

Implications of Government Regulation Number 34 of 2021 Concerning the Use of Foreign Workers for Local Workers in South Tapanuli Regency in *Siyasah* Perspective

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Abstract. *This law research aims to find out what the government's policy is regarding the use of foreign workers according to Government Regulation Number 34 of 2021, find out what the policies are for the benefit of foreign workers in the South Tapanuli district, and examine what is the implications of using foreign workers for local workers, concerning needs for professional experts and the need for technologies that help work processes more effectively and efficiently. The research method used in this writing is a juridical-empirical one that is descriptive-analytical, namely the author explains systematically concerning the facts with their implementation process, which is supported by data obtained from the South Tapanuli Regency Manpower Office, then analyzed by describing word for word systematically to find answers to problems.*

Keywords: *Foreign; Local; Worker.*

1. Introduction

Indonesia, which is a developing country, is basically bound by phenomena and social developments that occur globally. Currently Indonesia is in the midst of an era of globalization where all countries are interconnected and there is dependence between these countries, especially in the economic field in terms of meeting the country's needs.

Facing the development of economic globalization, a national economic development agenda program is needed which aims to create jobs in achieving people's welfare as an effort to overcome labor problems. Along with the government's steps in national development, investment is included in the main strategy as an effort to encourage national economic growth which is expected to create employment opportunities and amplify employment opportunities for Indonesian workers which are the main components of economic development itself.

Globalization has also resulted in easy access to labor (free personal movement) who work outside the territory of the workers' country itself.¹The presence of foreign workers (TKA) in Indonesia is a manifestation of international relations that desire mutually beneficial cooperation between countries in the economic field.

Local Workers (TKL) which are one of the main pillars of employment who have discipline, expertise, creativity, productivity, skilled and competitive, as well as competence and develop science and technology. However, in fact, TKL currently does not fully meet the qualifications needed to fill the required jobs. The need for local workers with appropriate qualifications in several fields of work that have special skills and expertise, it turns out that the number of TKL who have the expected qualifications is limited. This situation is the main cause and factor for the utilization of foreign workers (TKA) in Indonesia.²

The use of foreign workers is inevitable because it has become the main requirement for Indonesian employment. At least two things are needed from foreign workers, namely as carriers of foreign capital (investors) and carriers of expertise in transferring knowledge and expertise. Conditions like these make a country unable to deny the existence of foreigners, especially foreign workers, in its territory. So that the presence of foreign workers does not cause a negative impact, it is even expected to have a positive impact on the country.³

In dealing with employment problems, a legal regulation policy is needed to ensure that citizens' rights are maintained as mandated in the constitution. This research focuses on examining existing legal and social phenomena related to employment issues in South Tapanuli district. South Tapanuli Regency which is a district of North Sumatra province which has an abundant supply of natural resources and is experiencing rapid development (development city) both in economic, technological and other aspects. The need for a workforce that is professional in its field as well as technologies that can support effective and efficient work processes, encourages the need to use foreign workers as workers, although still prioritizing foreign workers as workers. because labor is one of the components in the framework of urban development and development. The debate about employment is a problem that will still be found in connection with the development of the city itself.

¹Agusmidah, *Dilematika Hukum Ketenagakerjaan, Tinjauan Politik Hukum*, book II (Jakarta: PT. Softmedia, 2011), p. 349.

²Nita Juwitasari, dkk, "IMPLIKASI YURIDIS KEBERADAAN TENAGA KERJA ASING SEBAGAI TENAGA KERJA DI INDONESIA", *Dipenogoro law review*, Volume 5 Nomor 2 Tahun 2016, p. 2

³Dra. C. Sumarprihatiningrum, M.Si, *Penggunaan Tenaga Kerja Asing Di Indonesia*, (Jakarta: Himpunan Pembina Sumber daya Manusia Indonesia (HIPSMI), 2006), p. 1

2. Research Methods

This study used qualitative research methods. while this type of research is empirical juridical research, namely research methods that are focused on describing the implementation of laws or legislation that work according to conditions or facts that exist in society.⁴Juridical research uses an approach that refers to regulations or laws that apply in people's lives, while empirical research is based on data obtained in the field directly (field research) with due regard to the application of juridical factors.

The research is analytical descriptive in nature, namely research that intends to provide an overview and identify the characteristics of the facts obtained and determine a frequency that has occurred carefully.⁵Then the analysis is carried out carefully based on the facts obtained to answer the research.⁶

3. Results and Discussion

3.1 Government Policy on TKA based on Government Regulation 34 of 2021 Concerning the Use of Foreign Workers (PTKA)

Getting a decent job as mandated in the constitution is a citizen's right that the state must fulfill in accordance with the state's goal of welfare for the people. To achieve this, the government needs to do three things. First, formulate laws and regulations that benefit the community. Second, apply the applicable laws and regulations. Third, enforce laws and regulations.

The enactment of PP number 34 of 2021 concerning the use of foreign workers is one of the efforts taken by the government to fill in legal regulations that aim to provide legal protection and legal certainty to guarantee people's rights regarding employment. PP number 34 of 2021 is an instrument that provides further explanation and details regarding the provisions in Law number 11 of 2020 concerning work copyright (Ciptaker Law) in the provisions of article 81 article 185 letter b. The policy on the use of foreign workers regulated in PP No. 34 of 2021 includes:

1. Foreign Workers and Workers

Labor is everyone who can carry out activities to obtain goods or services to

⁴Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktek*, (Jakarta: Rineka Cipta, 2012), p. 126

⁵Rianto Adi, *Metode Penelitian Sosial dan Hukum*, (Jakarta: Granit, 2000), p. 58

⁶Sunaryati Hartono, *Penelitian Hukum Indonesia pada Akhir ke-20*, (Bandung: Alumni, 1994), p. 101

meet the needs of his life and society.⁷Labor in terms of quality is classified into three, namely:

- 1) Educated workforce, namely every worker who has certain expertise and skills.
- 2) Trained workforce, namely every worker who gains expertise from experience when working.
- 3) The workforce is uneducated and unskilled, that is, every worker who works only uses labor.⁸

TKA based on PP no. 34 of 2021 is "foreign citizens who have visas who aim to work in Indonesian territory".⁹TKA who are recruited to become workers must have the competence and qualifications in accordance with the position to be filled and within a certain time. Therefore, the TKA used are skilled labor and trained labor which are considered to have certain advantages and qualifications compared to the local workforce (TKL). Apart from this, it must prioritize the use of local workers (TKL).¹⁰

Then it was further explained that every work provider who uses the services of a TKA is a job provider who has a Plan for the Use of Foreign Workers (RPTKA) stipulated by the minister or an authorized official.¹¹TKA work providers who are entitled to use TKA are: "1) Government agencies, representatives of foreign countries, international agencies and international organizations; 2) Foreign representative offices, foreign company representative offices, and foreign news agencies conducting activities in Indonesia; 3) Foreign private companies doing business in Indonesia; 4) Legal entity established under Indonesian law in the form of a Limited Liability Company or foundation, or business entity registered with the agency that was established; 5) Social, religious, educational and cultural institutions; 6) Impresariat service business; 7) Business entities as long as they are not prohibited by law."¹²

1. TKA Work Permit

⁷Martha Eri Safira, *Hukum Ekonomi di Indonesia* (Ponorogo: Nata Karya, 2016), p. 195.

⁸Nur Feriyanto, *Economics of Human Resources in Indonesian Perspective* (Jogjakarta: UU STIM YKPM, 2014), p. 6

⁹Government Regulation 34 of 2021 Concerning the Use of Foreign Workers article 1 number 1

¹⁰C. Sumarprihatiningrum, *Use of Foreign Workers in Indonesia*, (Jakarta: HIPSMI, 2006), p. 57

¹¹Government Regulation 34 of 2021 Concerning the Use of Foreign Workers article 6 number 1

¹²Government Regulation 34 of 2021 Concerning the Use of Foreign Workers article 3 number 1

The use of foreign workers must pay attention to the principle of licensing, namely paying attention to and controlling foreign workers according to needs in order to provide protection to local workers in Indonesia. TKA can be employed if there are no local workers who are capable of doing the work. Therefore, the use of foreign workers' services is limited to a work contract for a certain position and time.¹³

According to Bagir Manan, permission is an agreement from the government which contains prohibitions based on legal regulations that apply to describe a particular action or behavior.¹⁴The TKA permit contains details of the employment contract for a temporary position and time.¹⁵Permit to employ foreign workers in accordance with the approved RPTKA. Meanwhile regarding residence permits, types and procedures for granting permits refer to the provisions of legal regulations in the field of Indonesian immigration.

Since the enactment of a new regulation regarding TKA, namely the Ciptaker Law which functions to simplify and simplify the process of hiring TKA. In the implementing regulations, PP No. 34 of 2021 concerning PTKA to use the services of foreign workers now only requires RPTKA, while IMTA has been abolished. So that using the services of foreign workers is legalized based on the RPTKA and notifications.¹⁶The notification in question is the validation of the use of TKA which contains the validity of the issuance of ITAS (Limited Stay Permit) and VITAS (Limited Stay Visa) issued by the Directorate General of Development of Placement of Workers and Expansion of Job Opportunities (Ditjen Binapenta & PKK).

1. Supervision

The purpose of supervision based on the meaning of the purpose of supervision itself is:

- 1) To know the smoothness of the work process.
- 2) To correct employee mistakes and prevent similar mistakes from occurring repeatedly or from the emergence of other errors.

¹³Agusmidah, *Dynamics of Indonesian Labor Law*, (Medan: USU Press, 2010), p. 111

¹⁴Share Mana. *Provisions Concerning the Arrangements for the Implementation of the Right to Freedom of Assembly Viewed from the Perspective of the 1945 Constitution*, (Jakarta: Unpublished paper, 1995), p. 8.

¹⁵Government Regulation 34 of 2021 Concerning the Use of Foreign Workers article 4 number 1

¹⁶Sujono Sukanto, *Deportation as an Instrument for Law Enforcement and Employment* (Jakarta: PT. Adi Kencana Aji, September 2001), p. 31.

3) To review the results of the work.¹⁷

Supervision on the use of foreign workers is carried out by:

1) Supervisors who carry out supervisory activities in the field of manpower at the provincial service and ministry level.

2) Immigration officials who have the authority to act on and supervise immigration violations.¹⁸

3.2 Implications of the Use of TKA for TKL in South Tapanuli Regency

The use of foreign workers throughout 2020 has increased, the number of foreign workers in all regions of Indonesia amounted to 96.57 thousand workers at the end of May 2022. The number of foreign workers increased by 8.3 thousand or 9.4% from 2021 where previously there were 88.27 thousand workers.¹⁹ Likewise, the use of foreign workers in South Tapanuli Regency, in 2022 will experience a significant increase of 50.7% to 312 workers from the original 207 workers.²⁰ This occurred in line with the influx of foreign investors due to the policy of easing legal regulations on foreign workers in withdrawing foreign investment, which resulted in the growth of international economic activity in Indonesian territory. However, the presence of foreign workers can cause problems if their use is not controlled and supervised.²¹

Every citizen has the right to get a job as an effort to fulfill his life needs. This is in accordance with Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, namely: "Every citizen has the right to work and a living that is worthy of humanity". This article contains provisions regarding the government's obligations in its duty to guarantee the rights of every citizen.²² This article is also the legal basis for TKL protection. Therefore, the constitution guarantees the certainty of the right to work for citizens, especially local workers. This is in line with article 2 number 1 PP No. 34 of 2021 concerning PTKA, namely "Every TKA

¹⁷Sukarna, *Fundamentals of Management*, (Bandung: CV. Mandar Maju, 2011), p. 112.

¹⁸Government Regulation 34 of 2021 Concerning the Use of Foreign Workers, article 35 points 1 and 2

¹⁹Adi Ahdiat, *Foreign Workers Increase in 2022, More than Pre-pandemic*, <https://databoks.katadata.co.id/datapublish/2023/01/17/tenaga-kerja-asing-meningkat-pada-2022-more-LOT-dari-pra-pandemi>, accessed on April 7 2023 at 22.40 WIB

²⁰Database of Employment Service Companies in the South Tapanuli Regency 2019-2022.

²¹Putri Nur Hidayah, "Comparative Study of Legal Protection for Migrant Workers In Participation Of Social Security Programs In Indonesia And Singapore," *Legality: Scientific Journal of Law*, no. 1 (April 10, 2020): 47-59

²²HS Syarif, *Guidelines for the Use of Foreign Workers in Indonesia*, (Jakarta: Sinar Graphic, 1996), p. 1

Employer is obliged to prioritize the use of Indonesian workers in all types of positions available".

According to the Indonesian Ministry of Manpower, quality, quantity and distribution are the three main points of labor problems in Indonesia. In terms of quality, TKL who excel in a field already exist both at the national and international levels. However, the number is limited and still relatively small, so that it cannot meet the needs of the workforce when foreign investors enter Indonesia.

The presence of foreign workers in Indonesia certainly influences and brings positive and negative impacts on the local workforce. This can be seen from the social conflicts between foreign workers and workers in the regions due to discrimination and high unemployment.²³The use of TKA certainly has an influence on the absorption of TKL. However, Fithra Faisal Hastiadi, an economist at UI, is of the opinion that until now in Indonesia there is no strong relevance regarding the relationship between an increase in the number of unemployed and an increase in the use of foreign workers.²⁴Even so, it is possible that the use of foreign workers will cause problems in absorbing local workers which will result in unemployment in Indonesia. This is due to the reduced use and utilization of local labor itself.

Meanwhile, Luhut Binsar Panjaitan as the Indonesian Coordinating Minister for Maritime Affairs and Investment said the reason for Indonesia using foreign workers was due to limited local human resources (HR) and lack of adequate competence. Therefore, the government encourages Investors to provide training and education to TKL as an effort to increase the capacity of the local workforce itself.²⁵Thus the transfer of technology and skills can be absorbed by the local workforce, so that the use of foreign workers can have a positive impact on the economy of the surrounding community and expand employment opportunities.

3.3 The Use of Foreign Workers from the *Siyasah* Perspective

²³Rachmad Abduh, "Social Impact of Foreign Workers (TKA) in Indonesia", *Social and Economic Journal* 1, No. 1 (2020): 25–28.

²⁴Lailatul mufidah, "Examining the regulations on the use of foreign workers (TKA) on the existence of local workers in Indonesia in the perspective of legal justice", *e-journal Al-Syakhsyiah Journal of Law & Family Studies*, Vol. 2 No. 2 (2020), p. 257

²⁵Antara news, Luhut: Indonesia needs foreign workers because local human resources are not enough, [https://www.antaraneews.com/berita/1633018/luhut-indonesia-butuh-tenaga-kerja-asing-karena-sdm-lokal-nomor-simplicity#:~:text=Jakarta%20\(ANTARA\)%20%2D%20Minister%20Coordinator,to%20fulfill%20capacity%20existing](https://www.antaraneews.com/berita/1633018/luhut-indonesia-butuh-tenaga-kerja-asing-karena-sdm-lokal-nomor-simplicity#:~:text=Jakarta%20(ANTARA)%20%2D%20Minister%20Coordinator,to%20fulfill%20capacity%20existing), accessed on May 6, 2023 at 16.00 WIB

Siyasa is one of the studies of fiqh, namely fiqh siyasa. Siyasa is rooted in the word "sasa" which means "to regulate, manage, govern, lead, make policies, government and politics".²⁶Based on this definition, siyasa is defined as a branch of Islamic jurisprudence that examines constitutional or governance issues in order to achieve the benefit of the people. Fiqh siyasa focuses on examining government and state regulatory procedures.²⁷

In al-Ahkamul Shultaniyyah, Imam al-Mawardi suggested the division of the scope of siyasa fiqh discussion, namely:

- 1) "*Siyasa dusturiyah*"(legislation/regulation)
- 2) "*Siyasa maliyah*"(economic regulations)
- 3) "*Siyasa qadha'iyah*"(court order)
- 4) "*Siyasa harbiyah*"(war rules)
- 5) "*Siyasa iddariyyah*"(administrative law/state administration)
- 6) "*Siyasa dauliyah*"(government power/foreign policy).²⁸

Legislation is included in the study of siyasa Dusturiyah, dusturiyah comes from the Farsi language, namely dusturi.²⁹Initially the word dusturi meant someone who had authority or authority over politics and religion.³⁰then it was absorbed into Arabic, so that dusturiyah experienced a development in meaning and was interpreted as "principle, basis or guidance". Siyasa dusturiyah is a branch of Siyasa Jurisprudence which studies the regulations and laws of a country. The scope of his study includes the concept of constitution, legislation (the process of formulating laws), shura and government institutions. *Siyasah* dusturiyah also examines the concept of a rule of law, citizens' rights and the relationship between citizens and the state.

Fiqh siyasa dusturiyah generally has a focus on the study of regulations and

²⁶Ibn Manzhur, Lisan al-Arab, Juz 6, (Beirut: Dar al-Shadr, 1968), p. 108.

²⁷J. Suyuthi Pulungan, Fiqh Siyasa: Teachings, History and Thought, (Jakarta: PT RajaGrafindo Persada, 1999), p. 2

²⁸Ibn Taimiyah, Siyasah al-Syar'iyah fi Ishlah alRa'l wa al-Ra'iyah, (Egyptian: Dar al-Kitab al-Arabi), p. 15

²⁹Sri Kantun, 2016. "Material Test of the Law on Religious Courts in the Perspective of Fiqh Siyasa," (Al-Qanun: Journal of Thought and Renewal of Islamic Law), Vol 19 No. 1, p. 147.

³⁰Muhakki Muhakki "Mechanism of Most Votes for Legislative Elections (Study of Siyasah Dusturiyah)," al-Daulah: Journal of Islamic Law and Legislation 1 (2), p. 135

legislation (legislation) in state administration with the principles and guidelines of Islamic law to realize the benefit of mankind. In terms of reviewing regulations as law, namely laws and regulations regarding the use of foreign workers, the government should form an Islamic legal product and a policy that must guarantee the rights of Muslims as citizens. In the book *Ushul Fiqh*, Sheikh Muhammad Abu Zahra stated that the formulation of Islamic law has objectives, including:

- 1) Guiding everyone to be a source of goodness for those around them and not the other way around.
- 2) Enforcing justice in social life.
- 3) Realize benefits.³¹

In the book “*Mausu'atu al-Adab al-Islamiyyah*”, Sheikh Abdul Azis bin Fathi Assayyid Nada said that the first rule in giving jobs to others is to prioritize Muslims.³² Islam teaches that Muslims and other Muslims are brothers in the bond of faith (*Ukhuwah Islamiyah*). Thus, when hiring someone, they should prioritize relatives, it is not natural for a Muslim to employ non-Muslim workers as long as there are Muslims who are able to do the job. This is in accordance with the Word of Allah SWT which can be seen in QS. *al-Baqarah* verse 221: “Indeed, a believing slave is better than a polytheist, even if he attracts your heart. They invite to hell, while Allah invites to heaven and forgiveness with His permission. And Allah explains His verses (His commandments) to humans so that they take lessons. (QS. *Al-Baqarah*: 221).

Basically, it is permissible to hire a non-Muslim if there is an emergency, that is, there is no Muslim who is capable of doing the job. Hiring an infidel to carry out jobs that do not wreak havoc in Islamic society and countries, such as being a road guide, construction project worker, driver, and the like with the condition that no Muslim is capable of doing the job. This is in line with the hadith of Rasulullah SAW based on the history of Aisyah RA, "The Prophet SAW and Abu Bakr RA, hired someone from Bani Ad-Dil and Bani Abdu Ibnu Adi as a road guide and map expert". (HR Bukhari 2263).³³

According to the scholars, the limitation in hiring infidels is that they are not

³¹Imam Al-Mawardi, *Al-Ahkam As-Sulthaniyyah Laws of Administrative State in Islamic Sharia*, (Jakarta: Darul Falah, 2006), p. 27

³²Republika, *Adab employing people*, <https://islamdigest.republika.co.id/berita/qdtdaf430/adab-mempekerjakan-orang-1>, accessed on May 9, 2023 at 21.37 WIB

³³Ammi bur baits, *Unbelievers Work in Muslim Companies*, <https://pengusahamuslim.com/4274-orang-kafir-work-di-company-orang-islam.html>, accessed on May 9, 2023 at 21.48

allowed to fill strategic and vital jobs. Important work that concerns the welfare of the people, such as work that determines policies or jobs that allow them to deceive and betray Muslims. this argument is based on QS. Ali Imran verse 118: "O you who believe, do not take as your trusted friends people who are outside your circle (because) they do not stop (causing) harm to you. They like what troubles you. Hate has appeared from their mouths, and what is hidden by their hearts is even greater..." (Surah Ali Imran: 118)

Important work that has a big impact on the life of Muslims should be done by a Muslim. This is based on the story of Zaid ibn Thabit Ra which in the history of hadith, namely: "Rasulullah Shallallahu'alaihi wa sallam once told me to learn the written language of the Jews. He said, 'By Allah, I do not trust the Jews to translate letters'. Zaid said, 'In just half a month, I can master the Jewish language. After I understood it, if he wanted to send a letter to a Jew, I would write it'. And if he gets a letter, I will read their letter." ("Narrated by Abu Daud 3647, Turmudzi 2933 and authenticated by al-Albani").

4. Conclusion

The enactment of PP number 34 of 2021 concerning the use of foreign workers is an effort taken by the government to fill in legal regulations that aim to provide legal protection and legal certainty to guarantee people's rights regarding employment. PP number 34 of 2021 is an instrument that provides an explanation and further details regarding the provisions in article 81 article 185 letter b Act No. 11 of 2020 concerning work copyright (Ciptaker Law). The use of foreign workers in Indonesia, especially in South Tapanuli Regency, is due to a lack of local workers who meet the qualifications and capacity of the human resources needed to fill these jobs. So it is hoped that the use of foreign workers will provide positive benefits to local workers as an effort to transfer technology and expertise. as well as encouraging the acceleration of regional economic growth and development. A Muslim based on Islamic law in hiring someone should give priority to fellow Muslims if he is able to carry out the job, as for work that no Muslim is able to carry out in an emergency and with consideration of the benefit then it is permissible to employ infidels as long as it does not cause harm to the people Muslim.

5. References

Journals:

Abduh, Rachmad. *Dampak Sosial Tenaga kerja Asing (TKA) Di Indonesia*. Sosek: Jurnal Sosial Dan Ekonomi 1. Nomor 1 (2020): 25–28.

Hidayah, Putri Nur. 2020. *Comparative Study of Legal Protection for Migrant Workers In Participation Of Social Security Programs In Indonesia And Singapore*. Legality: Jurnal Ilmiah Hukum 28. nomor.1 (April 10, 2020): 47–59.

Juwitasari, Nita, dkk. *Implikasi Yuridis Keberadaan Tenaga Kerja Asing Sebagai Tenaga Kerja Di Indonesia*. Dipenogoro law review. Volume 5. Nomor 2 (2016): 2

Kantun, Sri. 2016. *Uji Materiil Undang-Undang Peradilan Agama dalam Prespektif Fikih Siyasah*. Al-Qanun: Jurnal Pemikiran dan Pembaharuan Hukum Islam. Volume 19 Nomor 1 (2016): 147-168

Manan. Bagir. 1995. *Ketentuan-Ketentuan Mengenai Pengaturan Penyelenggaraan Hak Kemerdekaan Berkumpul Ditinjau Dari Perspektif UUD 1945*. Jakarta:

Mufidah, Lailatul. *Menelisik regulasi Penggunaan Tenaga Kerja Asing (TKA) Terhadap Eksistensi Pekerja Lokal Di Indonesia Dalam Perspektif Keadilan Hukum*. e-journal Al-Syakhsiyyah Journal of Law & Family Studies. Volume 2 Nomor 2 (2020): 250-265

Muhakki, Muhakki. *Mekanisme Suara Terbanyak Bagi Pemilu Legislatif (Studi Siyasah Dusturiyah)*. al-Daulah: Jurnal Hukum dan Perundangan Islam Volume 1. Nomor 2. (2011): 135-158

Books:

Adi, Rianto. 2000. *Metode Penelitian Sosial dan Hukum*. Jakarta: Granit

Agusmidah. 2011. *Dilematika Hukum Ketenagakerjaan, Tinjauan Politik Hukum, buku II*. Jakarta: PT. Softmedia

Al-Mawardi. 2006. *Al-Ahkam As-Sulthaniyyah Hukum-hukum Penyelenggaraan Negara dalam Syariat Islam*. Jakarta: Darul Falah

Anto, Hendrie. 2003. *Pengantar Ekonomika Mikro Islam*. Yogyakarta: Ekonosia

Arikunto, Suharsimi. 2012. *Prosedur Penelitian Suatu Pendekatan Praktek*. Jakarta: Rineka Cipta

Feriyanto, Nur. 2014. *Ekonomi Sumber Daya Manusia dalam Perspektif Indonesia*. Jogjakarta: UU STIM YKPM

Hartono, Sunaryati. 1994. *Penelitian Hukum Indonesia pada Akhir ke-20*. Bandung: Alumni

Ibn Manzhur. 1968, *Lisan al-Arab*, Juz 6. Beirut: Dar al-Shadr

Ibn Taimiyah. *Siyasah al-Syar'iyah fi Ishlah alRa'l wa al-Ra'iyah*. Mesir: Dar al-Kitab al Arabi

Ibrahim, Johnny. 2008. *teori dan metodologi penelitian hukum normatif*. Malang: Banyumedia publishing.

Iqbal, Muhammad. 2001. *Fiqh Siyasah: Kontekstualisasi Doktrin Politik Islam*. Jakarta: Gaya Media Pratama

Pulungan, J. Suyuthi. 1999. *Fiqh Siyasah: Ajaran, Sejarah dan Pemikiran*. Jakarta: PT Raja Grafindo Persada

Safira, Martha Eri. 2016. *Economic Law in Indonesia* Ponorogo: Nata Karya

Sukanto, Sujono. 2001. *Deportation as an Instrument for Law Enforcement and Employment*. Jakarta: PT. Adi Kencana Aji

Sukarna. 2011. *Fundamentals of Management*. Bandung : CV. Mander Forward

Sumarprihatiningrum, C. 2006. *The Use of Foreign Workers in Indonesia*. Jakarta: HIPSMI

Syarif, HS 1996. *Guidelines for the Use of Foreign Workers in Indonesia*. Jakarta: Sinar Graphics

Internet:

Agusmidah. 2010. *Dinamika Hukum Ketenagakerjaan Indonesia*. Medan: USU Press Ahdiat, Adi. 2023. *Tenaga Kerja Asing Meningkat Pada 2022, Lebih banyak dari Prapandemi*, <https://databoks.katadata.co.id/datapublish/2023/01/17/tenaga-kerja-asing-meningkat-pada-2022-lebih-banyak-dari-pra-pandemi>, accessed on April 2023

Ammi bur baits, *Orang kafir Bekerja Di Perusahaan Orang Islam*, <https://pengusahamuslim.com/4274-orang-kafir-bekerja-di-perusahaan-orang-islam.html>, accessed on 09 May 2023

Antara News, Luhut: Indonesia butuh tenaga kerja asing karena sdm lokal tidak cukup, [https://www.antaraneews.com/berita/1633018/luhut-indonesia-butuh-tenaga-kerja-asing-karena-sdm-lokal-tidak-cukup#:~:text=Jakarta%20\(ANTARA\)%20%2D%20Menteri%20Koordinator,untuk%20memenuhi%20kapasitas%20yang%20ada](https://www.antaraneews.com/berita/1633018/luhut-indonesia-butuh-tenaga-kerja-asing-karena-sdm-lokal-tidak-cukup#:~:text=Jakarta%20(ANTARA)%20%2D%20Menteri%20Koordinator,untuk%20memenuhi%20kapasitas%20yang%20ada), accessed on 06 May 2023

Republika, Adab employing people, <https://islamdigest.republika.co.id/berita/qdtdaf430/adab-mempekerjakan-orang-1>, accessed on 09 may 2023

Regulation:

The 1945 Constitution of the Republic of Indonesia

Government Regulation 34 of 2021 Concerning the Use of Foreign Workers