



Asri Wijayanti &lt;asri.wijayanti@fh.um-surabaya.ac.id&gt;

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**submission paper Asri wijayanti for International Journal of Civil Engineering & Technology (IJCIET) -**2 pesan

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**Asri Wijayanti** <asri.wijayanti@fh.um-surabaya.ac.id>

14 Maret 2019 22.12

Kepada: iaemedu@gmail.com

Cc: editor@iaeme.com

Dear IAEME

This is my paper. I hope, it can be published in International Journal of Civil Engineering & Technology (IJCIET) . Thank you.

Dr. Asri Wijayanti, S.H.,MH.

Dean Faculty of Law

Muhammadiyah University of Surabaya

Jl. Sutorejo No.59, Surabaya 60113

Phone: +628563086749

E-Mail:[asri.wijayanti@fh.um-surabaya.ac.id](mailto:asri.wijayanti@fh.um-surabaya.ac.id)**1. ESTABLISHING TRADE UNION IN THE CLIMATE CHANGE OF EMPLOYMENT.pdf**

165K

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**Asri Wijayanti** <asri.wijayanti@fh.um-surabaya.ac.id>

21 Maret 2019 16.10

Draf

[Kutipan teks disembunyikan]



Asri Wijayanti &lt;asri.wijayanti@fh.um-surabaya.ac.id&gt;

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**Paper Acceptance Notification IJCIET/10/03/2019/IJCIET\_42493**

3 pesan

Chief Editor, IAEME Journals &lt;editor@iaeme.com&gt;

15 Maret 2019 14.46

Kepada: asri.wijayanti@fh.um-surabaya.ac.id, suhartonoslamet61@gmail.com, muridah.isnawati@fh.um-surabaya.ac.id, penaburuh@gmail.com

Dear **Asri Wjayanti, Slamet Suhartono, Muridah Isnawati and Mahsun Jayadi**

We would like to inform you that your paper titled **"ESTABLISHING TRADE UNION IN THE CLIMATE CHANGE OF EMPLOYMENT"** has been accepted for publication in **International Journal of Civil Engineering and Technology (IJCIET)**, Volume 10, Issue 03, (March 2019) issue of the journal based on the Recommendation of the Editorial Board without any major corrections in the content submitted by the researcher.

This letter is the official confirmation of acceptance of your research paper.

**Your research work is licensed under a Creative Commons Attribution 4.0 (International) License. (CC BY-NC 4.0). Hence no need to submit the Copyright form.**

Your research paper will be appearing in IJCIET, Volume 10, Issue 03, March 2019.

**International Journal of Civil Engineering and Technology (IJCIET)**  
**Journal Impact Factor (2019): 10.7810 Calculated by GISI**  
**ISSN Print: 0976 - 6308**  
**ISSN Online: 0976 - 6316**

Review Comments are attached along with the mail.

Kindly send the Publication fee **\$ 575/- (Online only)**. The Online Only mode includes online publication of paper, indexing of paper in more than 20 search engines and soft copy of the publication certificate.

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Kindly acknowledge the Paper acceptance. Thanks and looking to receive the payment from your side at the earliest.

Thank & Regards.

**Prof. Dr. S. Balasubramanian, Ph.D, DSc**  
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**E-mail: [iaemedu@gmail.com](mailto:iaemedu@gmail.com)**  
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2 lampiran

 **IJCIET\_42493\_Review-Report.pdf**  
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**Asri Wijayanti** <[asri.wijayanti@fh.um-surabaya.ac.id](mailto:asri.wijayanti@fh.um-surabaya.ac.id)>  
Kepada: "Chief Editor, IAEME Journals" <[editor@iaeme.com](mailto:editor@iaeme.com)>

19 Maret 2019 13.57

Thank you for your inform. This is my publication fee

Regards

Asri

[Kutipan teks disembunyikan]



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3664K

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**Asri Wijayanti** <asri.wijayanti@fh.um-surabaya.ac.id>  
Kepada: "Chief Editor, IAEME Journals" <editor@iaeme.com>

1 April 2019 16.12

Why my article do not publish ijciet in vol 10 no 3?

<http://www.iaeme.com/issues.asp?VType=10&IType=3&JType=IJCIET&PageNumber=1>

[Kutipan teks disembunyikan]

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# International Journal of Civil Engineering and Technology

discontinued in Scopus as of 2019

<b>Country</b>	India -  SIR Ranking of India	<div style="font-size: 48px; font-weight: bold;">22</div> <hr style="width: 50%; margin: 0 auto;"/> H Index
<b>Subject Area and Category</b>	<ul style="list-style-type: none"> <li>Computer Science               <ul style="list-style-type: none"> <li>Computer Networks and Communications</li> </ul> </li> <li>Engineering               <ul style="list-style-type: none"> <li>Building and Construction</li> <li>Civil and Structural Engineering</li> <li>Control and Systems Engineering</li> </ul> </li> <li>Materials Science               <ul style="list-style-type: none"> <li>Ceramics and Composites</li> <li>Metals and Alloys</li> </ul> </li> </ul>	
<b>Publisher</b>	IAEME Publication	
<b>Publication type</b>	Journals	
<b>ISSN</b>	09766308, 09766316	
<b>Coverage</b>	2016-2019	
<b>Scope</b>	Information not localized	
	 <a href="#">Join the conversation about this journal</a>	

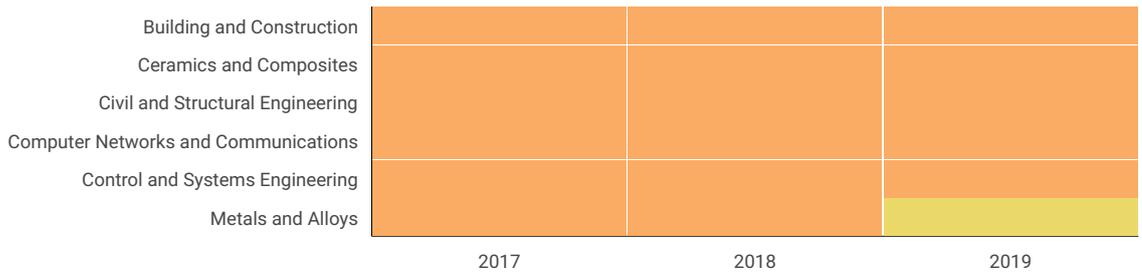
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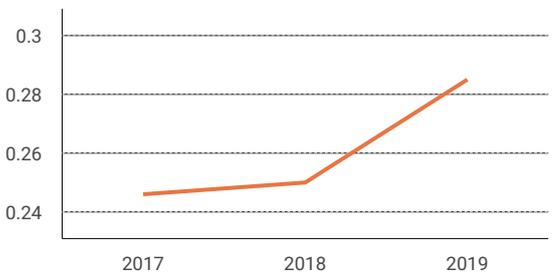
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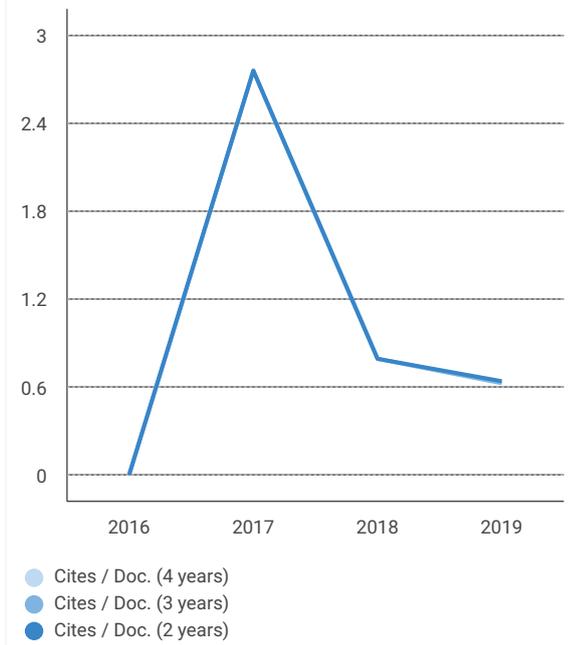
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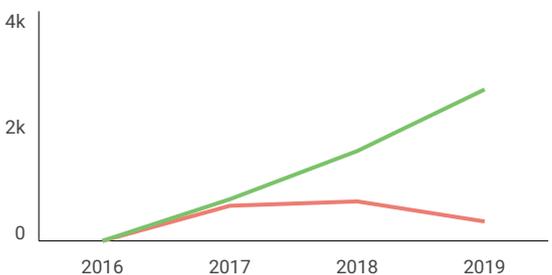
## SJR



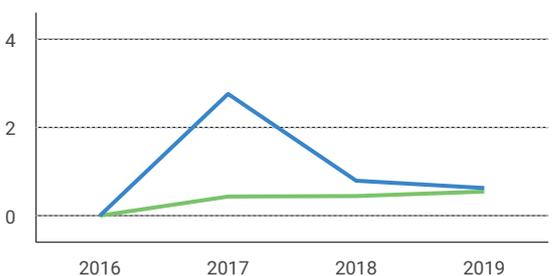
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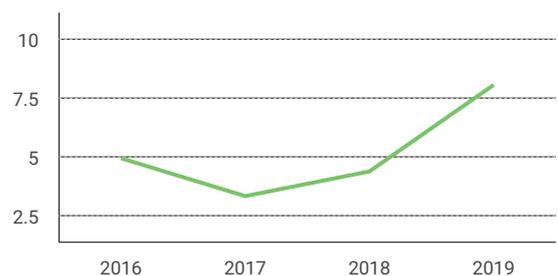
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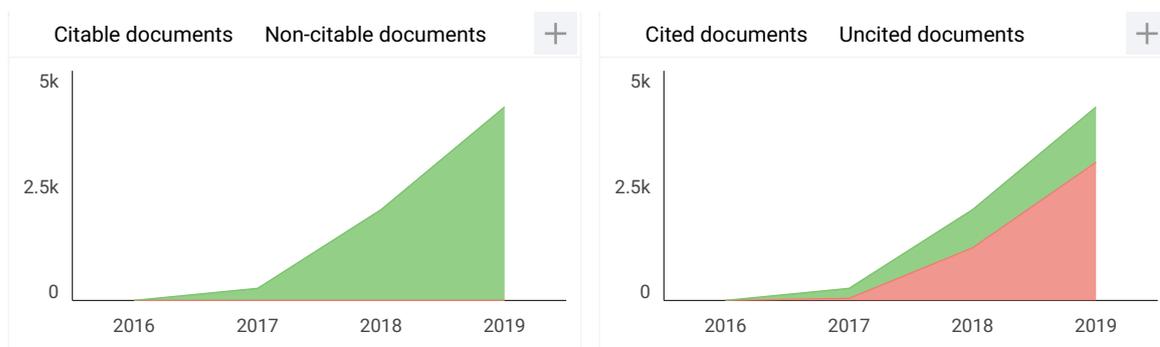


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**International Journal of Civil Engineering and Technology**

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Metals and Alloys

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SJR 2019

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**W** **Waspodo Tjipto** 3 months ago

Dear Elena Corera

International Journal of Civil Engineering and Technology (JCIET), is IAEME Publisher. International Association Engineering Management Education is included in LIST PREDATORY PUBLISHER of Jeffrey Bells.

Why journal of Predatory Publisher, take high APC ? USD 700 and up.

reply



**Melanie Ortiz** 3 months ago

SCImago Team

Dear Waspodo,

Thank you for contacting us. We will study the mentioned information and we will proceed to update the website's information in June 2020.

We also suggest you contact Scopus to report this information, as all the information shown in SCImago is based on the data sent by Scopus/Elsevier:

[https://service.elsevier.com/app/answers/detail/a\\_id/14883/kw/scimago/supporthub/scopus/](https://service.elsevier.com/app/answers/detail/a_id/14883/kw/scimago/supporthub/scopus/)

Best regards, SCImago Team

H **Hossam Mostafa Hussien Ahmed** 6 months ago

Dear

I hope to know the price of publication a research in the field of sanitary and environmental engineering...

reply

A **ahmed** 6 months ago

hello sir i will publish in this journal,  
the question here, how can i prove that the journal is still in your site by date????



**Melanie Ortiz** 6 months ago

SCImago Team

Dear Ahmed,  
Could you please expand your comment? Best Regards, SCImago Team



**Melanie Ortiz** 6 months ago

SCImago Team

Dear Hossam,  
thank you for contacting us.  
We are sorry to tell you that SCImago Journal & Country Rank is not a journal. SJR is a portal with scientometric indicators of journals indexed in Elsevier/Scopus.  
Unfortunately, we cannot help you with your request, we suggest you to visit the journal's homepage or contact the journal's editorial staff , so they could inform you more deeply.  
Best Regards, SCImago Team

W **wahyu nugroho** 8 months ago

Dear.

Madam, I am from Sahid University Jakarta, Indonesia, a paper has been published and published on IJCIET online on January 4, 2020, I want to ask for ID Scopus how long can I get it? and after I searched for names on scopus.com, my name as an author did not appear. Please explain, thank you for your attention

reply



**Melanie Ortiz** 8 months ago

SCImago Team

Dear Wahyu,  
thank you very much for your comment, unfortunately we cannot help you with your request. We suggest you to contact Scopus:

[https://service.elsevier.com/app/answers/detail/a\\_id/14883/kw/scimago/supporthub/scopus/](https://service.elsevier.com/app/answers/detail/a_id/14883/kw/scimago/supporthub/scopus/)  
Best Regards, SCImago Team

M **mohammad madu** 8 months ago

mam my regard is i had published journal in my B.tech in IJCIET and IRJET. So, my paper does have copyright and i want to take design patent of my structure will it take a complete advanced secure of copyright or patent.

reply



**Melanie Ortiz** 8 months ago

SCImago Team

Dear Mohammad,  
thank you for contacting us.  
Sorry to tell you that SCImago Journal & Country Rank is not a journal. SJR is a portal with scientometric indicators of journals indexed in Elsevier/Scopus.  
Unfortunately, we cannot help you with your request, we suggest you to contact the journal's editorial staff , so they could inform you more deeply. Best Regards, SCImago Team

K **kotteeswaran** 8 months ago

i am doing phd ,First time paper publishing  
pls tell how to publish and send link

reply



**Melanie Ortiz** 8 months ago

SCImago Team

Dear Sir,  
thank you for contacting us. We suggest you to click on "How to publish" just above. Best Regards, SCImago Team

S **Sunil Kumar** 8 months ago

Dear Sir,  
This journal is not available in the UGC-CARE list. where i get the proof that this journal is UGC approved.

reply

A **Abhishek Singh** 5 months ago

As of today, Scopus coverage year for this journal is from 2016 to 2019 only.



**Melanie Ortiz** 5 months ago

SCImago Team

Dear Abhishek, thanks for your participation! Best Regards, SCImago Team

A **Abhishek Singh** 5 months ago

Dear Sunil,

This journal is approved by UGC. Follow the link:  
<https://ugccare.unipune.ac.in/apps1/home/index>

In the web page look for "UGC-CARE List Group II". then you will be directed to the below link.

Or you can directly go to : <https://ugccare.unipune.ac.in/Apps1/User/WebA/CAREList>  
and look for "Scopus Source List".

You will be diverted to the following link : [https://www.scopus.com/sources.uri?  
zone=TopNavBar](https://www.scopus.com/sources.uri?zone=TopNavBar)



**Melanie Ortiz** 8 months ago

SCImago Team

Dear Sunil,

Thank your for your comment. Unfortunately, we can not help you with your request.  
Maybe our users can. Best Regards, SCImago Team

L **Lily Rose** 9 months ago

Hi Editor,

I would like to confirm with you whether this journal is still in Scopus or the coverage is already discontinued this year and which volume still can be claimed for Scopus?

Kindly clarify on this matter.

Thank you

reply

D **Diab** 2 months ago

Dear Lily Rose

concerning your question of "I would like to confirm with you whether this journal is still in Scopus or the coverage is already discontinued this year and which volume still can be claimed for Scopus"

kindly did you obtained any data concern this question till now

Regards

Dr. Diab



**Melanie Ortiz** 9 months ago

SCImago Team

Dear Lily, thank you very much for your comment, unfortunately we cannot help you with your request. We suggest you to consult the Scopus database directly. Remember that the SJR is a static image of a database (Scopus) which is changing every day. Best regards, SCImago Team

S **SAMUN JAJA RAHARJA** 10 months ago

How to submit an article in this journal? via IAEME?

reply

K **KS** 9 months ago

Via <https://www.iaeme.com/OnlinePaperSub.asp>

E **E** 10 months ago

Is this journal out of Scopus because it is cancelled in October list

reply



**Melanie Ortiz** 10 months ago

SCImago Team

Dear user, thank you very much for your comment. We suggest you to consult the Scopus database directly. Remember that the SJR is a static image of a database (Scopus) which is changing every day. Best regards, SCImago Team

S **Syaiful** 11 months ago

I think IJCIET is better now. I hope that IJCIET is consistent in publishing papers in the field of civil engineering. Even though my paper has been accepted, I still see IJCIET's consistency going

forward. IJCIET success.

Best regards

Syaiful

reply

M **maotz** 1 year ago

I ask about the journal publishing fees, and how long take our paper under review

reply

H **Haider Majid Hasan** 1 year ago

Dears

I am a university teacher at Wasit University

Faculty of Engineering / Department of Architecture

I was honored to publish one of my research papers in your magazine

I offer you my thanks

reply

I **ISaak** 1 year ago

How long does it take for ur article to get publish after u pay the fees? Does it appear on scopus ?

O **online civil course** 2 years ago

very good article. I got unique information from this article. thankful to you for sharing this amazing article. share more article related to civil engineering online course

reply

J **Jasim M Abbas** 2 years ago

Dear Sir/Madam

My question is, how can i know if this journal will continue covered by scopus?

regards

reply



**Elena Corera** 2 years ago

SCImago Team

Dear jasmin,

you should wait until Scopus publish 2018 data

Best regards,  
SCImago Team

**S** **SUKANTA KUMER Shill** 2 years ago

This journal is a fake journal. How can it be Scopus indexed journal? This journal copied my work and published in it. I am surprised!

Original article <http://www.duet.ac.bd/vol-1-issue-3-june-2012/>

[https://www.researchgate.net/profile/Sukanta\\_Kumer\\_Shill/publication/266798233\\_Effect\\_of\\_Replacing\\_Natural\\_Coarse\\_of\\_Replacing\\_Natural\\_Coarse-Aggregate-by-Brick-Aggregate-on-the-Properties-of-Concrete.pdf](https://www.researchgate.net/profile/Sukanta_Kumer_Shill/publication/266798233_Effect_of_Replacing_Natural_Coarse_of_Replacing_Natural_Coarse-Aggregate-by-Brick-Aggregate-on-the-Properties-of-Concrete.pdf)

fake article

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reply



**Elena Corera** 2 years ago

SCImago Team

Thank you very much for participating!

**A** **Ahmed** 2 years ago

Very respected journal with various thematics and high high quality contributions.

reply

**H** **Hamza mohammed** 2 years ago

Can you provide me the URL website of this journal



**Elena Corera** 2 years ago

SCImago Team

Thank you for your participation!

A **Arif** 2 years ago

I am very confused about this journal. While it is listed in Scopus journals, the acceptance process is very fast (less than 3 days) and without any revision at all. There is also no relevance between the name/scope of the journal and the papers published in it.

reply

D **Dewi Amalia** 2 years ago

i am confused about this journal. Predatory or not?

reply



**Elena Corera** 2 years ago

SCImago Team

Dear Dewi,

thank you very much for your comment. SJR is a site with scientometric indicators of journals indexed in Scopus. We don't have edit permissions over journals data, they are chosen by Scopus. Here you can find more information about predatory journals: <https://beallslist.weebly.com/>.

Best regards,  
SCImago Team

H **hossam el-din fawzy** 2 years ago

it is a very good journal

reply

A **Arif** 2 years ago

Can you explain please what are the reasons for saying "it is a very good journal"?

N **Noor** 2 years ago

dear hossam, when the journal send you email after your sending of the paper?

M **M.HEMANTH KUMAR** 2 years ago

Respected Madam,

I need a small clarification about " INTERNATIONAL JOURNAL OF CIVIL ENGINEERING AND

TECHNOLOGY (IJCET) - IAEME Publications. Is this journal is fake or Scopus Indexed? Please madam give me genuine clarity of this journal.  
Thank You Madam.

reply

**M** **M.HEMANTH KUMAR** 2 years ago

Respected Madam,  
I need a small clarification about " INTERNATIONAL JOURNAL OF CIVIL ENGINEERING AND TECHNOLOGY (IJCET) - IAEME Publications. Is this journal is fake or Scopus Indexed? Please madam give me genuine clarity of this journal.  
Thank You Madam.

reply

**B** **Boshra Al\_bayaty** 2 years ago

It's very good journal and the reviewers are very active, so that the notification of acceptance fast, repeat very good journal

reply

**N** **Noor** 2 years ago

dear Boshra,how long the journal take from submission your paper to accepted the paper?

**B** **Boshra Al\_bayaty** 2 years ago

It's very good journal and the reviewers are very active, so that the notification of acceptance fast

reply

**J** **Jiang** 2 years ago

Dear Mr/Ms,

In my idea, Scopus reviewer must shame themselves to accept such a journal!

The scopes of this journal are fake!

The editorial board is fake!!

The citations are completely fake!!! majority of the citations are self or stacking!

There are not any peer review rules for the articles!!!!

Could you explain how did you index this journal?!!!!

Regards,

reply



**Elena Corera** 2 years ago

SCImago Team

Dear Jiang,

SJR is a site with scientometric indicators of journals indexed in Scopus. SJR has no authority over the data of the journals; they are the ones that Scopus sends to us. Here you can find more information about predatory journals: <https://beallslist.weebly.com/>.

Best regards,  
SCImago Team

A **Abdul Kadhira** 2 years ago

This journal is a fake journal

1. The editorial board is not real

Associate Editors

Dr. V. Antony Joe Raja Sri Muthukumaran Institute of Technology, India

Prof. B. Arthi Gandhimathi IAEME Publication, India

Dr. N. Tamil Selvan IAEME Publication, India

Er. D. S. Chengalvarayam IAEME Publication, India

These guys are editorial board members of all of their journals

Mariappan.P TWAD BOARD, India.---- No way related to academic research

2. No peer review at all and they will publish any paper. there is no scope for this journal

Civil engineering Journal is publishing Computer Engineering, Food Science, Nursing, Tourism, mechanical etc.,

3. Acceptance Notification: Within Three Days' time period

Online Publication: Within 6 Hrs time period

4, Is it really indexed in Scopus? we need to check the credibility of the indexing procedures of the Scopus

reply



**Elena Corera** 2 years ago

SCImago Team

Dear Abdul,

thank you for your request, all the journals included in SJR are indexed in Scopus. Elsevier

/ Scopus is our data provider.

Best Regards,  
SCImago Team

K **Kadhim Altaee** 2 years ago

very good journal

reply

V **Vladimir** 2 years ago

Dear madam or sir!

A see very strange situation, about International Journal of Civil Engineering and Technology. Here, in SJR this journal has quartile 3. But at Scopus Sources (<https://www.scopus.com/sources?sortField=citescore>

reply



**Elena Corera** 2 years ago

SCImago Team

Dear user,  
the indicators are calculated with different chronological periods and at different times.  
Best Regards,  
SCImago Team

D **David Cole** 2 years ago

Very good journal

reply

O **Oludare Abiodun** 2 years ago

The Journal is a good one penetrating all disciplines with a GREAT contribution to Engineering, science, and Technology.

reply

O **Oludare Abiodun** 2 years ago

A very good journal with varieties of packages for academic excellence

reply



**Elena Corera** 2 years ago

SCImago Team

Thanks for your participation!

**D Dr. Bala** 2 years ago

Journal published excellent research paper. Very useful.

reply

**V Vishkar Sharma** 2 years ago

International Journal of Civil Engineering and Technology (IJCIET), this journal scope:

Assemblage and System

Behavior of Structures

Behavior of Structures under Seismic Loads

Building and Environmental Acoustics

Building Climate Systems

Building Energy

Civil and Environmental Engineering

Coastal Engineering

Composite Materials

Concrete Structures

Construction Economics

Construction Engineering

Design and Performance of Green Building

Design Optimization of Structures

Earthquake Engineering

Energy Efficient Building Technology

Energy Saving Building Materials

Evaluation of Building Envelope Systems under Structural and Environmental Loads

Evaluation of Glazing Systems for Energy Performance

Fire Engineering

Foundations Dynamics

Geotechnical Engineering

Health Monitoring and Life Prediction of Structures

High Performance Concrete

Hydraulic Engineering

Life Cycle Engineering

Materials and Durability

Materials Engineering

Mechanics and Materials Aspects of Advanced Construction Materials

Municipal or Urban Engineering

Nondestructive Testing and Evaluation

Numerical Modelling of Structures

Optimal Design of Structures

Properties and Mechanics of Concrete

Residential, Commercial, Industrial and Public Works

Seismic Evaluation of Building Nonstructural Components

Simulation Optimization and Risk Management

Soil-Structure Interaction  
 Structural Engineering  
 Structural Evaluation of Panelized and Masonry Wall Systems  
 Structural Reliability Analysis  
 Surveying  
 Sustainable Structures  
 Transportation Engineering  
 Ventilation and Indoor Air Quality  
 Water Supply and Drainage

but, most of paper that has been published are in scope of economy, management, business and other in Social Science, see this example:

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2. THE ROLE OF M-LEARNING ON EFFECTIVE LEARNING MEDIA IN HIGHER EDUCATION  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_04\\_010/IJCIET\\_09\\_04\\_010.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_04_010/IJCIET_09_04_010.pdf)
3. WOMEN ENTREPRENEURS-PROBLEMS AND PROSPECTS IN INDIA  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_04\\_012/IJCIET\\_09\\_04\\_012.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_04_012/IJCIET_09_04_012.pdf)
4. GCG SIMULTANEITY EFFECTS, PROFIT MANAGEMENT AND VALUE OF INDONESIAN RETAIL COMPANIES  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_07\\_160/IJCIET\\_09\\_07\\_160.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_07_160/IJCIET_09_07_160.pdf)
5. THE INFLUENCE OF INTERNAL CONTROL AND COMPETENCE OF HUMAN RESOURCES ON VILLAGE FUND MANAGEMENT AND THE IMPLICATIONS ON THE QUALITY OF VILLAGE FINANCIAL REPORTS  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_07\\_162/IJCIET\\_09\\_07\\_162.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_07_162/IJCIET_09_07_162.pdf)
6. ACTOR-NETWORK AND CONFLICT PLACEMENT OF CAPITAL NORTH BUTON: THE CASE OF INDONESIAN CASUAL  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_07\\_166/IJCIET\\_09\\_07\\_166.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_07_166/IJCIET_09_07_166.pdf)
7. ABDULLAH THE PRIEST AND HIS ADVICE BASED ON THE AL-QURAN AND HADITH  
[http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET\\_09\\_07\\_167/IJCIET\\_09\\_07\\_167.pdf](http://www.iaeme.com/MasterAdmin/UploadFolder/IJCIET_09_07_167/IJCIET_09_07_167.pdf)
8. AN EFFECT PHENOMENA CIRCLE LIVING FIELD IN SECANGGANG LANGKAT  
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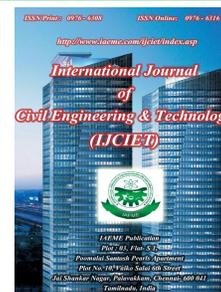
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## **ESTABLISHING TRADE UNION IN THE CLIMATE CHANGE OF EMPLOYMENT**

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### **ABSTRACT**

*There is a fact that trade union have not functioned optimally. A conducive atmosphere is needed to build a trade union. When a conducive atmosphere has been established, then the trade union will be able to implement their efforts in improving the quality of industrial relations. Improving the quality of industrial relations is strongly influenced by the condition of labor climate. The labor climate is also influenced by the political form of labor law. The purpose of the research is to analyze the substance and procedure of regulating trade union to improve the quality of conducive industrial relationship in the climate change of worker. The method used in this research is legal normative using statute approach. The result of the study is that there was a mal interpretation on regulating the substance and procedure of trade union to improve the quality of conducive industrial relationship in the climate change of labor. In the substance of the subject matter analysis, there was a a mal interpretation on the status of workers who could form a trade union. In object analysis, there was a a mal interpretation on the regulatory rights setting of the trade union. In procedural analysis, there was a a mal interpretation on regulation of forming procedures and establishing trade union. As a result of the existence of a mal interpretations on substance and procedure, the role of trade union in an effort to improve the quality of conducive industrial relationship in the climate change of labor has not been maximized. The conclusion that could be drawn is that there was a a mal interpretation on regulation of substance and procedure of trade union as the effort to improve the quality of conducive industrial relationship in the climate change of labor has not been maximal yet. The recommendation is to revise the terms of the trade union by adjusting to more open labor climate change.*

**Keywords:** A mal interpretation; openness, worker's organization

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## 1. INTRODUCTION

There is a fact that workers' organizations have not functioned effectively [1]. A conducive atmosphere is needed to build a workers' organization [2]. To create a conducive atmosphere, the state must pay attention to the international labor rights embodied in the application of the ILO Declaration on Fundamental Principles and Rights at Work, and the widespread use of the concept of 'labor standards/ core conventions'. In fact, excessive dependence on principles and not rights, a system that apply principles that are not effectively defined, the ethos of voluntarism in their implementation to the application and enforcement of laws, the decentralization of unstructured and unaccountable responsibilities, and the willingness to accept 'promotionalism' is soft as its core [3]. This declaration became the basis for pluri-lateral trade negotiations, because international labor standards and special mechanisms should be the basis for monitoring their compliance included in various international policy instruments, such as trade agreement [4].

When a conducive atmosphere has been established, then the workers' organization will be able to implement their efforts in improving the quality of industrial relations [5]. Improving the quality of industrial relations is strongly influenced by the condition of labor climate. The labor climate is also influenced by the political form of labor law [6].

The openness in establishing and forming workers' organizations started in 2001. Eighteen years have passed. There is a dynamic in the implementation of the right to associate in Indonesia. The purpose of the establishment of workers' organizations is often misused by certain persons. Managers of workers' organizations sometimes get excessive facilities from employers [7]. This condition can result in the role of workers organizations in performing their functions which cannot be maximized [8]. Needed to legal aids [9],[10]. From the above description, the question arises whether the regulation of substance and procedures of trade union has been able to become a means to improve the quality of a conducive industrial relations to workers climate change.

## 2. METHOD

This research is legal research using statute and conceptual approach. Normative legal research is a legal research that places law as the norm system. Legal materials used include primary, secondary and tertiary materials [11]. The norm system consists of principles, norms, laws, court judgments, agreements and doctrines or teachings. The method used in legal research conducted by examining the legal materials as existing library. The main legal research material, namely by analyzing the articles in the legislation relating to the protection of trade union able to become a means to improve the quality of a conducive industrial relations to workers climate change. Analysis of legal materials on the issues under the study is using interpretation or legal construction [5].

### 3. DISCUSSION

Establishing trade union is a form of implementation of the right to associate. the Universal Declaration of Human Rights (UN Charter) shall be no compulsion to become or not a member of any associations or unions. The peaceful of world can be achieved when the two things are fulfilled, namely equality (without discrimination) and freedom. The principle of non-discrimination is stipulated in Article 2 of the UN Charter. The principle of freedom is governed by Article 3 of the UN Charter, "Everyone has the right to life, liberty and security of person. These three basic rights are both tiered. The right to life occupies the highest position. The right to liberty is under its right of liberty. The right to security of person is under the right of life and the right to liberty. The three positions of the rights can mean the right of freedom only be restrictive when there is a violation on the right to a life.

Freedom of association has become one of the rights that has been agreed by the civilized countries to be implemented in their respective countries. This is set forth in the Declaration in international labor institutions set forth in ILO Convention No. 87 jo. ILO Convention No. 98. In addition, there is still an explanation in the ILO's conventions, recommendations and decarations. There are 7 Conventions and 10 ILO Recommendations governing the right to associate.

The regulation of the workers' organization nationally begins with the provisions of Article 28 of the 1945 Constitution, namely freedom of association and assembly, issuing of verbal and written thought and so on which is stipulated by law. This provision has been added to Article 28E Paragraph (3) of the 1945 Constitution, namely that every person has the right to freedom of association, assembly, and expression. the workers' organization are conceptualized by the 1945 Constitution as a right. Implementation of Article 28E Paragraph (3) of the 1945 Constitution, so far regulated in the Act number 21 Year 2000 concerning on Trade Union / Labor Union.

The right to associate was divided into two, namely the right to establish trade union and the right to negotiate. It was equired certain conditions in Act 21/2000 to establish trade union or workers' organizations, namely: having the minimum number of 10 persons in one company (Article 5 paragraph (1)); accepting Five Principles as the basis of the state and the 1945 Constitution as the constitution (Article 2 paragraph (1)); having principles that are not contradictory to Five Principles and the 1945 Constitution (Article 2 paragraph (2)); having objectives as per formulation (Article 4 paragraph (1)); having number of evidence of recording of notification of establishment to the Government agency in charge of the field of local manpower (Article 18 paragraph (1)) and listing names of the constituent members, articles of association and bylaws; composition and name of the management as the completeness of notice (Article 18 paragraph (1)).

Negotiations can be made after the Union is formed. The meaning of negotiation may be made prior to the occurrence, during and after the expiration of industrial or labor relationship. The right to negotiate held by the Trade Union must be guaranteed by the State in the rule of law. Collective bargaining rights are exercised by the Trade Union and are manifested in a collective bergaining. Negotiations between Trade Unions and employers should be performed voluntarily. Unfortunately, the act no 21/2000 limits only the legitimate Trade Union (in the sense that it already has a record number of registration) that can negotiate with employers for the establishment of a Collective Labor Agreement (CLA).

The workers' organization, federations and confederations of trade unions aim to provide protection, defense of rights and interests, and promote appropriate welfare for workers and

their families. Not all of those functions are carried out by workers' organizations [12]. Practically, there is a deflection of trade union functions. There are organizational leaders of workers who perform dual functions in running their organizations. As if to fight for the interests of workers, but on the other hand also still carry on the mission of employers with bad faith.

Climate change of labor is strongly influenced by the politics of law in Indonesia. The concept of employment was originally private. This is reflected in the enactment of Law Number 22 Year 1957. There is quasi labor justice through the Regional Industrial Relations Dispute Settlement Committee (P4D) and the Central Industrial Dispute Settlement Committee (P4P). Labor lawsuits can be delivered verbally. The officer who formulates then becomes written. As time goes by, politics of employment is restored as a private concept. This is evident in the period of the enactment of Law Number 2 Year 2004. The Procedural Law used in the Industrial Relations Court (IRC) is a civil procedure law (Article 57 of Law Number 2 Year 2004). While people are not ready for the employment politics change. It is not easy for the public, especially unskill labor, to undergo the trial process at the IRC. The existence of a formal defect may result in an unacceptable lawsuit (niet ontvankelijke verklaard). The number of cases of labor losers in the IRC poses a minor or negative view with the public opinion of "IRC as a labor grave), so that workers' demands appear on Mayday as " Disband IRC ".

The regulation of workers' organizations still seems inconsistent. The analysis of these rules will be divided into two groups: substance and procedural analysis. In analyzing the substance and procedure of the workers' organization will be related to its role whether it has been able to become a means to improve the quality of conducive industrial relations to labor climate change. The regulation of workers' organizations still indicates a a mal interpretation.

The substance regulation of workers' organizations is divided into the analysis of legal subjects and legal objects. Building a workers' organization must begin with the establishment of the organization. The establishment of a workers' union organization is a right not a responsibility. Every citizen has the right to form a labor organization. When a person/group of people has a desire to form a union, it is the time when the law begins to provide protection. No party shall block or ban. Conversely, if there is a citizen who does not want to form an organization then he also can not be forced to join. So the right to form a workers organization has a positive and negative meaning.

How is it practiced in Indonesia? Article 1 Sub-Article 1 of Law Number 21 Year 2000 states: "Trade unions are organizations formed from, by and for workers both in companies and outside companies which are free, open, independent, democratic, and is responsible for advocating, defending and protecting the rights and interests of workers and improving the welfare of workers and their families". From that provision the phrase to be analyzed is "... .. an organization formed from, by, and for workers both **at companies and outside companies** ... .." This provision is a mal interpretation because it contains multiple interpretations.

The first interpretation is that: "Trade unions are organizations that are formed from, by and for workers in the enterprise, which are free, open, independent, democratic and accountable to defend, defend and protect the rights and interests and increase the welfare of workers and their families; the second interpretation is that: "Trade unions are organizations that are formed from, by, and for workers outside the company which are free, open, independent, democratic and accountable to fight, defend and protect rights and interests and increase the welfare of workers and their families, for example fighting for wages and labor disputes.

The above provisions then cause some problems: can an outsourced workers become member of a labor organization in their workplace? (There is a bias of who is actually an employer of outsourced workers). There is a difference between the rule of law (legal dogma) and legal theory. Rule: the employer is a service company which provides labor. The legal theory: the employer is the one who gives the order of work).

Is the company obliged to become a member of the employers' association? This is related to the permission of a company to be able to outsource. Association is another term of organization. Association is a concrete form of the existence of the right to associate. It has been described that association is a right not a duty [13]. So no one should be obliged to join the association. This country has excessive interference. The obligation to become a member of the Employers' Association is an option. The flow of production and determination of basic work is the right of the employer and is not the right of the State.

In object analysis, there is also a a mal interpretation on the right to negotiate in workers' organizations. Collective bargaining rights are part of a three-dimensional concept that includes the rights to organize, bargain and strike [14]. The right to organize means the right to exercise the organization and is protected against anti-union action. The right to negotiate is made by the Trade Unions during industrial relations. The right to strike is a right that can be exercised as a last resort if the negotiation fails [15].

Article 140 of Law Number 13 Year 2003 on the condition of strike shall be at least within 7-working days before strike is executed. Workers and trade unions shall give a written notification to employers and agencies in charge of local employment. Notification as referred to in paragraph (1) shall at least contain: time (day, date, and hour) begins and ends the strike; strike place; the reasons and causes for having to strike; and the signature of the chairman and secretary and or the respective chairman and secretary of the union / labor union as the party in charge of the strike.

From that condition there is no limit to how many days the strike can be executed. In practice strikes have been executed by workers / unions are different; from one day until the fulfillment of the demands. It is a show of force of the workers more than the employers. Employment law is in charge of providing balanced protection between employers and workers. The form of protection for workers is the fulfillment of welfare. The form of protection against employers is the creation of market mechanisms. These two poles are sought in harmony in the form of agreement, either by win-win solution or PKB. Along with the development of the labor climate towards the era of the free market, the question remains: still need someone who will work abroad to meet the complicated requirements? While foreign workers who come to Indonesia almost unconditional. For example there are still many seafers waking Indonesian ship whose rights are differentiated compared to sailors from other countries [16].

The right to establish trade unions is without any struggle since it is a right. While the right to negotiate must be undertaken seriously. There are real actions from employers and unions. It is necessary to reformulate how the State presents in effective monitoring on the right to negotiate. The provision of correct information from the parties prior to the negotiation of PKB is needed for the purpose of effective communication. It takes concrete steps to confirm the initial information on the subject of negotiation. The openness of the employer on the products and its production process has now become a necessity to increase turnovers of the company. Again, there is still no regulation in Indonesia.

In procedural analysis, there is a a mal interpretation on regulating procedures in establishing workers' organizations. As a result of the existence of a mal interpretations on substance and procedure, the role of workers' organizations in their efforts to improve the

quality of conducive industrial relationship in the climate change of labor has not been maximized.

#### 4. CONCLUSION

Freedom of association has become one of the rights that has been agreed by the civilized countries to be implemented in their respective countries. There is a mal interpretation on regulating the substance and procedure of rights of association. The right to associate was divided into two, namely the right to establish trade union and the right to negotiate. The right to establish trade unions is without any struggle since it is a right. While the right to negotiate must be undertaken seriously. There are real actions from employers and unions. Negotiations can be made after the Union is formed. The meaning of negotiation may be made prior to the occurrence, during and after the expiration of industrial or labor relationship. The workers' organization, federations and confederations of trade unions aim to provide protection, defense of rights and interests, and promote appropriate welfare for workers and their families. Climate change of labor is strongly influenced by the politics of law in Indonesia. The concept of employment was originally private. While people are not ready for the employment politics change. It is not easy for the public, especially unskill labor, to undergo the trial process at the IRC. The existence of a formal defect may result in an unacceptable lawsuit. The substance regulation of workers' organizations is divided into the analysis of legal subjects and legal objects. A mal interpretation in the analysis of legal subjects is a state that requires employers to become members of associations that need outsourcing workers. A mal interpretation in the analysis of legal objects is the limit of the number of days that can be strike. A mal interpretation on regulating the substance and procedure of trade union which resulted in efforts to improve the quality of conducive industrial relationship in the climate change of labor has not been maximized.

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