



Overlapping Analysis of People's Housing Savings Program (Tapera) and Additional Service Benefits (MLT) According to Legal Perspective in Indonesia

Windari Windari^{1*}, Sapto Hermawan²

^{1,2} Universitas Sebelas Maret, Indonesia

*Corresponding author: windariwin11@gmail.com

Abstract: *The Public Housing Savings Program or what is known as Tapera has become a national polemic which is starting to become unsettling among the Indonesian people. The People's Housing Savings Management Agency (BP Tapera), which until now seems to only collect public funds through savings with a savings scheme that is still unclear. By looking at this problem, the author found that the Additional Service Benefits program that previously existed and could run exactly the same as the Tapera program with income tax cuts for each taxpayer, this shows that it would be more effective if there was just one program so that there would be no inequality. According to the Minister of Manpower's Regulation regarding the procedures for granting, requirements and types of additional service benefits, it is stated that the type of additional service benefit can be in the form of a housing mortgage, which to date not all people use.*

Keywords: *Community, Manager, National.*

1. BACKGROUND

The Public Housing Savings Program (Tapera) is currently being paid attention to by the public, especially entrepreneurs, workers and private sector workers who feel uneasy about the existence of this Tapera program, with the implementation of this Tapera program based on Law No. 4 of 2016 concerning the Implementation of Public Housing Savings and Government Regulation Number 25 of 2020 concerning the Implementation of Public Housing Savings as the legal basis for implementing the Tapera program. However, Tapera among the people has reaped many pros and cons for a long time, because it is considered disturbing and cuts a lot of people's income.

Many political figures support the Tapera agenda, for example the Deputy General Treasurer of DPP PAN, Mr. Rizki Aljupri, arguing that the Tapera program can help honorary teachers buy houses with a savings system and really help Indonesian people with economic limitations, such as honorary teachers, to own permanent and habitable residence.

The author sees from a sociological perspective that when the Tapera program is designed and implemented directly, it will definitely reap a lot of rejection from society, for example, the Indonesian Employers' Association at its general meeting in Jakarta 2023 by mutual agreement expressly expressed its disapproval of the Tapera program. Then the Capital City labor group held a demonstration against the Tapera Program which was held in the area opposite Monas, the Arjuna Wijaya Statue or the Horse Statue in Central Jakarta on Thursday, June 6 2024.

This is based on the large number of contributions that entrepreneurs have to pay for the survival of all employees and deductions from workers' income obligations, and they consider that there is already a program similar to Tapera, namely Additional Service Benefits (MLT) in Indonesia.

In essence, meeting household needs is the duty of each individual and if the government wants people to have private housing then the government has implemented the Perumnas or FLPP program for subsidized cheap housing for people in every region, this has been intensified by the government for a long time with low installments. with the aim of all elements of society being able to have their own residence. However, this cannot be used as a benchmark for people to buy directly, there are many considerations for each individual community in meeting the housing needs of each family that cannot be determined and generalized, even though the conditions are very easy.

The author realizes that the government wants to provide assistance to its people so they can own their own home, but they forget that they have an MLT program in Indonesia which is equally focused on housing ownership programs with monthly wage deductions through the Jamsostek (Employment) program.

2. RESEARCH METHODS

The legal research method in this research is normative, the normative research method is defined as "a research method on statutory regulations both from the perspective of the hierarchy of statutory regulations (vertical) and the harmonious relationship of legislation (horizontal).

3. DISCUSSION

The problems with the Public Housing Savings Program (Tapera) will continue to arise in line with the intensity of the community who continue to pressure the government with the Tapera route which is not yet clear where it will go. In fact, this program clearly clashes with the Additional Service Benefits (MLT) program belonging to BPJS Employment or Jamsostek. According to Mr. Yusuf Wibisono, Director of the Institute for Demographic and Poverty Studies, he explained that as many as 82 percent of Indonesian people are categorized as having their own house (according to BKKBN data) so that only 18 percent of Indonesian families are categorized as not having a house. However, with the number of households at 67 million, the 18 percent of families who do not own a house is equivalent to 12.7 million households. This is the government's biggest homework in improving people's welfare.

The Public Housing Savings Program (Tapera) in accordance with Law No. 4 of 2016 concerning the Implementation of Public Housing Savings and Government Regulation Number 25 of 2020 concerning the Implementation of Public Housing Savings explains that the salary deduction contribution for private employees, BUMN and State Civil Apparatus (ASN) is 0.5% every month and 3% for self-employed workers, paid *all in by themselves*. It can be seen that the Tapera program will still have pros and cons because the program *overlaps* with BPJS Employment's MLT program.

According to the BPJS Employment Finance Director, Mr. Asep Rahman Ruwanda, he explained that the MLT program was considered to be different from Tapera. Seeing that the debate between Tapera and MLT is considered *to be overlapping*, he is confident that when issuing policies the government must have aimed at the welfare of workers and society. The MLT program itself is a housing program aimed at the Indonesian people by reducing wages in social security, this is useful for making it easier and ensuring that workers, employees and laborers have a house, as regulated in Government Regulation (PP) Number 46 of 2015 concerning the Implementation of the JHT Program that This MLT program provides an output in the form of a private residence resulting from Social Security deductions. Apart from that, there are 4 types of complementary services that can be received by BPJamsostek participants, including home ownership credit (KPR), housing down payment loans (PUMP), housing renovation loans (PRP), and worker housing financing facilities/construction credit (FPPP/KK) in accordance with Minister of Manpower Regulation No. 17 of 2021 concerning Amendments to Minister of Manpower Regulation No. 35 of 2016 concerning Procedures for Providing, Requirements and Types of Additional Service Benefits.

According to the BPJS Advocacy Coordinator Mr. Watch Timboel Siregar stated that the MLT being held is still being improvised and there are still quite a lot of problems, especially the implementation of MLT deductions from Jamsostek which is often not synchronized, seen from the requirements of the Housing MLT program which requires formal private/BUMN/ BUMD can use 30% of its JHT balance for housing, after at least 10 years of being a participant in accordance with Article 37 paragraph (3) of the SJSN Law. BPJS Employment or Jamsostek has coordinated with banks and has a subsidy rate for 3 programs for parties receiving MLT, including a housing program with a maximum ceiling of IDR 500 million, renovations of IDR 200 million, and a down payment for housing of IDR 150 million. Until now, the realization is around 3,900 participants. This program also contains several administrative notes. In accordance with existing regulations, it was explained at the annual general meeting that JHT assets in BPJS Employment amounted to IDR 460 trillion which

could be useful in the Worker Housing MLT program with a maximum of 30% or IDR 138 trillion.

Since President Jokowi stipulated PP No. 21 of 2024 in conjunction with PP No. 25 of 2020 concerning the Implementation of Public Housing Savings (Tapera), the public's response has seen that their salaries are required to be cut by 3% for workers, the details of which are 0.5% charged to the temporary employer 2.5% is charged to workers. So many people think that this increases the burden on workers. This resulted in workers and private sector workers expressing their rejection of the regulation. Apart from that, employers will face quite a heavy burden with dependent obligations amounting to 18.24% - 19.74% of workers' income for many social security programs.

The government should reconsider the implementation of PP No. 21 of 2024 because the burden increases for workers by 2.5% and employers 0.5% of salary which is not needed because it can be used as BPJS Employment funds through the MLT program.

The author considers that by simply maximizing housing MLT in accordance with Article 37 of the SJSN Law for workers' housing needs, both workers and private/BUMN/D business actors do not have to be burdened with the obligation to pay Tapera contributions because in fact the MLT program has started early and is systematic with improvisations. sustainable. Rather than giving Tapera the additional burden of cutting salaries, the government should be able to maximize BPJS Employment funds in accordance with PP No. 55 of 2015 concerning Management of Employment Social Security Assets.

4. CONCLUSION

The Tapera program is a government program that is considered to be rushed with exactly the same goals and output as the MLT program that was already running. According to sociological studies, the government seems to be allowing overlap between programs with the same goals. On the other hand, the Tapera program cannot predict what the output will be, so people feel burdened by the additional agenda of cutting wages according to the public. The author believes that the government states that Tapera funds are savings which should be voluntary, not forced.

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