion

This study reveals that employment agreements for private lecturers in West Java, specifically at Universitas Islam Bandung, Institut Agama Islam Darussalam, and STAI Miftahul Huda Al-Azhar, fail to provide sufficient legal protection, particularly regarding salaries that frequently fall below the Regional Minimum Wage (UMK). Despite regulations such as Law Number 14 of 2005 and Government Regulation Number 37 of 2009, their enforcement remains inadequate, raising concerns about lecturer welfare. Many lecturers are unaware of their contractual rights, especially concerning salary and benefits, adversely affecting their quality of life. The findings highlight the need for enhanced transparency and clarity in employment contracts, particularly in salary structures. Lecturers at these institutions expressed a desire for more precise provisions regarding their compensation and increased managerial support to understand their rights better. This study stresses the importance of fostering collaboration between management and lecturers to establish fairer, more transparent agreements that comply with legal wage standards. By addressing these challenges, the study aims to promote lecturer welfare and foster a more just working environment within private higher education institutions in West Java.

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<sup>58</sup> Junyu Pan and others, 'Does Environmental Law Enforcement Supervision Improve Corporate Carbon Reduction Performance? Evidence from Environmental Protection Interview', *Energy Economics*, 132 (2024), 107441 <<https://doi.org/10.1016/j.eneco.2024.107441>>.

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