

The Policy of Fulfilling Labor Rights and Its Implications for Social Welfare During the Covid-19 Pandemic

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Abstract. The Covid-19 pandemic has entered Indonesia and has changed the way of life since March 2020. WHO and the Government of Indonesia have issued several policies related to limiting social activities in the community in an effort to suppress the spread of COVID-19. However, this policy impacts decreasing mobility and purchasing power in the community, thus making economic conditions unstable. The industrial sector is one of the areas affected by the decline in people's purchasing power, the Government issued a policy related to workers' rights to provide guarantees to workers for their welfare during the Covid-19 pandemic. This journal is prepared using the juridical-normative method. This journal will provide information regarding any policies issued by the Government related to labor rights, one of which is the Circular Letter (CL) of the Minister of Manpower Number. M/3/HK.04/III/2020. Then afterward, policies regarding labor rights are measured using Social Welfare indicators, namely (1) physiological needs, (2) safety and security, (3) respected individual activities, (4) property linkages, and (5) competence and self-esteem to determine whether the policy has sided with the workers.

Keywords: Policy, Labor Rights, Social Welfare, Covid-19 pandemic.

1 Introduction

The Covid-19 pandemic has developed rapidly since the end of December 2019 and has become a very undesirable event for all countries in the world. At the beginning of March 2020, the Covid-19 outbreak has entered and spread throughout all regions in Indonesia. [1] This epidemic then becomes a new problem that must be faced by all levels of society in the world. Even just a matter of days Covid-19 became a trending topic all over social media and became a horrible terror because of the high death rate at the beginning of the pandemic. This forces all countries and all people to change to make a life shift that was originally socializing face to face and then shifted through online. This shift is due to face-to-face socialization being one way of transmitting the Covid-19 virus, so these activities must be temporarily stopped and apply health protocols in interacting.

It has been one year that the Covid-19 outbreak demands that all citizens in various parts of the world and especially in Indonesia have strictly implemented the Health Protocol in accordance with the appeals and orders of the World Health Organization (WHO) the ranks of the Indonesian Government. The examples of the implementation of Health Protocols that have been issued by the Government of Indonesia are as follows: a) Use of masks; b) Prohibition for people who are sick not to use public transportation; c) Appeals to cover mouth when coughing and colds; d) Immediately isolate if there are people who meet the criteria for the Covid-19 suspicion. [2] The Indonesian government continues to take various preventive actions against the spread of this epidemic, the Government and Indonesian citizens work together to support various policies and actions to accelerate breaking the chain of the spread of Covid-19. However, many impacts have not been resolved optimally. According to data on the distribution of the Covid-19 outbreak in Indonesia on the Covid-19 Task Force website, as follows: a) Positive: 1,668,368; b) Healed: 1,522,634; c) Died: 45,521. [3]

The high death rate has forced the government to move quickly in anticipating and suppressing the number of Covid-19. And as a form of accelerated anticipation and suppression of the spread of Covid-19, the Indonesian Government has issued various policies since the beginning of the Covid-19 outbreak to date such as the Implementation of Large-Scale Social Restrictions (LSSR), Enforcement of Community Activity Restrictions (ECAR) in the Java-Bali region and Work from Home (WFH).[4] The Indonesian government hopes that the issuance of this policy can reduce the number of spread of Covid-19 by limiting socialization between communities. However, like a

double-edged knife, the social distancing policies issued have also had various impacts in Indonesia, both from an economic, social, and even psychological perspective due to significant changes in life activities. However, in the early days of the COVID-19 pandemic, the Government was still focused on efforts to suppress the spread while waiting for a vaccine to become available.

Within one year of handling the Covid-19 outbreak in Indonesia, the Indonesian Government has made every effort for all its citizens both at home and abroad by issuing many policies to reduce the number of Covid-19 spread. Regarding policies for Indonesian Citizens (IC) or restrictions on Foreign Citizens (FC) residing abroad who will travel internationally out of or into the territory of the Unitary State of the Republic of Indonesia as regulated in Circular Letter (CL) Number 8 of 2021 concerning Protocol International Travel Health During the Pandemic Corona Virus Disease 2019 (Covid-19) with the fulcrum of regulations regarding monitoring, control and evaluation in handling the Covid-19 Pandemic by fully complying with the policies issued by the Indonesian Government. As for the policies of the Indonesian Government to further tighten the number of Covid-19 in the country, namely: [5]

- 1) The establishment of a Covid-19 Handling Task Force (Covid-19 Task Force) which has been regulated in Presidential Regulation Number 82 of 2020 which has the task of implementing, controlling, and supervising the implementation of strategic policies related to handling the Covid-19 Pandemic.
- 2) The Indonesian government improves the discipline of health protocols through Presidential Instruction (Inpres) Number 6 of 2020 concerning Increasing Discipline and Law Enforcement of Health Protocols in the Prevention and Control of Covid-19;
- 3) The Indonesian Government issued a Large-Scale Social Restriction (LSSR) policy regulated in Government Regulation Number 21 of 2020 concerning PSBB in the Context of Accelerating Handling of Covid-19, which was signed by President Joko Widodo on March 31, 2020;
- 4) The Indonesian government issued a new policy at the beginning of 2021, namely the Enactment of Restrictions on Community Activities (ERCA) which was implemented in a number of areas in Java and Bali;
- 5) The Indonesian government is making efforts to suppress the spread of Covid-19 through the national Covid-19 vaccination program policy, and this program has been implemented starting January 13, 2021.

In fact, the policies that have been issued by the Indonesian Government have had a tremendous impact in terms of the economy of the community which resulted in a weakening of the Indonesian economy because many activities from the industrial sector, education, public services, tourism and all places of worship must temporarily limit their activities and have an impact on economic activity in Indonesia as a whole.[6]

The number of sectors that have limited mobility is a reality that must be faced. The negative side of the limitation on the wheels of the economy during the Covid-19 Pandemic was felt by all Indonesian citizens to be a tremendous problem with the deterioration of the course of the economy in Indonesia. Coupled with the slow pace of the global economy that is increasingly leading or influencing Indonesia to enter a period of crisis that must be faced and resolved by the Indonesian government in order to maintain Indonesia's economy at a level that can still be overcome during the Covid-19 Pandemic. In 2020, it is a critical year for the Indonesian economy, because economic growth in the first quarter could still grow by 2.97 percent, in the second quarter it contracted by 5.32 percent, so in the second quarter this is the peak of the weak economy in Indonesia experiencing recession due to the Large-Scale Social Restrictions (PSBB) policy implemented by the Government of Indonesia to reduce the spread of the Covid-19 virus.[7] This is because people are detained to stay at home in carrying out activities, then the problem that arises is the weakening of the economy because the desire and even purchasing power of the people decreases significantly. With people staying at home, it becomes a heavy blow for entrepreneurs both small and large in running their businesses.

Many fields have been affected by Covid-19, one of the areas most affected is the industrial sector, both textiles and non-textiles, not even a few have fallen due to this pandemic. Productivity in the industrial sector seemed to be massively suppressed after the Large-Scale Social Restriction (PSBB) policy and the Enactment of Restrictions on Community Activities (ERCA) were implemented in Indonesia which resulted in a decrease in household and corporate consumption which led to a decrease in demand for labor, so that in the end it made many companies that do Termination of Employment (ToE) and close their businesses so that the unemployment rate has increased to

date.[8] Even though the industry is very dependent on the demand and purchasing power of the people, if the industry cannot survive, it is certain that the industry that has so far absorbed the most labor will create new problems for the government regarding the fate of its workers.

Companies that persisted during the Covid-19 pandemic then implemented policies to reset working hours and payroll. So, these policies do not only have an impact on workers, but indirectly also have an impact on the sustainability and quality of life of the workers families. This decline in the quality of life or social welfare raises very complex problems within the household.

From the problems, it is necessary to carry out an assessment of government policies about labor rights and to measure the implications for social welfare to determine the extent to which the government considers the influence of policies on workers' social welfare during the Covid-19 pandemic. So, from the description above, a problem is born, namely: How is the policy of fulfilling labor rights during the Covid-19 pandemic? And how are the implications of fulfilling labor rights for social welfare?

2 Method

This research is based on a doctrinal (normative) approach because it is intended to describe the fulfillment of labor rights and the implications for social welfare during the Covid-19 pandemic, seen from the concept of social welfare during the Covid-19 pandemic. The data needed in this research is secondary data from the internet (online media), collected through library research. The data that has been processed are analyzed by using deductive thinking logic analysis.

3 Discussion

3.1 Policy to Fulfill Labor Rights during the Covid-19 Pandemic

Indonesia as a country that has a goal to create social welfare for all its people becomes a heavy burden to make it happen in every policy issued by the Government. Fulfillment of labor rights during the Covid-19 pandemic is a problem that must be resolved by the Government by issuing several policies that support but remain in line with Pancasila where policies must still be able to fulfill the community's sense of justice and create social welfare at the same time.

Before discussing policies related to labor rights, it is necessary to know in advance the labor rights contained in the Law which until now has not referred to Law Number 11 of 2020 concerning Work Creation, but Law Number 13 of 2003 concerning Manpower. Labor rights can be seen in the table below:

Table 1. Labor Rights

NO	Rights that workers have	Legal Basis
1	Become a Member of the Labor Union	Article 104 of Law Number 13 of 2003 Law Number 21 of 2000
2	Get Social Security and Occupational Health Safety	Law Number 13 of 2003 Law Number 03 of 1992 Law Number 01 of 1970 Presidential Decree number 22 of 1993 Government Regulation number 14 of 1993 Ministerial Regulation Number 4 of 1993 Ministerial Regulation Number 1 of 1998
3	Receive decent wages	Law Number 13 of 2003 Minister of Manpower Regulation Number 1 of 2017
4	Make a work agreement	Law Number 13 of 2003 Law Number 21 of 2000
5	The Right to Protect Unfair Dismissal Decisions	Law Number 13 of 2003 Law Number 2 of 2004

		Circular Letter Ministry of Manpower Number 907/Men.PHI-PPHI/X/2004
6	Female Employee Rights (PMS Holidays or Maternity Leave)	Article 76 paragraph (2) Law Number 13 of 2003 Article 81 Law Number 13 of 2003 Article 82 paragraph (2) Law Number 13 Tahun 2003 Article 83 Law Number 13 of 2003
7	Limitation of Working Time, Rest, Leave and Holidays	Article 79 Law Number 13 of 2003

The rights in the table above are rights that should be fulfilled by companies, but from the beginning of 2020 until now, the Indonesian government has taken various steps to fulfill the rights of workers who must continue to work amid the Covid-19 outbreak. The Government of Indonesia continues to issue many policies that aim to fulfill all aspects of labor rights during the Covid-19 Pandemic affecting Indonesia's economic problems. The regulations and mitigation policies governing the fulfillment of labor rights in Indonesia during the Covid-19 pandemic are as follows:

- 1) There is an economic stimulus carried out by the Government to businessman who are committed not to terminate their employees;
- 2) The Indonesian government issued a tax incentive relief program, relaxation of BPJS output payments, and loans/credits to approximately 56 million formal sector workers;
- 3) The Indonesian government provides a social safety net for workers in the informal sector in the form of social assistance for informal workers who are categorized as poor and vulnerable to poverty;
- 4) The government gives priority to the procurement of Pre-Employment Cards for workers affected by Termination of Employment (ToE);
- 5) Maximizing cash-intensive programs through programs from various ministries such as the Ministry of Villages, the Ministry of Public Works, the Ministry of State-owned Enterprises, and other ministries;
- 6) The government ensures that there is protection for migrant workers both still abroad and have returned to the country.[9]
- 7) The government issues a Circular Letter (CL) of the Minister of Manpower Number M/3/HK.04/III/2020.

The policies issued by the Indonesian Government have the aim of fulfilling all labor rights during the Covid-19 Pandemic, for example listed in the Circular Letter (CL) of the Minister of Manpower Number M/3/HK.04/III/2020 provides protection for workers who continue to carry out work obligation\ in their respective companies, and obliges the company to pay attention to several aspects of workers, including:[10]

- 1) Workers who are declared as Monitoring Persons (MP) Covid-19 virus do not come to work for a maximum of 14 (fourteen) days, are obliged for the company to continue to pay wages in full;
- 2) Workers with suspected Covid-19 are required to undergo a period of quarantine / isolation, companies are also required to pay the workers' wages in full;
- 3) For workers who do not enter due to Covid-19 illness, wages are paid according to the prevailing laws and regulations;
- 4) Companies that impose restrictions in various sectors of their business activities which result in part or all the workers being unable to carry out work activities, so changes to the method or amount of wage payments must be adjusted and carried out with an agreement between the entrepreneur and the worker.

From the various policies issued by the Government, there are still many pros and cons and even it is doubtful that their implementation can improve the welfare of the community, especially workers. As an example of layoffs that cannot be avoided even though the government has tried to provide stimulus to companies, there are still many companies that have collapsed due to the impact of the Covid-19 pandemic. If it is seen from the policies that have been issued by the Government, it is known that government policies during the Covid-19 period focused on

workers' rights in terms of wages, social security, and work safety as well as workers' rights when Termination of Employment (ToE).

Wages are a fundamental right of workers that greatly impact their lives, so the fulfillment of workers' rights in the wage aspect can be seen by the issuance of policies regarding the provision of economic stimulus to companies, tax breaks and still requiring companies to pay workers' wages in full when workers are exposed to Covid-19. In fact, the government issued a policy by providing Direct Cash Assistance (DCA) of Rp. 600,000, - to the community which was carried out every 4 (four) months and providing relief in electricity payments for people with the lower middle class for 6 (six) months. This thing became the government's focus to save the economy and maintain people's purchasing power amid the Covid-19 pandemic.

Meanwhile, the fulfillment of labor rights related to social security and work safety by providing leniency in BPJS payments, relaxation of loans/ credits, pre-employment card programs, and maximizing labor-intensive programs. The government also issued a Circular Letter (CL) of the Minister of Manpower Number. M/3/HK.04/III/2020 to give health rights to workers. This guarantees workers to continue to live their daily lives during the Covid-19 pandemic.

The government's policy is related to the rights of workers who have been laid off, the government has tried to keep companies afloat during the covid-19 pandemic by providing stimulus to companies, but if not, the rights of laid-off workers must be paid based on an agreement. This thing is done so that the position between the workers and the company becomes balanced because there is a bargaining value between the workers and the company in determining the amount of severance pay to be given. Apart from the above policy for workers who have been laid off, the government provides pre-employment cards and training at the Job Training Center (JTC). The pre-employment card can be accessed by workers to get job skills training and increase their job skills. While training at the Job Training Center (JTC) is prioritized for employees who have been laid off during the Covid-19 pandemic, and adding knowledge and skills, they will get additional incentives to increase economic resilience. It is hoped that workers will be able to open their own job opportunities or get better jobs with new skills they have through pre-employment card programs and training at the Job Training Center (JTC).[11] With the fulfillment of the basic rights of workers, it is hoped that workers' lives can still run properly and generally during this Covid-19 pandemic.

3.2 Implications of Fulfilling Labor Rights on Social Welfare

Every rule of law has regulations that are binding on its people, meaning that every citizen is obliged to comply with all regulations that have been issued by the government. Indonesia is one of the countries that has established itself as a legal state based on the concept of a welfare state or a country that adheres to the ideology of a welfare state, which has the aims and objectives, a country exists through the government into the lives of the people in order to ensure the welfare of the people and is responsible for realizing social justice for all its people.[11] This means that in realizing the goals of the welfare state or welfare country, a good symbiosis is needed between the Government and various elements of society to create harmonization of social justice.

Referring to fiscal policy (state finance), Indonesia is active in carrying out the function of income redistribution to realize nation's ideals, namely social justice with 4 (four) main pillars based on the 1945 State Law of the Republic of Indonesia, namely:[12]

- 1) Universal social security system, as the backbone of the welfare program;
- 2) Development based on the advantages of productive resources in the health and education sector;
- 3) The state is present in the control of strategic sectors that have an impact on high, inclusive, equitable and equitable economic growth (redistribution with growth);
- 4) As a support for the welfare state, to uphold social justice, the state carries out bureaucratic reform and strengthening fiscal capacity to create a strong and responsive government as an agent of development.

A social guaranteed system that can create welfare is the essence of state policy. The definition of Social Welfare based on Article 1 paragraph (1) of Law Number 11 of 2009 concerning Social Welfare, is a condition for fulfilling the material, spiritual and social needs of citizens to live properly and able to develop themselves, so that they can carry out their social functions. It can be reflected that social welfare can be achieved, when the Indonesian government provides policies and takes concrete actions to uphold its people to avoid the social

problems which listed in article 5 paragraph (2) of Law Number 11 of 2009 concerning Social Welfare which includes concerning problems of poverty, problems of neglect, problems of disability, problems of remoteness, problems of social disability and behavior deviation, problems of disaster victims, and / or problems of victims of violence, exploitation and discrimination.

These various problems can be suppressed by the Government of Indonesia and this must be balanced with the efforts of all Indonesian people to play an active role so that the handling of these problems can be carried out properly, it can be said that the criteria for welfare in Indonesia have been realized and there are positive impacts that truly felt by all Indonesian citizens both individually, family and community groups. To measure whether government policies reflect social welfare, it can be seen from the table below using social welfare indicators:[13]

Table 2. Social Welfare Indicator

NO	DIMENSION	COMPONEN	MITIGATION GOVERNMENT POLICY	Government Policy through Circular Letter (CL) Ministry of Manpower Number No. M/3/HK.04/III/2020
1.	Physiological needs	<u>Income and housing</u> <u>Health</u> Basic rights regarding health and income	There is an economic stimulus for businessman who are committed to not laying off their employees	Workers who are declared as People on Watch (PoW) Covid-19 virus do not come to work for a maximum of 14 (fourteen) days, are required for the company to continue to pay wages in full
2.	Safety Security	<u>Physical and political security</u> <u>Economic Security</u> related to education/ skills and job security <u>Physical environment</u>	Tax incentive relief program, relaxation of BPJS payments, and credit loans to approximately 56 million formal sector workers	Workers with suspected Covid-19 are required to undergo a period of quarantine/isolation, companies are also required to pay the workers' wages in full
3.	Individual activities that are valued	Autonomy and freedom	provide a social safety net for workers in the informal sector in the form of social assistance for informal workers who fall into the poor and vulnerable categories of poverty	For workers who are absent due to Covid-19 illness, wages are paid in accordance with applicable laws and regulations
4.	Ownership linkage	<u>Social interaction</u>	give priority to the procurement	Companies that impose restrictions

		Basic social rights	of Employment Cards for workers affected by Termination of Employment (ToE)	Pre- in various sectors of their business activities which result in part or all of the workers being unable to carry out work activities, so changes to the method or amount of wage payments must be adjusted and carried out with an agreement between the entrepreneur and the worker.
5.	Competence and self-esteem	Competence and self-esteem	Maximizing cash-intensive programs through programs from various ministries such as the Ministry of Villages, the Ministry of Public Works and Public Housing, the Ministry of State-owned Enterprises, and other ministries	
			The government ensures that there is protection for migrant workers, both those who are still abroad and those who have returned to the country	

Source: OECD, 2018

From the table above, in terms of dimensions, humans can be said to achieve social welfare by fulfilling physiological needs, safety and security, valued individual activities, property linkages, and competence and self-esteem with various components from each aspect of those dimensions. The dimensions of social welfare above are used to measure the fulfillment of social welfare in policies issued by the Government, so the authors try to explain as follows:

- 1) Judging from the dimension of physiological needs, the policies issued by the Government have been fulfilled. The physiological dimension measures social welfare with the components of income and guaranteed housing. So, the government's policy during the Covid-19 pandemic contained in the mitigation policy and the Circular Letter (CL) Ministry of Manpower Number M/3/HK.04/III/2020 has given guarantees to the community, especially workers, to get guaranteed physiological needs. Most of the workers have had a positive impact from the policy, which from the income component of workers received social assistance in the form of: a) Direct Cash Assistance (DCA) in the amount of Rp. 600,000.00 (six hundred thousand rupiahs) for those who have income below Rp. 5,000,000.00 (five million rupiahs), b) relief on payment of tax incentives and relief on electricity payments, c) relaxation of BPJS payments during the

pandemic, d) if you pass the pre-employment card program, you will get various kinds of training and incentives of Rp. 2,400,000.00 (two million four hundred thousand rupiah) which will be paid Rp. 600,000.00 (six hundred thousand rupiah) per month for 4 (four) consecutive months when it is confirmed that you have passed and conducted training on the Pre-Employment website. This proves that the Government has considered the physiological dimension to realize social welfare for the community, especially the workers. And for housing issues, although not specifically regarding labor, the government issued a policy to lighten credit and mortgages with the Financial Services Authority Regulation (FSAR) Number 11/POJK.03/2020 concerning National Economic Stimulus as a Countercyclical Policy on the Impact of the Spread of Coronavirus Disease 2019. Meanwhile, the fulfillment of the components of workers' health rights has been fulfilled in the Circular Letter (CL) Minister of Manpower Number M/3/HK.04/III/2020.;

[14] This thing is expected to ease the burden on the community, especially workers in the face of the Covid-19 pandemic. Physiological needs also have another component, namely the fulfillment of health insurance, where in the policies issued by the government, both mitigation policies and the Circular Letter (CL) Ministry of Manpower Number M/3/HK.04/III/2020 workers' health rights have been fulfilled. In addition to providing time waivers or relaxation of BPJS payments, the government also provides guarantees for workplace safety so as not to contract the Covid-19 virus;

- 2) Judging from the security dimension, the policy issued by the government has fulfilled the physical security components, but in terms of the political security component of workers cannot be measured because policies during the Covid-19 pandemic did not discuss politics. Fulfillment of the physical security component can be guaranteed where the government ensures protection for migrant workers and provides social security guarantees for workers through social assistance. As is known, social assistance for workers and the lower middle class is the government's main concern during the handling and recovery period of Covid-19, but it is not maximized against the political security provided by the Government of Indonesia. Then regarding the component of economic security related to education / skills and job security, the government has issued a policy to provide pre-employment card facilities where the program focuses on providing concessions for job seekers, workers who are laid off or who have been laid off by providing training- training and developing skills in opening business opportunities during the Covid-19 Pandemic. In terms of job security for workers, there is a guarantee from the Indonesian government as stated in the mitigation policy and the Circular Letter (CL) Ministry of Manpower Number M/3/HK.04/III/2020. Continue to the component of the physical environment in the Circular Letter (CL) Ministry of Manpower Number M/3/HK.04/III/2020 has provided protection to workers against the expansion of the spread of Covid-19, one of which requires companies to continue to pay wages for workers infected with Covid-19 who are in isolation.
- 3) Judging from the dimensions of individual activities as measured by the components of autonomy and freedom, through mitigation policies to maximize labor-intensive programs, and the Circular Letter (CL) of the Ministry of Manpower Number M/3/HK.04/III/2020 in which the decision regarding the payment of wages and severance pay for layoffs must be in accordance with the agreement between the workers and the company. The Indonesian government guarantees that employers are not arbitrary in their policies, and this is to ensure that the welfare of workers can be realized and run optimally. This is done so that companies do not take advantage of the Covid-19 condition as a reason for arbitrary Termination of Employment (ToE) for workers;
- 4) Judging from the dimensions of the relationship between property, with the social interaction component and basic social rights, the Indonesian government has provided guarantees for businessmen (companies) and to workers, in mitigation policies the government also provides economic stimulus for business actors who are committed layoffs is a form of concern for the achievement of welfare in two elements (businessmen and workers) that affect the Indonesian economy, as well as in the Circular Letter Ministry of Manpower No. M/3/HK.04/III/2020, the Indonesian government also guarantees workers' rights if exposed to the Covid-19 virus and urges businessmen

(companies) to comply with the fulfillment of labor rights especially regarding remuneration during the current Covid-19 Pandemic;

- 5) Judging from the dimensions of competence and self-esteem, the Indonesian government has also tried to optimize the competence and dignity of workers during the Covid-19 Pandemic through various mitigation policies, while still providing protection and various kinds of social assistance and developing potentials through pre- work as well as in labor-intensive programs.

If measured from social welfare indicators, the government has fulfilled labor rights by issuing a mitigation policy and the Ministry of Manpower Circular Letter No. M/3/HK.04/III/2020. Although on the other hand, the implementation of these policies has not been implemented optimally and has resulted in the growth of practical problems that must be faced directly by workers in the field, namely as follows:

- 1) The limitations in operating in many companies in Indonesia result in a decrease in income, while the costs of expenses are fixed and do not decrease. This requires companies to take policies such as postponing the giving of bonuses / holiday allowances, cutting wages and, at worst, termination of employment (ToE);
- 2) The scale of procedural complexity faced by workers to obtain various social assistance from the Indonesian Government creates a practical obstacle which results in many workers being unable to enjoy the assistance.
- 3) Judging from the systematic acceptance of Pre-Employment cards issued by the Government of Indonesia, it is currently considered that many are not on target, as for the conditions if workers are being laid off even at the risk of being terminated and have no income, but in the system, they are still registered as a recipient of Direct Cash Assistance (DCA), the worker will not qualify as a recipient of Pre-Work Card assistance.
- 4) Many companies fail to comply with the regulations issued by the Ministry of Manpower through Circular Letter (CL) Number M/3/HK.04/III/2020, with their establishment without mutual agreement between employers and workers, companies can make policies regardless of the fate and finances of workers, which the company is obliged to fulfill during the Covid-19 pandemic as described in the Ministry of Manpower Circular Letter with the reason that the company's condition is affected by covid-19 from a financial point of view;
- 5) Supervision of various policies from the Government of Indonesia is still not optimal in all sectors resulting in uneven implementation of policies implemented in dealing with life during the Covid-19 pandemic.

Policies during the Covid-19 pandemic are laws that must be obeyed and implemented by the community so that legal goals are achieved. According to Rudolf Von Jhering, law arises from the spirit of the nation which is empirical and not spontaneous, and the purpose of law itself is to protect interests. [16] So the policy during the Covid-19 pandemic which became a new law in society was oriented to the soul of the nation in fulfilling the social welfare which was expected with the fulfillment of social welfare so that in the end it could bring social justice in society.

The gap between policy and implementation is a new problem because indeed in determining policy and implementing policies it will be influenced by other interests in the community. So, as with other written laws, other supporting factors are needed to implement properly in society and have the desired results from policy makers.

In the application of laws or policies to workers, the role of the state apparatus, namely the Manpower Office and the internal workers, namely the Labor Union, is needed to oversee policies that can be applied both by the company and the workers themselves. The Manpower Office during the Covid-19 pandemic must be able to mediate between employers and workers in resolving existing problems and the Labor Union is expected to play an optimal role in fighting for workers' rights. This is because workers play a role in moving the wheels of productivity for entrepreneurs and the state, so fulfilling of their rights to energy, time and thoughts in carrying out their work must be prioritized because when dealing with companies, workers become weak group. This is undeniable because the social and economic strata of entrepreneurs have control over the lives of workers from an economic point of view.

Apart from the support from the Department of Manpower and the Labor Union, awareness of workers and employers is also needed in understanding the rights and obligations of each party. Awareness of rights and obligations will make any problems that arise between the two will be more easily resolved, considering the Covid-19 condition which has enormous effect for companies and workers.

4 Conclusion

From the discussion that has been done above, it can be concluded that the government has issued a mitigation policy and the Ministry of Manpower Circular Letter (CL) Number M/3/HK.04/III/2020 which guarantees the fulfillment of labor rights during the Covid-19 pandemic in which the policy focuses on wage rights, social security, and termination of employment. Apart from the mitigation policy and the Circular Letter (CL) of the Ministry of Manpower Number M/3/HK.04/III/2020, the government also issued a policy regarding the providing direct cash assistance to the community, tax breaks and so on that can help workers survive during the pandemic.

Based on social welfare indicators, namely (1) physiological needs, (2) safety and security, (3) valued individual activities, (4) property linkages and (5) competence and self-esteem, the policies issued by the government have fulfilled all element of welfare, it can be said that the government has tried optimally in fulfilling the rights of social welfare for workers, although in practice there are still shortcomings. So, it takes support from the Department of Manpower, Labor and Labor Unions and the company itself to succeed in the goal of government policy, namely realizing social welfare.

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