

THE MBOJO LOCAL WISDOM AS AN ALTERNATIVE FOR THE SETTLEMENT OF INDUSTRIAL RELATIONS DISPUTES

ASRI WIJAYANTI

Universitas Muhammadiyah Surabaya, Jawa Timur, Indonesia

Email: asriwijayanti@um-surabaya.ac.id

LELISARI

Universitas Muhammadiyah Mataram, Nusa Tenggara Barat, Indonesia

Email: slelisari@gmail.com

INDAH KUSUMA DEWI

Universitas Muhammadiyah Buton, Sulawesi Tenggara, Indonesia

Email: indah.kusuma@umbuton.ac.id

CHAMDANI

Universitas Wijaya Putra, Jawa Timur, Indonesia

Email: chamdani@uwp.ac.id

SATRIA UNGGUL WICAKSANA PRAKASA

Universitas Muhammadiyah Surabaya, Jawa Timur, Indonesia

Email: satriaungguwp@um-surabaya.ac.id

Abstract: The problem in this study, namely the inability of workers to resolve industrial relations disputes which eliminates their rights. Unable to settle industrial relations disputes, can result in losses, strikes, lockouts, demonstrations, demonstrations, defamation, and destruction of other people's property up to the loss of one's life. This negative impact greatly affects the peace and comfort of work, national security, and stability. These problems will among others be overcome through advocacy to workers in dealing with industrial relations disputes. Mechanisms for resolving industrial relations disputes often do not give satisfactory results or fail if they are carried out based on formal truths. The advocacy model for workers in industrial relations disputes based on local wisdom of the Mbojo Tribe, Bima, Nusa Tenggara, will be an alternative solution for anticipating industrial relations disputes that cannot be resolved, as well as for achieving social justice for workers without harming employers. The purpose of this study is to describe the substance and procedure for resolving industrial relations disputes based on the local wisdom of the Mbojo Tribe, Bima, Nusa Tenggara, based on Islamic sharia. This legal research uses a conceptual and historical legislation approach. The results of the research obtained are that the local wisdom of the Mbojo tribe written in the BO book can be the basis for alternative solutions to build a dispute resolution system for industrial relations that is closer to the sense of community justice

Keywords: Industrial Relations Disputes, The Mbojo Tribe, Local Wisdom, The Book Of BO, Islamic Law

Abstrak: Problem dalam penelitian ini, yaitu adanya ketidakmampuan pekerja dalam menyelesaikan sengketa hubungan industrial yang menghilangkan haknya. Tidak dapat terselesainya sengketa hubungan industrial, dapat mengakibatkan kerugian, terjadinya mogok, lock out, unjukrasa, demonstrasi, pencemaran nama baik, pengrusakan barang milik orang lain sampai dengan hilangnya nyawa seseorang. Dampak negatif ini, sangat mempengaruhi ketenangan

dan kenyamanan kerja, keamanan dan stabilitas nasional. Problem ini diantaranya akan dapat diatasi melalui advokasi kepada pekerja dalam menghadapi sengketa hubungan industrial. Mekanisme upaya penyelesaian sengketa hubungan industrial, seringkali belum memberikan hasil yang memuaskan atau gagal apabila dilakukan berdasarkan kebenaran formal. Model advokasi pada pekerja dalam sengketa hubungan industrial berbasis kearifan lokal Suku Mbojo, Bima, Nusa Tenggara, akan dapat menjadi alternatif solusi atasantisipasi terjadinya sengketa hubungan industrial yang tidak dapat terselesaikan, serta untuk mencapai keadilan sosial bagi pekerja tanpa merugikan pemberi kerja. Tujuan penelitian ini adalah mendiskripsikan substansi dan prosedur penyelesaian sengketa hubungan industrial berbasis kearifan lokal Suku Mbojo, Bima, Nusa Tenggara, berdasarkan syariah Islam. Penelitian hukum ini menggunakan pendekatan peraturan perundang-undangan konseptual dan sejarah. Hasil penelitian yang diperoleh adalah kearifan lokal suku Mbojo yang tertulis dalam kitab BO dapat menjadi dasar alternatif solusi untuk membangun sistem penyelesaian sengketa hubungan industrial yang lebih dekat dengan rasa keadilan masyarakat.

Kata Kunci: Sengketa Hubungan Industrial, Suku Mbojo, Kearifan Lokal, Kitab BO, Hukum Islam

Introduction

The inability of workers to resolve industrial relations disputes must be a concern of the state. Legal protection for workers can be realized in the form of legal protection and access to legal remedies. The form of legal protection provided by the state against industrial relations disputes is still not maximized. Settlement of industrial relations disputes is only limited to a narrow scope, namely rights disputes, interest disputes, layoff disputes, or disputes between trade unions in one company. Beyond that, there are still many that cannot be resolved through formal legal remedies. The form of a shopping forum has been chosen by workers who are dissatisfied with the formal settlement of industrial relations disputes. One of the values of local wisdom found in the Mbojo, Bima, West Nusa Tenggara, which is based on Islamic sharia can be an alternative solution for the settlement. There are traces of Islam in the land of Bima, according to Alan Malingi, which can be traced through the book BO. Kita BO, is a record of the long journey of the Bima Sultanate that can be used as an example or guide in resolving disputes.¹Conflict resolution, according to Galang Asmara, can be resolved based on local wisdom values, for example, the land conflict in West Nusa Tenggara.² Despite this fact, according to Ridwan M.Said, the development of customary law in Bima requires a long stage, from legal synthesis, legal transplantation, and legal integration, to law conservation.³The role of the state is needed to realize the value of local wisdom in positive law in Indonesia. The form of support, according to Yasar Aulia, must be concrete, starting from the process of forming legislation until it is enacted.⁴

The purpose of this paper is to describe the substance and procedure for resolving industrial relations disputes based on local wisdom of the Mbojo Tribe, Bima, Nusa Tenggara, based on Islamic sharia. This legal research uses a conceptual legislation approach. ⁵The results of the research obtained are that the local wisdom of the Mbojo tribe written in the BO book can be the basis for alternative solutions to build a dispute resolution system for industrial relations that is closer to the sense of community justice.

Indonesia has provided protection for workers to carry out a decent and fair working relationship. The guarantee of protection for workers has been provided by the Indonesian

¹ Alan Malingi. Bima Heritage Jejak Islam di Tanah Bima, (Bima: El-Sufi Publishing, 2022) 142-144..

² Galang Penyelesaian Konflik Pertanahan Berbasis Nilai Nilai Kearifan Lokal Di Nusa Tenggara Barat, (2010) 22 (1) Mimbar Hukum, 1-17

³ Ridwan M Said. Hukum Adat Bima: dari sintesis hukum, transplantasi hukum, integrasi hukum, sampai ke konservasi hukum, (Yogyakarta: Ruas Media, 2019) 224-225.

⁴ Yasar Aulia. Fundamental Principles of The Legislation Process: Comparative Study Between Indonesia and The United Kingdom. (2021) 6 (1) Petita: Jurnal Kajian Ilmu Hukum dan Syariah, 40-60

⁵ C. Soren, "Legal Research Methodology: An Overview," *Journal of Emerging Technologies and Innovative Research (JETIR)*, (2021) 8 (1).

constitution. The legal protection provided by the state to its citizens to get jobs and a decent living for humanity is regulated in Article 27 paragraph (2) of the 1945 Constitution. The state also provides protection to its citizens for the right to live and maintain their lives as regulated in Article 28 A of the Constitution. 1945. The form of legal protection for workers in the implementation of the right to work has been stated in the legislation. Law 13/2003 concerning employment jo.

If there are rights that are violated, the state has provided protection in the form of making laws and regulations related to the mechanism of legal remedies. Law 2/2004 on the settlement of industrial relations disputes has regulated the Steps for formal legal remedies that can be taken by workers or employers when experiencing industrial relations disputes. The mechanism for resolving industrial relations disputes begins with negotiation, bipartite, mediation or filing a lawsuit to the Industrial Relations Court.

Industrial relations disputes

Industrial relations disputes are defined more broadly than industrial relations disputes. Industrial relations or work relations are always directed by the parties to run well, although in practice it often happens the other way around. Unable to resolve industrial relations disputes, can be the cause of settlements through shopping forums, for example strikes⁶, lockouts⁷, ⁸, demonstrations, demonstrations, defamation, destruction of other people's property, up to the loss of a person's life. The loss will be felt by the parties. This situation greatly affects the peace and comfort of work, national security, and stability.⁹ Unresolved industrial relations disputes can be the cause of social conflicts.¹⁰

Industrial relations disputes are conceptualized as industrial relations disputes in Law Number 2/2004, concerning the settlement of industrial relations disputes. In industrial relations, the disputing parties are workers or trade unions and employers. The formulation of industrial relations disputes is broader than industrial relations disputes. Subjects include employers not limited to employers only. The objects may include matters other than rights disputes, interest disputes, layoff disputes, or disputes between trade unions within one company.

The mechanism for the settlement of industrial relations disputes by the Industrial Relations Dispute Settlement Institution, which is contained in Law No. 2/2004, places more emphasis on formal evidence. Formal evidence of truth is in accordance with the use of civil procedural law used in the examination process at the industrial relations court (Article 57 of Law 2/2004).

The reality that exists in society is that formal evidence has not been considered important in the process of resolving industrial relations disputes. As a result, the parties are often considered not to have provided a sense of justice. The use of civil procedural law as regulated in the Herzine Inlands Regulation (HIR) in the settlement of industrial relations, cannot be fully implemented 100% because there are special matters that have not been regulated in Law 2/2004. Industrial relations is part of employment law which has a functional nature. Parameters of the Functional nature of employment law indicate that employment law has the nature of civil law, criminal law, and administrative law.

⁶ T. F. Remington and X. W. Cui, "The impact of the 2008 labor contract law on labor disputes in China," *Journal of East Asian Studies*, (2015) 15, (2),

⁷ Z. Khamzina, Y. Buribayev, P. Almaganbetov, A. Tazhmagambet, Z. Samaldykova, and N. Apakhayev, "Labor disputes in kazakhstan: Results of legal regulation and future prospects," *Journal of Legal, Ethical and Regulatory Issues*, (2020) 23 (1)

⁸ C. Bendersky, "Complementarities in organizational dispute resolution systems: How system characteristics affect individual's conflict experiences," *Industrial and Labor Relations Review*, 2007, doi: 10.1177/001979390706000203

⁹ T. Bennett, "Workplace mediation and the empowerment of disputants: rhetoric or reality?," *Industrial Relations Journal*, 2013, doi: 10.1111/irj.12012.

¹⁰ Law Reform Commission, "Alternative dispute resolution: mediation and conciliation," (2010) 1393-3132

What is in the community, formal evidence is difficult for workers to have. Workers often do not have a copy of the work agreement or other forms of a letter as proof of the implementation of the employment relationship. Work can only make complaints or bring witnesses. The application of civil procedural law places more emphasis on the strength of a written letter (deed). In the case of the detention of a working diploma as a guarantee for the implementation of the employment relationship, there have been pros and cons. Legal efforts through the industrial relations court will lead to failure, because the detention of diplomas is not included in the four areas of absolute competence of the industrial relations court.

The case of bankruptcy is also the case, the claim of workers for a lack of wages at PT Gorum Kencana, because there is a waiver of the right of workers to receive wages less than the minimum wage, through the making of a Collective Agreement which is registered in the industrial relations court, has caused an unsolvable problem. Carrying out the first stage of the industrial relations dispute settlement process, namely mediation, a recommendation has been issued for 99 workers. The suggestion from the Surabaya mediator was not implemented so that a lawsuit could be filed with the Industrial Relations Court. Unfortunately, in the lawsuit to the industrial relations court, only nine people made the claim. The decision of the Surabaya industrial relations court rejected the workers' demands. This decision was confirmed in the Supreme Court's cassation decision. This Supreme Court decision has permanent legal force. Workers still do not accept the contents of the decision of the Supreme Court. Furthermore, the remaining 90 of those who made demands during the mediation process at the Surabaya Manpower Office have applied for mediation again. Does the question become whether this case becomes *nebis in idem*?

Labour dispute cases in the administrative field are difficult to examine. For example, the case of breaking up a union in one company. The administrator of the first union has been replaced by the administrator of the second union, but the wealth or finances of the first union remain with the former administrator of the first union. Then the first trade union administrator left the union to establish another union. In the new union, he used funds from the initial union. Law No. 21/2000 cannot yet be used as a basis for providing early union protection.

What emerges from the nature of labour law in the field of criminal law is related to violations of paying wages below the minimum wage. Changes in the provisions of the labour law and the work copyright law have created a problem where entrepreneurs with the status of small and medium enterprises are allowed to pay their workers' wages less than the minimum wage. Criminal sanctions in labour law and work copyright law, for violating the payment of wages below the minimum wage or violating the agreement to pay wages below the minimum wage are criminal sanctions in the form of imprisonment from one year to four years and/or a fine of Rp. 100,000,000 to Rp. 400,000,000.

There is an alternative settlement for violations of payment of wages under the minimum wage provisions, namely applying restorative justice. Restorative justice is regulated in the Attorney General's Regulation Number 15 of 2020. Based on the provisions of Article 1 of the Attorney General's Regulation Number 15 of 2020, what is meant by: Restorative Justice is the settlement of criminal cases involving the perpetrator, victim, family of the perpetrator/victim, and other parties related parties to jointly seek a just settlement by emphasizing restoration to its original state, and not retaliation.

Next terms Article 5 paragraph (1) states that criminal cases can be closed for the sake of law and the prosecution terminated based on Restorative Justice if the following conditions are met: a. the suspect has committed a crime for the first time; b. a criminal offense is only punishable by a fine or punishable by imprisonment of not more than 5 (five) years; and c. a criminal act is committed with the value of the evidence or the value of the loss caused as a result of the criminal act of not more than Rp.2,500,000,000.00 (two million five hundred thousand rupiahs).

(2) For criminal acts related to property, in the event that there are criteria or circumstances that are casuistic in nature which according to the consideration of the Public Prosecutor with the approval of the Head of the Branch of the District Attorney or the Head of the District Attorney's

Office, the prosecution based on Restorative Justice shall be carried out with due regard to the conditions as referred to in paragraph (1) letter a is accompanied by either letter b or letter c. The nature of labour law in the administrative field or in the criminal field has added to the evidence that the settlement of disputes or industrial relations disputes based solely on formal evidence in civil procedural law is not successful.

Mbojo Tribe Local Wisdom

Local wisdom comes from two words, namely Arif and local. Local wisdom means that the values that are believed to be the truth by most members of the local community are the reference for thinking and acting so that the results can be accepted by the parties.¹¹ Local wisdom as the basis for dispute resolution, in terms of substance, is something that has long existed in Indonesian society.¹² Local wisdom is also defined as the idea of goodness that is internalized in the life of the people of an area which is manifested as a unique cultural identity and has resilience in dealing with external or external influences.¹³ Local wisdom is upheld by the community itself. Local wisdom is the value of the nation's life that is sustainable and maintained by every local community¹⁸.

The failure of formal evidence in the use of civil procedural law as the basis for resolving industrial relations disputes requires other alternative solutions. Customary law is one of the alternative solutions for resolving industrial relations disputes. Not so Dasa in this paper is a customary law that applies to the Mbojo Bima community/tribe in West Nusa Tenggara Province.

Bima consists of two autonomous regions, namely Bima Regency and Bima City. The cultural civilization of the Mbojo tribe, has shown Islamic characteristics for a long time. In traditional ceremonies, wedding processions, completion of the Quran, and circumcision should not show the characteristics of Islamic civilization. In the study of history, initially, Bima adhered to Hinduism. In prehistoric times, lima was known as the Naka era, known as writing. The next period is *Ncuhi*. *Ncuhi*, is a traditional charismatic leader who rules the mountains and valleys. There are four *Ncuhi* as rulers of the region, namely *Ncuhi Dorowuni* (ruler of the eastern region), *Ncuhi Parewah* (ruler of the southern region), *Ncuhi Banggapupa* (ruler of the northern region), and *Ncuhi Bolo* (ruler of the western region). Then *Ncuhi* held a meeting on Mount Doro Babuju to appoint Sang Bima as king.

Before the people of Bima embraced Islam, they had beliefs of dynamism and animism. There are *makakamba*, which are objects that emit light and have magical powers for good or evil. There is *makakimbi*, which is a symbol of the spirit or soul possessed by every object.

The influence of Islam was received through the struggle of turning and the sultan. Sultan as the leader of the state of Bima. Starting in 1540 M, until now most of the people of Bima are Muslims. There is a legacy of the past, which is still being carried out, namely Maghrib reciting Bima tithe, solemn Friday.

There is the Islamic *Makhmatus Institution*, which later became Sara's legal entity, then changed again to the Islamic Foundation. In addition to institutions that make legal decisions, there are institutions that carry out legal decisions in Islamic religious affairs, namely sharia legal entities. The sharia legal entity is led by an Imam. There are four priests, namely *Khatib Upan* (= old preacher), *khatib Karoto* (= preacher providing enlightenment and counseling to the community), *khatib Lawili* (= giving consideration before being dismissed) and *khatib To'i* (= from the younger generation).

Bima has the BO Book, which is an ancient manuscript belonging to the Bima kingdom written using the Bima script. Rewritten in the 19th century using Malay Arabic script. There are six types

¹¹ L. Mydland and W. Grahn, "Identifying heritage values in local communities," 2012

¹² A. Tohri, A. Rasyad, M. Sururuddin, and L. M. Istiqlal, "The urgency of Sasak local wisdom-based character education for elementary school in East Lombok, Indonesia," *International Journal of Evaluation and Research in Education*, (2022) 11 (1).

¹³ A. Widisono, "The Local Wisdom on Sasak Tribe Sade Hamlet Central Lombok Regency," *Local Wisdom : Jurnal Ilmiah Kajian Kearifan Lokal*, (2019) 11 (1),.

of BO books, namely: *BO Sangaji Kai*, *BO Talkkai* (= prime minister), *BO Bumi Luma Rasana'e* (= customary law), *BO Kadi* (= Islamic law), *BO Malay*, *BO Da'e Dura*. In addition to the BO book, there are *La Nontogama*, (= handwritten Koran), *La Lino* (= manuscripts of the Qur'an), *The Buru Bura Book* (= poetry and dhikr in Mbojo language), *The Book Nurul Mubin* (= the attributes of Allah), and *Jawharat Al Ma'arif* (= the Sultan's narration to the people).

Bima has a life value which is spoken verbally through advice in the form of proverbs, expressions, and parables. This oral literature has become a way of life for the Bima people who are anonymous because it is not known when this chairman appeared and who initiated it in the first place. This oral form is the basis for communication between the Mbojo Bima people.

The advice of the land of Bima, including *Santabe*, *Maja Labu Dahu*, *Nggusu Waru*, *Su'u Sawa'u Sia Sawale*, *Ka Tada Man Tedi*, *Fasting Na'e Kalua*, *Haju Ma Da Ntau Ro'o*, *Aina Saraka*, *Dodo Saminu*, *Bali Bala*, *Kande*, *Upa Mbua Taho*, *Cupa*, *Ngaji Karo'a*, *Fare Labo Kalalau*, *Maina Made*, *Riya*, *Rasa Sinci Weki*, *Pete Loko*, *Pata Ruma*, *Pana Ponda*, *Mapu Keto Sahe*, *Angi Labo Ro'o*, *Cahaya Sambea*, *Ponda Ndai Ma Lengi*, *Moti Ma Da Ntau Nganto*, *Hinti Honggo Ade Muhu*, *Loa Pala Watipu Badena*, *Ili Uhu*, *Saronco Sarome*, *Kadale*, *Mpori Ma Lao Raka Jara*, *Arujiki*, *Nggahi Rawi Palu*, *Karawi Kabuju*, *Liki Loko Ndai*, *Mbeca Wombo*, *Ngaha Aina Ngoho*, *Ngguda*, *Guru Bura's Advice*, *Nemba Guru*, *Tolu Sawatipu Tolu*, *Rombo Mila*, *Kalembo Ade*, *Ruma Nawa*, *Nuntu Lambo Fare*, *T Pehe*, *Nggahi Tua*, *Lima Ori*, *Kalampa Taki*, *Nggou*, *Tuki Angi*, *Mbudi Ade*, *Sanggili*, *Cedo Ngoru*, *Kasimpa*, *5 Karawa*, *Moti Ma'rifa*, *Nontogam*, *Lalino*, *Khatib Upan*, *Sake Dou Ma Bora*, *Samada Ngina*, *Pita Ba Liro*, *Kabaw WEKI KABAW Ade*, *Aina Kabare Labo Dana*, *Musu Ade Tambe*, *Noto Ane Nono*, *Sena*, *Pohu*, *Ro Nara Mantika*, *Nira*, *Nggahi Ro Eli Ma Gaga Alu*, *Ruku Ra Rawi Ma Da Ntau Rawu*, *Loa Ra Bade Di Ma Sandake Weki*.¹⁴

Local Wisdom of the Mbojo Tribe as an Alternative Solution for Industrial Relations Dispute Resolution

The advice of the land of Bima and the Book of BO, contain Islamic values that are very good for holding communication in social life. The legal culture to resolve every problem and avoid disputes is evident in *maja labo dahu*. *Maja labo dahu* is a value order that is built from five attitudes in life, namely *Dou Mbojo*, namely *Maja*, *Dahu*, *Su'u Sawa'u Sia Sawale* (= upholding the mandate), *Nggahi Rawi Pohu* (= uniting words and deeds), and *Toho Mpara*. *Nahu Sura Dou Ma Labo Dana* (= let it be for me what is important for the people and the country). There are four aspects in *maja labo dahu* related to the process of socializing life in the Bima community. First, humans interact with themselves. Two poles of human life with other humans. The three forms of human life with its environment. Four appeared human life with his God. *Maja Labo Dahu's* philosophy is to be ashamed of being afraid. Shame with the fear of being called Maja. Carry out *maja* if: (1) do not carry out Allah's commands; (2) misbehave with others, and (3) violate God's rules and national rules. On the other hand, *Dahu*, if: (1) abandons God's commands, (2) makes mistakes with others, and (3) acts against the laws of religion and state.

Efforts to reduce disputes are very important. Advice is internalized and spoken when communicating with each other. They use advice or phrases or proverbs to maintain mutual respect. One of the important pieces of advice in an alternative solution to industrial relations disputes is *Kalembo Ade*. *Kalembo* is (patience and broad chest), the "magic word" in the Mbojo community (Bima, Dompu and parts of western Maumere). This expression is used to defuse conflict. *Kalembo ade* is an expression that has many meanings (multi-meaning), when, why, to whom, in any situation, depending on the context in which it is used. The phrase "*kalembo ade*" in context means broad. For example, the sentence *kalembo ade* is used to resolve conflicts or people who are angry, such as: *lembo ade lenga doho*, *ai jana ncao ro ncaka maja ja ade ta dou ndi kompo ro mporo de* (open your friend's chest, don't fight, be ashamed of the people in the village. this).

¹⁴ Alan Malingi. Petuah Tanah Bima, Memutar Kembali Memori Saat Petuah Membumi di Tanah Bima. (Bima: El-Sufi Publishing, 2022) 48- 288.

Even when someone is angry, someone who is considered older, or a close friend can approach and hug him while *saruna kontuna* (rubbing and groping his back) while saying *kalembo ade*.

The people of Bima have high mobility with the tradition of wandering. *Kalembo ade* represents an ideology, point of view, ideas, ideas, a group of people as a guide for behavior. One such violence is caused by hate speech. Speech that corner, insults, demeans the dignity of other groups.

In fact, conflict can be defended by calling *kalembo ade* (soft language). *Kalembo ade* minority offers the concept of humanization of language, humans are not seen from a small age, have little ethics, but are still respected and respected. Local wisdom in *kalembo ade* is a human value by elevating degrees and maintaining dignity.

Kalembo is a natural regulating tool born of the collective consciousness of each speaker and interlocutor. This expression is not just a sign of identity, but also contributes to reducing violence. This method is a model of conflict resolution in the Bima community, "*sarere contu, kalembo* is a / *lenga* / defendant *mau wali de wati ndi raka ta* (groping his back while saying: be patient child / friend / sister, don't fight again what you have).

Applying the legal culture of *maja labo dahu* in a *kalembo ade* way, in resolving industrial relations disputes is very appropriate. *Maja labo dahu* in the *kalembo ade* way, is a cultural value of the Bima Mbojo tribe that is closer to a sense of justice. Legal culture is one of the elements of the legal system. If you already have a good legal structure, substance, and culture, the legal system can run well.

In the field of labour law, especially industrial relations, it has a good substance, namely that which has been regulated in laws and regulations, especially the labour law and the work copyright law and its implementing regulations. If the procedure for the settlement of industrial relations disputes has been regulated in the law on the settlement of industrial relations disputes. There is also a legal structure in place. Labour mediators who are part of the Manpower Service and Industrial Relations Courts can apply the provisions of Article 100 of Law 2/2004, namely in making decisions, the panel of judges considers customary law and justice.

Conclusion

The settlement of industrial relations disputes based on the provisions of Law Number 2/2004 in four areas of industrial relations disputes (disputes on rights, interests, termination of employment, and between trade unions in one company) which is based on the formal truth of the civil procedural law, cannot yet be settled. resolve all employment law cases that have the nature of functional law (having civil, criminal, and administrative elements).

The value of local wisdom of the Mbojo tribe, Bima, West Nusa Tenggara, in *maja labo dahu*, which is carried out in the *kalembo ade* way, can be the basis for alternative solutions to industrial relations disputes. Employment mediators and judges at the Industrial Relations Court may use the value of *maja labo dahu*, which is carried out in a *kalembo ade* manner, based on the provisions of Article 100 of Law 2/2004, which considers existing contract law, custom, and justice.

Recommendations, the government conducts a study of the value of local wisdom spread across 1340 ethnic groups in Indonesia as a source of values that live in society for the settlement of industrial relations disputes.

Acknowledgements

Thank's for Ministry of Research, Technology and Higher Education of the Republic of Indonesia.

Bibliography

- Alan Malingi. Bima Heritage Jejak Islam di Tanah Bima, (Bima: El-Sufi Publishing, 2022) 142-144..
- Alan Malingi. Petuah Tanah Bima, Memutar Kembali Memori Saat Petuah Membumi di Tanah Bima. (Bima: El-Sufi Publishing, 2022) 48- 288.
- Tohri, A. Rasyad, M. Sururuddin, and L. M. Istiqlal, "The urgency of Sasak local wisdom-based character education for elementary school in East Lombok, Indonesia," *International Journal of Evaluation and Research in Education*, (2022) 11 (1).
- A. Widisono, "The Local Wisdom on Sasak Tribe Sade Hamlet Central Lombok Regency," *Local Wisdom : Jurnal Ilmiah Kajian Kearifan Lokal*, (2019) 11 (1),.
- C. Soren, "Legal Research Methodology: An Overview," *Journal of Emerging Technologies and Innovative Research (JETIR)*, (2021) 8 (1).
- C. Bendersky, "Complementarities in organizational dispute resolution systems: How system characteristics affect individual's conflict experiences," *Industrial and Labor Relations Review*, 2007
- Galang Penyelesaian Konflik Pertanahan Berbasis Nilai Nilai Kearifan Lokal Di Nusa Tenggara Barat, (2010) 22 (1) *Mimbar Hukum*, 1-1
- Law Reform Commission, "Alternative dispute resolution: mediation and conciliation," (2010) 1393-3132
- L. Mydland and W. Grahn, "Identifying heritage values in local communities," 2012
- Ridwan M Said. Hukum Adat Bima: dari sintesis hukum, transplantasi hukum, integrasi hukum, sampai ke konservasi hukum, (Yogyakarta: Ruas Media, 2019) 224-225.
- T. F. Remington and X. W. Cui, "The impact of the 2008 labor contract law on labor disputes in China," *Journal of East Asian Studies*, (2015) 15, (2).
- T. Bennett, "Workplace mediation and the empowerment of disputants: rhetoric or reality?," *Industrial Relations Journal*, 2013.
- Yasar Aulia. Fundamental Principles of The Legislation Process: Comparative Study Between Indonesia and The United Kingdom. (2021) 6 (1) *Petita: Jurnal Kajian Ilmu Hukum dan Syariah*, 40-60.
- Z. Khamzina, Y. Buribayev, P. Almagambetov, A. Tazhmagambet, Z. Samaldykova, and N. Apakhayev, "Labor disputes in kazakhstan: Results of legal regulation and future prospects," *Journal of Legal, Ethical and Regulatory Issues*, (2020) 23 (1)