

Legal Review Analysis of the Protection of Workers' Wage Rights in the MSME Sector in Manokwari

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ABSTRACT

This study examines the legal protection of workers' wage rights in the Micro, Small, and Medium Enterprises (MSMEs) sector in Manokwari, which continues to face various legal and factual obstacles. Although national regulations, such as the revised Law Number 13 of 2003 concerning Manpower and Government Regulation Number 36 of 2021, have established wage standards, implementation in the field remains far from optimal. Informal employment conditions, low worker legal awareness, and limited local government oversight hinder the adequate fulfillment of wage rights. Furthermore, enforcement of legally binding court decisions also faces various substantive and procedural obstacles. This study uses a normative-empirical approach using literature study methods and qualitative analysis to examine laws and regulations, implementation practices in the field, and the role of law enforcement officials, particularly the prosecutor's office. The findings indicate that synergy between regulatory strengthening, worker empowerment, effective oversight, and the strategic role of law enforcement officials is crucial to improving the protection of MSME workers' wage rights in Manokwari. The results of this study are expected to form the basis for developing employment law enforcement policies and strategies that are more favorable to workers in the MSME sector, particularly in areas with unique socio-economic and geographical challenges.

Keywords: Legal Protection, Wage Rights, MSME Workers, Law Enforcement, Prosecutor's Office, Manokwari.

I. Introduction

The protection of workers' wage rights in the Micro, Small, and Medium Enterprises (MSMEs) sector is a crucial issue that is a major concern in the context of social justice and sustainable economic development in Indonesia, especially in areas such as Manokwari. MSMEs absorb up to 97% of the national workforce and are the backbone of the local and national economy. Nevertheless, many workers in this sector face significant challenges related to fulfilling the right to a decent and timely wage. This reality reflects the gap between established legal norms and implementation in the field, raising real problems that require in-depth analysis from legal and social perspectives (Kennedy, 2024).

According to Government Regulation Number 36 of 2021 concerning Wages, employers are required to pay wages not lower than the minimum wage that has been set. Even so, in the MSME sector, violations of this provision were found caused by various factors, one of which was the financial limitations of small businesses and the lack of understanding of business actors of labor regulations. On the other hand, weak



supervision by local governments and low legal awareness of workers make violations of wage rights difficult to detect and follow up effectively (Kennedy, 2024; Sihombing, 2023).

The situation in Manokwari reflects this phenomenon in real terms. Several studies and reports reveal that the enforcement of wage rights in the MSME sector in this region is still far from ideal. Scattered geographical factors, limited government resources in supervising, and dominant informal working relationships without written agreements are the main obstacles in ensuring optimal protection of workers' rights (Arwam, 2025). These problems are exacerbated by workers' lack of access to effective grievance mechanisms and adequate legal aid institutions. This inequality opens up a critical research gap, considering that national labor regulations have clarified workers' rights, including in Law Number 13 of 2003 concerning Manpower which has been amended by Law Number 6 of 2023 concerning Job Creation. Some previous research, such as a study by Aksin (2018) that focused on the protection of labor law in an Islamic context, and research by Hidayat and Dalimunthe (2022) which was more aimed at job protection for female workers in general, have not specifically and comprehensively captured the wage problem of MSME workers in the context of regions that have special social and economic characteristics such as Manokwari. In addition, Mustari's (2016) research which discusses labor wage rights in general has also not explored how the implementation of supervision and law enforcement runs in similar areas. International research by Sudjana (2017) and Anggia et al. (2021) highlights legal and policy aspects at the macro level without paying attention to the local context and practical obstacles faced by MSME workers (Kennedy, 2024).

Thus, this research is important to be carried out to fill the gap in the study that connects national regulations, local conditions in Manokwari, and the implementation of the enforcement of the protection of the wage rights of MSME workers. The main focus of this study is to analyze the legal review of the protection of workers' wage rights in the MSME sector in Manokwari, identify juridical and factual obstacles in the implementation of these rights, and evaluate the role of law enforcement officials, especially the prosecutor's office, in ensuring the implementation of legal decisions that have permanent legal force. In addition to delving into this issue, it is also important to use the latest empirical data to show facts on the ground, such as a report from the Indonesian Prosperous Labor Union which revealed many labor violations in the form of providing wages below the Regional Minimum Wage (UMR) and unilateral termination of employment relationships that have not been resolved in Manokwari (Arwam, 2025). Based on data from local governments, employment social security protection has also not touched all vulnerable workers in the MSME sector, where as many as 18,323 vulnerable workers will only be protected through the social security program until 2025 (Manokwari Regency Government, 2025).

The scope of the protection of the wage rights of MSME workers is very important, not only as a normative and legalistic aspect, but also as an instrument for enforcing social justice that must be applied concretely. Existing regulations and policies must be balanced with effective coaching, supervision, and sanctions, as well as empowering workers to be able to understand and fight for their rights (Kennedy, 2024). Synergy between local governments, law enforcement officials, business actors, and civil society is needed to create a sustainable wage rights protection ecosystem. This research uses a juridical normative approach with literature studies as a data collection technique, which will be analyzed qualitatively through legal interpretation to examine the provisions of the applicable laws and their application in the field. Thus, the results of the research are expected to make a significant contribution to the development of labor law theory and practice, especially the protection of workers' wage rights in the MSME sector in Manokwari (Mertokusumo, 2008; Istanto, 2007). Overall, the study not only identifies problems and gaps between regulations and real-world implementation, but also offers strategic recommendations for improving law enforcement systems and empowering MSME workers to optimally protect their wage rights. Thus, this research is expected to be an important reference for policy makers, legal practitioners, academics, and all interested parties in fighting for labor justice in Indonesia, especially in Manokwari.

The urgency of this research is very important considering that the MSME sector in Manokwari plays a vital role in the regional economy and labor absorption. However, the facts show that the protection of workers' rights to wages in this sector still faces many obstacles, both juridically and factually. The gap

between nationally regulated labor regulations and their implementation in the field, especially in areas with unique social and economic characteristics such as Manokwari, poses a high risk for vulnerable workers to experience violations of wage rights. Legal uncertainty and weak enforcement of court decisions lead to ongoing injustice and threaten socio-economic stability. Therefore, this study is urgent to provide a comprehensive overview of legal protection for MSME workers and review the role of law enforcement officials in ensuring the effective implementation of these rights.

The purpose of this research is to examine in depth the legal protection of workers' wage rights in the MSME sector in Manokwari by referring to the applicable laws and regulations. This research also aims to identify various obstacles, both juridical and factual, that hinder the implementation of these wage rights, including in terms of the enforcement of legal decisions that already have permanent legal force. In addition, this study seeks to evaluate the strategic role of law enforcement officials, especially the prosecutor's office, in ensuring the implementation and enforcement of wage rights for MSME workers in the area. The results of the study are expected to provide useful recommendations to strengthen the system of protection of wage rights legally and in practice, so that the welfare of workers can be guaranteed and the enforcement of labor justice can run more optimally. Thus, this research is expected to make a significant contribution to the development of labor policies and increase the effectiveness of law enforcement in favor of MSME workers, especially in areas that face unique social and economic challenges such as Manokwari.

II. Literature Review and Hypothesis Development

2.1. Protection of Workers' Wage Rights in the MSME Sector: Challenges and Regulations

Many Micro, Small, and Medium Enterprises (MSMEs) sectors have an important role in the Indonesian economy by absorbing most of the national workforce. However, the protection of wage rights in this sector still faces serious obstacles that require in-depth legal and policy attention. Based on national laws and regulations, such as Law Number 13 of 2003 concerning Manpower which has been updated by Law Number 6 of 2023 concerning Job Creation, every worker has the right to earn a wage that meets decent living standards and must not be paid below the regional minimum wage (Sudjana, 2017). However, the implementation of this provision in the MSME sector is not always effective (Kennedy, 2024).

Government Regulation Number 36 of 2021 concerning Wages provides technical regulations related to the minimum wage, but provides exceptions and special treatment for the MSME sector in determining wages. For example, the wages of MSME workers can be determined based on an agreement between workers and employers by considering the financial capabilities of the business (UNES Law Review, 2023). This condition has the potential to cause unfair wages and deviations in protection for workers, because employers have greater flexibility in setting wages without being bound by the minimum wage which is the standard for labor protection in general. This factor is exacerbated by weak local government supervision and low legal literacy of MSME workers, which makes them vulnerable to wage rights violations (Sihombing, 2023). Many previous studies have confirmed the complexity of wage problems in the MSME sector. Nazmi (2023) and Kennedy (2024) stated that MSME workers often receive substandard wages due to business financial limitations and competitive pressures. In addition, the dominant informal work culture in this sector reinforces the risk of uncertainty over labor rights, as the majority of employment relationships are not based on written agreements (Nazmi, 2023). Studies by Hidayat and Dalimunthe (2022) also highlight that this gap has a heavier impact on vulnerable groups of workers, such as women workers in the MSME sector, who often lack adequate legal protection (Hidayat & Dalimunthe, 2022). When viewed from the normative legal aspect, MSMEs receive special treatment in wage regulations. In Government Regulation Number 7 of 2021 concerning the Facilitation, Protection, and Empowerment of Cooperatives and MSMEs, it is stated that MSMEs are exempt from the provincial and regency/city minimum wage with certain conditions (UNES Law Review, 2023). Wage determination for MSME workers is based more on business capital and annual turnover, not solely on the minimum wage regulated by the government. Although it aims to provide flexibility for MSME business actors

to develop, this policy leaves a potentially exploitative gap that risks harming workers in terms of wages received.

2.2. Theoretical Framework: Distributive Justice Theory and Legal Force Theory

To understand this problem of wage protection, John Rawls's theory of distributive justice can be a relevant conceptual footing. According to Rawls (1971), social justice must be pursued in such a way that the weakest groups receive fair treatment and benefit from the equitable distribution of resources. In the context of the protection of the wages of MSME workers, this theory emphasizes the need for legal and policy mechanisms that accommodate the protection of the rights of workers who have a lower bargaining position (Rawls, 1971). In addition, the legal effectiveness theory states that the applicability of a legal norm does not only depend on the existence of written rules, but also on the effectiveness of the implementation and enforcement of the law in the field (Mertokusumo, 2008). This is very important in the context of MSMEs in Manokwari who face practical obstacles in supervision and law enforcement, so that workers' wage rights have not been fully protected even though regulations already exist. This weak legal coercion results in legal norms being unable to change discriminatory labor practices (Mertokusumo, 2008).

2.3. Challenges of Law Enforcement and Protection of Wage Rights

The phenomenon of indecisiveness in law enforcement in the MSME sector is one of the central issues raised in this study. Many violations of wage rights are not resolved due to limited supervisory resources and a less responsive approach to the conditions of MSME actors that are widespread (Kennedy, 2024). The limited existence of labor supervision apparatus causes MSME actors to often escape strict supervision, as well as dispute resolution through formal mechanisms such as industrial relations courts is difficult to access (Arwam, 2025). Supreme Court Regulation Number 2 of 2015 concerning Simple Lawsuits offers a faster and simpler dispute resolution procedure, but in practice the implementation of court decisions still experiences various obstacles such as avoidance by entrepreneurs or difficulties in carrying out executions in the field (Costa, 2023; Arwam, 2025). This shows the need for the strategic role of law enforcement officials—especially the prosecutor's office—in overseeing the implementation of court decisions so that the wage rights of MSME workers are truly implemented.

2.4. Previous Studies and Research Hypotheses

Previous research that discussed the wage rights of MSME workers in Indonesia tended to focus on macrolegal and national policy aspects without delving into constraints at the local level and real implementation in the field. For example, a study by Sudjana (2017) and Anggia et al. (2021) focuses more on legal and policy frameworks at the ASEAN and national levels, with minimal analysis related to the socio-economic conditions of MSME workers in special areas such as Manokwari (Sudjana, 2017). Research by Aksin (2018) examines the protection of labor law from an Islamic perspective, but lacks the context of wage dynamics in MSMEs specifically. In addition, Mustari (2016) reviews wage rights in general without dissecting the limitations of supervision and law enforcement faced by MSME workers in remote areas that have different socio-economic characteristics. Thus, there is a significant research gap to comprehensively examine the implementation of the protection of the wage rights of MSME workers in Manokwari with a focus on juridical and factual constraints, as well as the role of law enforcement officials as an effort to fulfill sustainable rights. This study is based on the hypothesis that there is a significant gap between the provisions of labor law norms that regulate the protection of the right to wages of MSME workers and the real conditions of its implementation in Manokwari. The gap is caused by various obstacles, both from juridical, social, and economic aspects, which hinder the optimal fulfillment of wage rights for MSME workers. In addition, the weak enforcement of court decisions by law enforcement officials, especially in areas with challenging geographical

characteristics and limited resources such as Manokwari, is a major obstacle in protecting workers' rights. Therefore, this study also assumes that the strategic role of law enforcement officials, especially the prosecutor's office, supported by adequate regulations and collaboration between related institutions, will play a significant role in increasing the effectiveness of the implementation of the protection of the wage rights of MSME workers in the region. Thus, strengthening the role of law enforcement officials is expected to be able to bridge the gap between normative law and practice in the field so that the wage rights of MSME workers can be fulfilled in a fair and sustainable manner.

III. Research Method

The methodology of this study uses a normative-empirical legal research approach as an effort to gain a comprehensive understanding of the protection of workers' wage rights in the MSME sector in Manokwari. A normative approach is taken to review applicable legal provisions, such as Law Number 13 of 2003 concerning Manpower which has been updated through Law Number 6 of 2023 concerning Job Creation, including other implementing regulations that regulate wages and protection of MSMEs. Meanwhile, an empirical approach is used to capture the reality of the implementation of these legal norms in the field, especially the problems that arise in practice, the obstacles experienced, and how law enforcement officials play a role in ensuring the implementation of legal decisions that have permanent legal force. This dual approach allows the research not only to examine the legalistic aspects, but also the real aspects that occur in the social and economic context in Manokwari (Nur & Adiningrat, 2020; Lie Amat & Yusuf, 2024).

This research is based on several key questions that guide the entire research process. First, what is the level of legal protection for workers' wage rights in the MSME sector in Manokwari based on the applicable laws and regulations? Second, what are the juridical and factual obstacles that hinder the implementation of these rights? Third, what is the role of law enforcement officials, especially the prosecutor's office, in ensuring the implementation and enforcement of legal decisions that already have permanent legal force? These questions focus on the data collection and analysis methods used in the research. In the collection of legal materials, this study utilizes three main groups of data sources, namely primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations such as laws, government regulations, and court decisions relevant to employment and MSME protection. Secondary legal material consists of scientific literature in the form of books, journals, articles, and previous research that provides the foundation for theory and comparative analysis. Meanwhile, tertiary legal materials are in the form of legal encyclopedias, guidebooks, and policy documents that complement the conceptual and contextual understanding of the issues being studied (Kennedy, 2024; Nur & Adiningrat, 2020). The selection of legal materials is carried out by purposive sampling technique, which is deliberately selecting the most relevant and quality documents and literature to answer the formulation of research problems. This technique is important to ensure that the data obtained truly represent the focus of the study so that it can be replicated by other researchers with similar conditions (Benuf, 2020; Nawi, 2022). After the legal materials are collected, the next stage is the process of systematic data classification and inventory. The data is grouped by category; for example, labor regulations related to wages in the MSME sector, implementation documents and legal decisions regarding wage disputes, as well as relevant studies and findings of previous research. This grouping is carried out to facilitate an in-depth analysis of the juridical, factual, and role aspects of law enforcement agencies in the framework of wage rights protection. With neat classification, researchers can interpret data in a focused and thorough manner, so that the final results of the research become objective and systematic (Istanto, 2007; Nur & Adiningrat, 2020). Data collection in this study is carried out through library research, which is tracing, examining, and examining all legal materials that have been selected purposively. Official government documents, labor supervision reports, and valid field findings are also analyzed as empirical supporting data to strengthen the validity of the normative findings of the research. This process ensures that the data used is based on credible and relevant sources. In addition, the use of empirical data helps to provide a real picture of the implementation of wage rights protection in Manokwari (Kennedy, 2024).

The data that has been collected is then analyzed using qualitative methods, which focus on descriptive and analytical data processing to find important patterns, relationships, and findings. This analysis includes legal interpretation (statute interpretation) of existing laws and regulations and compares them with empirical data on practices and constraints in the field. This qualitative approach provides depth of analysis in the form of understanding the normative meaning and critical assessment of the effectiveness of regulations, implementation constraints, and the role of the legal apparatus in guaranteeing workers' rights. In this way, research can draw comprehensive conclusions and provide scientifically practical recommendations (Mertokusumo, 2008; Istanto, 2007). Previous research referenced, such as Kennedy (2024) which researched the protection of MSME workers in general, and Hidayat and Dalimunthe (2022) which focused on studies on groups of women workers in the informal sector, have enriched the wealth of knowledge about the barriers and opportunities for employment regulation in the informal sector. However, much of the research has not delved into the specifics of a unique local context such as Manokwari, which has its own geographical and socio-economic challenges. Therefore, this study makes an additional contribution by providing an in-depth study of the reality of the protection of the wage rights of MSME workers in the region and the relevance of the role of law enforcement officials in ensuring the fulfillment of workers' rights. Thus, this study not only complements the existing literature but also offers an analytical framework that is applicable to similar areas facing labor protection challenges (Sudjana, 2017; Arwam, 2025). Through this structured and comprehensive methodology, it is hoped that the research can produce valid and reliable findings to strengthen the regulations and practices for the implementation of wage rights protection in the MSME sector, especially in Manokwari, as well as provide useful recommendations for policymakers, law enforcement officials, and other related parties.

IV. Results and Discussion

4.1. Juridical Analysis on the Protection of Wage Rights for Workers in the MSME Sector in Manokwari Based on Laws and Regulations

Micro, Small, and Medium Enterprises (MSMEs) are economic sectors that have a significant role in absorbing labor and encouraging regional economic growth, including in Manokwari. Based on Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises, MSMEs are classified based on the number of assets and annual turnover. Article 6 paragraph (1) states that micro businesses are businesses with a maximum net worth of IDR 50 million and an annual turnover of at most IDR 300 million; small businesses with a net worth of more than IDR 50 million to IDR 500 million or an annual turnover between IDR 300 million to IDR 2.5 billion; and medium-sized businesses with a net worth of more than IDR 500 million to IDR 10 billion or an annual turnover between IDR 2.5 billion to IDR 50 billion. Employment relationships in the MSME sector are often not based on formal employment agreements, but based on trust and verbal agreements. As a result, workers often do not get optimal legal protection due to the absence of legally binding written evidence. When there is a violation of basic rights such as wages, the position of the worker becomes legally weak because of the difficulty of proving the employment relationship and the details of his rights.

The right to wages is part of the human rights that are constitutionally and juridically guaranteed in Indonesia. Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia states that every citizen has the right to work and a decent livelihood for humanity. This provision is strengthened in Law Number 13 of 2003 concerning Manpower as amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of the Job Creation Law into Law. Article 88 of the Manpower Law states that every worker/laborer has the right to earn an income that meets a decent livelihood for humanity. The state is obliged to guarantee a fair national wage system and ensure the welfare of workers. In Article 90 paragraph (1) it is stated that employers are prohibited from paying wages lower than the minimum wage that has been set by the government. The prohibition is absolute and entrepreneurs who violate it can be subject to criminal sanctions as stated in Article 185 of the Law.

Laws and regulations that provide direct protection for the right to wages are not only contained in central regulations, but can also be strengthened through regional policies. Provincial and Regency Governments have the authority to determine sectoral policies based on the social and economic conditions of their regions. Based on Government Regulation Number 36 of 2021 concerning Wages, the governor is obliged to set the provincial minimum wage (UMP) and can determine the district/city minimum wage (UMK) after paying attention to recommendations from the wage council and regional economic conditions. Article 26 of the Government Regulation emphasizes that the minimum wage is set based on economic and employment conditions. For the West Papua region, including Manokwari, this provision is the basis for setting minimum wage standards that must be obeyed by entrepreneurs, including MSME actors. Although there are provisions regarding the ability of small businesses to make adjustments, the basic principle of protection still applies to all workers.

The implementation of worker wage protection in the MSME sector in Manokwari still faces various practical problems. Many MSME actors do not understand the legal obligations related to wages, so they pay workers irregularly or below standards. The local government through the Manpower and Transmigration Office of Manokwari, has a role in coaching and supervising business actors, but limited personnel and budgets are obstacles in themselves. The unreach of MSME actors who are geographically dispersed also causes supervision to be less effective. Many workers who work without a written employment agreement do not have a strong legal basis when it comes to claiming their right to their wages. When these rights are violated, the settlement process through mediation or lawsuits to the industrial relations court is often not pursued due to lack of access to legal aid.

Legal regulations have mandated administrative and criminal sanctions against employers who violate wage provisions. Article 185 paragraph (1) of Law Number 13 of 2003 concerning Manpower stipulates that employers who pay wages lower than the minimum wage can be subject to imprisonment for a minimum of 1 year and a maximum of 4 years and/or a fine of at least Rp100 million and a maximum of Rp400 million. However, in practice, these sanctions are rarely applied strictly to MSME actors on the grounds that small businesses are still in the growth stage. This indecisiveness creates a legal loophole that allows violations to continue to be repeated. Law enforcement against MSME actors should not be ignored just for reasons of business scalability, because worker protection is part of social justice guaranteed by the state. The fair implementation of regulations will create a balance between business continuity and the fulfillment of workers' basic rights.

4.2. Identification of Juridical and Factual Obstacles in the Enforcement of Wage Rights of MSME Workers in Manokwari against Legal Decisions that Have Permanent Legal Force

Juridically, the legal problems that arise in the implementation of the right to wages of MSME workers in Manokwari reflect a serious gap between legal norms and implementation practices. Although the provisions regarding the right to wages are clearly regulated in Law Number 13 of 2003 concerning Manpower and Government Regulation Number 36 of 2021 concerning Wages, its realization has not yet touched all MSME actors. Most violations occur due to the absence of a work agreement that contains wage provisions in writing. Informal employment relationships between employers and workers make violations of wage provisions difficult to prove juridically. Many workers do not know that the right to wages is a normative right that cannot be overruled. The implementation of the law becomes weak when the evidentiary instruments are inadequate, especially when the dispute is brought into the realm of formal law.

Structural and cultural barriers are also the root of the weak enforcement of the right to wages. Low legal awareness from MSME actors causes compliance with wage norms to be very minimal. Workers are often reluctant to claim their rights for fear of losing their jobs or because they consider existing practices to be natural. The informal work culture that is prevalent in Manokwari strengthens the employer-client work relationship, not an equal legal relationship. Employment supervision by the Manpower Office does not run optimally due to limited human resources and the breadth of the scope of the supervision area. Data on wage

violations are often not documented systematically, making it difficult to enforce data and evidence-based laws. This condition exacerbates the inequality of legal protection for MSME workers in the regions. The execution of court decisions on the payment of workers' wages often does not proceed as it should, even though the judgment has permanent legal force. The Supreme Court through Supreme Court Regulation Number 2 of 2015 has regulated the settlement of simple lawsuits, including labor lawsuits, but in practice, decisions that grant wage demands cannot always be executed quickly. Business actors often manipulate asset data or avoid execution calls, making it difficult for bailiffs to carry out their duties. Not all entrepreneurs have good faith to implement court decisions, especially if there is no direct threat to the existence of their business. Workers who have won in court still have to go through a long, costly, and tiring execution process. The weak coercive power of the legal ruling makes the legal victory of workers only symbolic.

Labor supervision and mediation institutions in Manokwari do not have adequate capacity to effectively deal with violations of the right to wages. The availability of industrial relations mediators is very limited and not evenly distributed throughout the district. Many settlements rely solely on informal mediation that has no fixed legal force. Workers who want to take the legal route often do not have a legal companion due to the limitations of legal aid institutions in the region. The existence of Industrial Relations Courts in the province is not always easy to access due to distance, cost, and time. This weak institutional structure causes the legal protection system for workers to lose its effectiveness as a social safety net.

The lack of synergy between government agencies, law enforcement officials, and civil society institutions also worsens the implementation of wage protection for MSME workers. The absence of an integrated complaint system and the lack of data connection between the labor office, the prosecutor's office, and the courts create an overlap of authority. Ideal law enforcement requires coordination and openness between institutions so that violations of workers' rights do not continue to be repeated. Reactive case handling without systematic efforts to prevent violations makes the legal system passive. Workers cannot continue to be burdened with individual legal evidence and initiatives without institutional support. These structural weaknesses need to be corrected through strengthening institutional capacity and regulatory support that is oriented towards certainty and alignment with vulnerable groups.

4.3. The Strategic Role of Law Enforcement Officials, Especially the Prosecutor's Office, in Ensuring the Implementation of the Right to Wages for MSME Workers in Manokwari After the Court Decision

The Prosecutor's Office has a constitutional and functional role as the executor of state power in the field of prosecution and implementation of court decisions that have permanent legal force. Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, which has now been updated with Law Number 11 of 2021, provides a strong legal basis for the authority of the prosecutor. Article 30 paragraph (1) b expressly states that the prosecutor's office has the duty and authority to carry out the determination of judges and court decisions that have obtained permanent legal force. In criminal cases, the Criminal Code through Article 270 strengthens this role by stipulating that the execution of the verdict is carried out by the prosecutor. Although the execution of civil cases is generally under the authority of the court through bailiffs, there are certain legal spaces that allow prosecutors to be involved in the protection of the interests of the state, society, and certain groups that are systemically harmed.

The role of the prosecutor in civil cases, including wage disputes that have been decided by the courts, can arise when the interests of workers are linked to legal protection by the state. The State Attorney's Office (JPN) has the capacity to represent the state or provide non-litigation legal assistance to parties in need of legal protection, including oppressed groups of workers. Regulation of the Attorney General of the Republic of Indonesia Number PER-025/A/JA/11/2015 concerning Guidelines for the Implementation of the Provision of Legal Aid by the State Attorney opens up the possibility of assistance to people who experience injustice in the implementation of decisions. Under certain conditions, JPN can play a role in encouraging legal settlements administratively or limited litigation if it concerns the public interest. In labor disputes, the

participation of JPN is still not optimally utilized due to limited information and initiatives from the MSME worker community itself.

The implementation of court decision execution in the Manokwari area faces significant practical obstacles, including geographical constraints, limited operational budgets, and low levels of compliance by business actors. The location of MSME actors that are scattered and not centralized makes it difficult for law enforcement to carry out the summons or confiscation mechanism. Many entrepreneurs are not present when the execution is scheduled, or move assets to avoid executory forfeiture. Coordination between institutions, such as the courts, prosecutor's office, and labor offices, has not been carried out integratively, so the execution process is ineffective. The weak force of law enforcement in the regions also widens the gap in non-compliance. Law enforcement officials often do not have sufficient human resources to execute decisions that are individual but spatially dispersed. The potential strategic role of the State Attorney in helping MSME workers enforce their rights to unpaid wages after a court decision requires structural strengthening and massive socialization. Prosecutors can be empowered to bridge communication between workers and court officials, including in terms of tracing the assets of business actors who are negligent in implementing the ruling. The NRD's technical capabilities in negotiation, administrative affirmation, and litigation intervention are limited but quite effective in cases of public nuisance. This role is also supported by Law Number 11 of 2021 Article 34 letter a which states that prosecutors have the authority to provide legal considerations to government agencies and the public. Alignment with informal worker groups in the national legal system demands the expansion of this role functionally and adaptively.

Synergy between the prosecutor's office, courts, labor offices, and civil society organizations is needed to optimize the implementation of the protection of the rights of MSME workers. Prosecutors cannot work alone without integrated institutional support. Overly formalistic execution procedures need to be balanced with a collaborative and responsive approach to the needs of vulnerable groups. The Prosecutor's Office as a state institution that has strong legitimacy can be the main driver in encouraging business actors' compliance with the law. When workers have obtained a court decision, but cannot enjoy their rights, the state is obliged to be present through the existing legal apparatus. The expansion of the prosecutor's duties in the civil and state administration sectors within the scope of social protection is an urgent need to answer the reality of inequality experienced by small workers in areas such as Manokwari.

4.4. Protection of Workers in Accessing Labor Rights based on Legal Review

Worker protection, such as the right to wages, is an integral part of the state's efforts to ensure social justice and the welfare of all workers. Nationally, workers' rights are comprehensively regulated in Law Number 13 of 2003 concerning Manpower which has been updated by Law Number 6 of 2023 concerning Job Creation. This regulation aims to provide a legal basis that guarantees workers to get a decent wage in accordance with minimum wage standards, reasonable working hours, leave, and employment social security, including work accident insurance, retirement, and death insurance through BPJS Ketenagakerjaan. However, this arrangement faces major challenges in the MSME sector, especially micro and small enterprises, where the minimum wage provision is explicitly excluded and replaced by wage determination based on an agreement between employers and workers (Directorate General of Binariksa of the Ministry of Manpower 2025). This factor opens a regulatory gap that gives flexibility to MSME entrepreneurs while increasing the vulnerability of workers to substandard wages due to limited business capital and bargaining power of workers. In this context, the implementation of supervision is very crucial, but often local government supervision of the MSME sector still experiences technical and resource limitations, as reported in various national studies and discussions (Arwam, 2025; Kennedy, 2024).

This theoretical framework that can deepen the understanding of national trends refers to Rawls's theory of distributive justice which emphasizes the need for special protections for vulnerable groups in order to obtain proportionate social justice. In the context of MSME employment, this condition reflects the need for adaptive and more responsive legal protection to accommodate the vulnerability of workers who are

vulnerable to a living wage (Rawls, 1971). In addition, the theory of legal effectiveness emphasizes that the existence of the law alone is not enough without the implementation of strong and consistent law enforcement so that the norm can be truly felt by workers (Mertokusumo, 2008).

Previous research nationally underlined that although labor regulations have placed the minimum wage as a basic right for workers, in practice there are still violations involving unearned wages and the implementation of social protection that is not optimal, especially in the informal sector and MSMEs (Sudjana, 2017; Hidayat & Dalimunthe, 2022). For example, the implementation of providing employment social security for MSME workers is still uneven and faces resistance from some business actors who feel the burden of heavy regulations (Manokwari Regency Government, 2025; Kennedy, 2024). This confirms the disconnect between the goals of national regulations and the implementation in the regions, especially in areas with geographical and social challenges such as Manokwari. Thus, the findings of the study on the protection of the wage rights of MSME workers in Manokwari show that the challenges faced reflect a broader national trend where the protection of labor rights, although strongly regulated by law, is still not optimal in implementation, especially in the informal sector and MSMEs. This analysis places the importance of synergy between national policies and local capacities in supervision, law enforcement, and worker empowerment so that the regulations made can have a real impact. The role of law enforcement officials, especially the prosecutor's office, in ensuring the implementation of legal decisions is also a representation of the need for cross-sectoral institutional strengthening that is able to bridge the gap between normative law and practice in the field (Kennedy, 2024; Arwam, 2025). Based on this, the understanding of trends in Indonesian labor rights nationally including wage protection, social security, and labor supervision provides a broader context and legitimacy for the Manokwari case study, while strengthening the argument for the need to adapt policies in accordance with local characteristics while continuing to strengthen law enforcement as the main instrument of social justice for MSME workers.

4.5. Analysis of Research Findings on the Protection of Workers' Wage Rights in the MSME Sector

The discourse of the findings of this study shows that there is a real gap between the legal norms that govern the protection of the wage rights of MSME workers in Manokwari and the implementation in the field, both from a juridical and factual perspective. Through the normative-empirical legal research methodology used, this study systematically examines laws and regulations, legal documents, and empirical data related to the practice of implementing wage rights in the context of MSMEs, whose protection is still vulnerable due to employment relationships that tend to be informal, lack of legal awareness of workers, and obstacles to supervision from local governments. These findings are consistent with the results of previous research that revealed the complexity of wages in the MSME sector, such as studies that show varying wage models in MSMEs with wholesale and daily systems, which provide flexibility but also raise the risk of uncertainty about workers' rights (Cahyani & Rohman, 2022).

Analysis based on Rawls' theory of distributive justice and legal effectiveness theory supports the finding that without strong law enforcement and adaptive protection mechanisms, the right to a living wage for MSME workers is difficult to realize optimally. Rawls emphasizes the importance of protection for vulnerable groups who have weaker bargaining positions, while legal effectiveness emphasizes that legal norms must be followed by tangible implementation in order to function as instruments of social justice (Rawls, 1971; Mertokusumo, 2008). In the context of MSMEs in Manokwari, weak supervision and geographical barriers are the main obstacles that are in line with the exposure of regression analysis in the MSME sector in other regions, such as Sumbawa Regency, which shows that wage levels have a positive effect but their implementation still faces various structural obstacles (Irawan et al., 2023). Previous normative and juridical research also corroborates these findings by highlighting that although wage regulations in Indonesia are legally adequate, implementation in the MSME sector is still far from ideal. Weaknesses in law enforcement and low understanding of the right to work contribute to unfair wage practices, as found in a study on wage rights protection in the scope of micro, small and medium enterprises that uses a normative juridical approach

(Nur & Adiningrat, 2024). Furthermore, empirical data from the report of Trade Unions in West Papua confirms that there are still many wage violations under the UMR that are not effectively resolved, so that workers lose the protection of rights that are actually regulated in the law (Arwam, 2025). By linking these findings to the framework of research methodology and literature review, it is clear that problems related to the enforcement of wage rights in the MSME sector are not solely a matter of inadequate regulation, but also related to the implementation of the law at the local level, including geographical challenges, lack of supervisory resources, and obstacles to informal work culture. The role of law enforcement officials, especially the prosecutor's office, is very vital to bridge this gap by strengthening the implementation of legal decisions that have permanent force, so that workers' rights are truly protected in a real and sustainable manner. This shows the need for synergy between institutions and supervisory innovations that are responsive to local conditions. In summary, this discourse emphasizes that the success of the protection of wage rights for MSME workers in Manokwari is highly dependent on a combination of clear legal norms, adequate institutional capacity, and the active involvement of law enforcement officials. The findings of this study provide empirical and theoretical evidence that enriches understanding of the dynamics of wage protection in the MSME sector and illustrates the need for a holistic approach that integrates legal, social, and economic aspects in an integrated manner to address existing challenges.

On the other hand, the implications of the findings of this study provide several important directions for the development of future research and policies related to the protection of workers' wage rights in the MSME sector, especially in areas such as Manokwari. First, in terms of research, the findings regarding the gap between labor regulations and their implementation in the field show the need for a more in-depth and extensive follow-up study, not only normative but also using quantitative and qualitative empirical approaches to explain the social, economic, and cultural factors that affect MSME actors' compliance with wage provisions. Future research can expand the scope of geography and business sectors to capture a variety of problems and test the effectiveness of policy interventions and empowerment programs aimed at improving the legal understanding and awareness of MSME workers. In addition, aspects of legal empowerment and collective advocacy of informal workers can be the focus of research to develop a more sustainable model for the protection of wage rights. In terms of policy, this finding underscores the urgency of improving and strengthening wage regulations in the MSME sector so that they are still able to protect workers without sacrificing business sustainability. The government needs to improve supervision and law enforcement related to wages in MSMEs by providing adequate resources and facilities, especially in areas that are geographically difficult to reach such as Manokwari. A more adaptive and contextual approach, for example by strengthening cooperation between government agencies, law enforcement officials, and civil society organizations, is urgently needed to build effective reporting and enforcement systems. In addition, education and socialization of labor rights must be massively improved for both workers and business actors so that fair wages can become a strong social norm.

The strategic role of the prosecutor's office is also part of the policy that needs to be further developed. As an authorized officer in the implementation of legal decisions, the prosecutor's office can be empowered to be more active in overseeing the implementation of the wage rights of MSME workers, including providing legal assistance and negotiating preventive dispute resolution. This is important to overcome the problem of the long process of executing the decision and the lack of legal coercion which has been the main obstacle. Policy development can also involve designing programs to empower MSMEs to have better financial capacity to meet wage obligations according to standards. This program can be combined with efforts to improve legal literacy and workers' rights so that both parties have a harmonious understanding of obligations and rights in the employment relationship.

Overall, the implications of the research findings demand synergy between strengthening regulations, effective law enforcement, capacity building of business actors and workers, and strong institutional support. Policies that are responsive to local conditions and oriented towards social justice are key to answering the challenge of protecting wage rights in the MSME sector and supporting the creation of a fair and productive work environment. References that support this recommendation include Government

Regulation Number 36 of 2021 concerning Wages which emphasizes the importance of strict supervision and enforcement of rules, as well as studies from empirical studies that highlight the need for legal education and empowerment for MSME workers (Nazmi, 2023; Kennedy, 2024; Arwam, 2025).

V. Conclusion

This research shows that the protection of workers' wage rights in the MSME sector in Manokwari still faces various significant challenges, both from juridical and factual aspects. Although national labor regulations such as Law Number 13 of 2003 which have been revised through Law Number 6 of 2023 and Government Regulation Number 36 of 2021 have established standards for the protection of minimum wage and wage rights, their implementation in the field is still far from ideal. Informal employment relationships, lack of legal knowledge and awareness of MSME workers, and limited local government supervision are the main obstacles in ensuring the optimal fulfillment of wage rights. The enforcement of court decisions that have permanent legal force also still faces practical obstacles, such as the lack of resources for law enforcement officials and coordination between institutions. The strategic role of the prosecutor's office and other legal apparatus is very important to oversee the implementation of the decision so that workers' rights can be realized in a real and sustainable manner. These findings are consistent with distributive justice theory that emphasizes special protections for vulnerable groups and legal effectiveness theory that highlights the importance of rule enforcement to guarantee the proper functioning of legal norms.

Furthermore, this study confirms the existence of a gap between legal norms and practices in the field, which is a reflection of national phenomena in the informal sector and MSMEs. Therefore, to overcome this problem, synergy is needed between strengthening regulations, increasing supervisory capacity, empowering workers through education and legal assistance, and strengthening the role of law enforcement officials in enforcing decisions. A responsive approach to local socio-economic and geographical conditions is needed so that employment policies are truly on the side and protect MSME workers in Manokwari. Overall, this research makes an important contribution to the development of labor law theory and practice in Indonesia, as well as a strategic reference for policymakers, law enforcement officials, and practitioners in an effort to encourage more effective and equitable protection of wage rights for MSME workers in areas facing similar conditions. Further research is suggested to expand the geographical and methodological scope by combining qualitative and quantitative approaches to identify in more detail the social, cultural, and economic factors that affect the implementation of the protection of the wage rights of MSME workers in various regions with different characteristics. In addition, it is important to thoroughly examine the role of various stakeholders, including local governments, law enforcement officials, as well as workers' organizations and MSME actors in increasing the effectiveness of labor law enforcement. The research can also focus on developing a model of legal empowerment and advocacy for MSME workers to be able to fight for their rights collectively, as well as assess the impact of new policies related to wages and social protection in the context of MSMEs. Thus, the results of the study are expected to provide more applicable and holistic recommendations for policymakers and legal practitioners in strengthening the wage rights protection system in a sustainable manner.

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