

The Principle Of Balance In Employment Agreements At Private Educational Institutions (Study of Employment Agreements at Ruhama Islamic College)

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Abstract Based on The 1945 Constitution of the Republic of Indonesia (UUD 1945), especially in the Preamble to the Fourth Paragraph, the State of Indonesia has objective national For advance well-being general and enlightening life nation. This matter become base law for development national focus on improvement quality source Power human resources (HR) as the main capital. Education and skills is two element important in creating quality human resources. Article 26 paragraph (2) of the 1945 Constitution confirms that every citizens have the right on education. Article 31 paragraph (3) also states that government responsible answer on maintenance education. This matter show internal state commitment provide access broad and equitable education for all over people of Indonesia.

Keywords: Education, Law, State Commitment

1. INTRODUCTION

Based on The 1945 Constitution of the Republic of Indonesia (UUD 1945), especially in the Preamble to the Fourth Paragraph , the State of Indonesia has objective national For advance well-being general and enlightening life nation . This matter become base law for development national focus on improvement quality source Power human resources (HR) as the main capital . ¹Education and skills is two element important in creating quality human resources . Article 26 paragraph (2) of the 1945 Constitution confirms that every citizens have the right on education . Article 31 paragraph (3) also states that government responsible answer on maintenance education . This matter show internal state commitment provide access broad and equitable education for all over people of Indonesia.²

For reach objective is required power teacher qualified professional . Article 33 paragraph (3) of the 1945 Constitution states that rights and obligations of teachers and instructors guaranteed by the state. This matter means the state is obliged For ensure that teachers and instructors get adequate education , training and welfare so that they can carry out his task optimally . Instructor professional must capable ensure expansion and equalization access education , as well increase quality education to be relevant with current development .

¹ Auliya Putri Dewi, *et al* ., Pancasila: Philosophy Formation Regulation Legislation in Indonesia. *Journal Knowledge Communication , Administration Public and State Policy* 1.3 (2024), p . 01-10.

² Fauzi, Farid, *et al* ., *Historiography Education Law in Indonesia: Since the Colonial Era Until the Reformation Era* . Sada Kurnia Pustaka, 2024, p . 1.

This matter in line with Article 31 paragraph (5) of the 1945 Constitution states that government advance education national in all level .³

Behind sparkling objective Indonesian national for enlighten life nation , there are fundamental pillars that are not replaceable : teacher. Awareness will crucially the role of the teacher in print generation successor nation push government For carve protection law for they . Constitution Republic of Indonesia Number 14 of 2005 concerning Teachers and Lecturers (Teacher and Lecturer Law) becomes form real commitment the . Article 3 of the Teacher and Lecturer Law plain confirm teacher's right to welfare and protection law . Affirmation This based on the Preamble to the 1945 Constitution paragraph fourth who aspires justice social for all over people of Indonesia. Teacher, as end spear education , right get guarantee a decent and safe life from all form exploitation .⁴ More continued , Article 5 paragraph (1) of the Teacher and Lecturer Law mandates agreement Work between teachers and organizers education . Agreement This must based on principles equality and fairness , appropriate with Article 33 paragraph (3) of the 1945 Constitution. This means that both teachers and organizer education own equal and mutual position honor rights and obligations .⁵

Draft justice social and underlying equality protection law for teachers reinforced by various theory law . Theory of justice John Rawls, for example , emphasizes importance principle justice distributive and justice procedural . In context This , the teacher has the right on distribution fair welfare and transparent legal processes in solution dispute .⁶ Apart from that , theory contract social from Thomas Hobbes and John Locke also strengthen base law teacher protection . Teacher, as meritorious party in advance education nation , right on contract social with government For ensure welfare and protection the law .

College in South Tangerang City, such as Lots institution education private others in Indonesia, are faced with a dilemma related connection Work between power educators and parties foundation . In one side , there is need For ensure smooth learning process teaching and quality education . On the other hand , it is necessary clarity and certainty law in connection Work the .

³ Suryadi , Arif, *et al* ., Teacher's Pen, Collection of Best Practice *Effective Steps Increase Quality Learning* . Cahya Ghani Recovery, 2024, pp , 39.

⁴ Amos Neolaka and Grace Amialia A. Neolaka . *Basic Educational Foundations of Self - Knowledge Going to Life Changes : First Edition* . Kencana , 2015, p . 1.

⁵ Ilmal Yaqin . Legal Protection for Lecturers as Educators For Obtaining Employment Rights . *Dialogia Iuridica* 8.2 (2017), p . 24-41

⁶ M. Hatta Ali. *Justice Simple Fast & Cost Light Going to Justice Restorative* . Alumni Publishers , 2022, p . 39.

Problem main problem faced Ruhama Islamic College is absence agreement Work written between power educators and foundations . ⁷This matter contradictory with Law Number 14 of 2005 concerning Teachers and Lecturers (Teacher and Lecturer Law) which requires exists agreement Work written as base connection legitimate work . ⁸ Nothingness agreement Work written potential give rise to various problems , such as :

1. Independent leave without Coordination: Teaching staff Possible take paid leave without knowledge or agreement foundation, which can disrupt the learning process teach.
2. Termination contract in a way unilateral: Good foundation nor power educator can decide contract Work in a way unilateral without clear basis, leading to *potential disputes*.
3. Giving incentives are not appropriate: Foundation perhaps give incentives are not in accordance with performance or No follow applicable regulation.

More further , nothingness agreement Work written is also a violation against the Law on Teachers and Lecturers. Article 25 paragraph (1) of the Teacher and Lecturer Law states that " Every teacher and lecturer entitled on agreement Work written as base connection work ". Article 26 paragraph (2) of the Teacher and Lecturer Law also emphasizes that " Agreement Work as intended in Article 25 paragraph (1) was created in a way written by and between teachers and lecturers with organizer education ".

In relationship work , basics balance is base attachment fundamental juridical . this principle ensure that every agreement based on principles balance rights and obligations between second split party . Nothingness agreement Work It was written at the Ruhama Islamic College that there was concern No reflect principle balance . This matter Because connection Work only based on agreement verbally , which is not own strength the same law with agreement written .⁹

Therefore that , research law on agreement work at the Ruhama Islamic College is necessary done . Study This aim For analyze concept of balance of work agreement between power education and educational institutions at the Ruhama Islamic College . As well as analyzing the comparison of balanced work agreements between teaching staff and educational

⁷ *Personal Interview* , Sindi Rosmilda, Principal of SDI Ruhama School, South Tangerang, March 22 2024

⁸ Romi Noverlis , *Legal Protection for Educators in Agreements Work in Non -Formal Education Institutions Reviewed by Law Number 13 of 2003 concerning Employment Law* . Thesis , Riau Islamic University Postgraduate Program, 2021, p . 88.

⁹ Dwi Aryanti Ramadhani and Iwan Erar Joesoef . Employee Legal Protection Government With Agreement Work (PPPK) in Concept Agreement Specific Time Work At Institutions College . *Journal Juridical* 7.1 (2020), p . 1-26.

institutions in private educational institutions , for use determine exists certainty law in connection Work the.

2. DISCUSSION

2.1 RIGHTS AND OBLIGATIONS EMPLOYMENT AGREEMENT BETWEEN EDUCATORS AND EDUCATIONAL INSTITUTIONS AT RUHAMA ISLAMIC COLLEGE

Agreement Work between power educators and institutions education at Ruhama Islamic College plays role important in determine well-being and performance second party . According to Law no. 14 of 2005 Article 25 paragraph (3), teachers have the right get allowance functional from government .¹⁰ However , in reality , many teachers at Ruhama Islamic College do not accept allowance adequate , face burden Work heavy without appropriate compensation , and work with No exists contract time certain (PKWT) so No give guarantee work period long . Imbalance This lower teacher motivation , performance and welfare , as well influence quality education and stability institution education .¹¹

2.1.1 Impact Imbalance Agreement Work to Teacher Welfare and Performance

Imbalance agreement Work cause teachers' welfare and motivation decreases , which has an impact negative on quality education . Contract theory relational by Ian R. Macneil , who emphasizes justice and relationships period long , relevant in understand dynamics This . Uncertainty and conditions bad work reduce teacher commitment , detrimental students and reputation school .¹²

a. Utilization of Personal Leave

Habit paid leave independent power educator without clear coordination give rise to disruption to the system operational educational institutions . Nothingness agreement clear work make power educators at Ruhama Islamic College often take paid leave without standard rules . This matter naturally harm institution Because disrupt the learning process teaching and passing down quality education provided . According to Regulation Government (PP) No. 17 of 2020 concerning Change on PP no. 11 of 2017 concerning Management of civil servants,

¹⁰ Muhammad Raihan Nugraha , 2024, *Contract School Teacher Work and Salaries Private* . <https://www.Hukumonline.com/klinik/a/contract-kerja-dan-gaji-guru-school-swasta-cl6609/> . Accessed July 7, 2024.

¹¹ Eva Noviana , *et al* . Principle of Balance in Agreement Work between Workers and Entrepreneurs in frame Realize Justice for the Parties . *Journal Outlook Juridica* 6.1 (2022), pp , 84-100.

¹² Kieran Tranter . Prohibition, Contract, and Nomoi for the Future in Star Trek: Picard. *The Routledge Handbook of Cultural Legal Studies* . Routledge, 2024, pp , 141-161.

teachers and lecturers appointed by the government or government area entitled get paid leave annual , leave great , leave sick , on leave giving birth , and taking leave addition like paid leave studies For development professional (for teachers) and leave For study and research or For development knowledge knowledge , technology , art , culture , and/ or sports (for lecturer).¹³

b. Teacher End Contract By Unilateral

Educators end it contract Work in a way unilateral without clear consequences can cause instability in institution education. This matter impact negative on planning activity academics and quality education provided. For understand more in about issue it is us need see from various perspective, incl regulation Ministry education , regulations legislation , and theory management source Power man .

According to Article 61 of Law Number 13 of 2003 concerning Employment, relationships Work ended by law If finished the time is set in agreement Work. However, if one party end connection Work before period agreed time over, then terminating party connection Work must pay change make a loss to party other.¹⁴ This matter show that There is consequence law for power the educator ends contract in a way unilateral.

c. Injustice Giving Incentives and Compensation

In some cases, educational institutions in Ruhama do not provide incentives for extra activities or compensation for picketing due to insufficient financial reasons, but this is conveyed after the teaching staff have carried out their duties. Practice This clear harm power educators who feel No appreciated and harmed in a way financial.

According to Minister of Education and Culture Regulation Number 6 of 2018 concerning Assignment of Teacher as Head School, as well Regulation Secretary General Kemdikbudristek Number 9 of 2022 concerning Technical Instructions for Distribution of Incentive Assistance for Non-PNS Teachers, clear arranged that the teacher carries it out task addition entitled get incentive as form

¹³ Adi Wikanto , ed., 2020, *Thank God, With This rule means teachers, lecturers & other educators can take annual leave* . <https://nasional.kontan.co.id/news/alhamdulillah-dengan-aturan-ini-guru-dosen-pendidik-lain-bisa-cuti-tahunan> . Accessed July 7, 2024.

¹⁴ Khoirul Hidayat and Suwarno Abadi, Legal Protection for Certain Time Workers Consequence Resign Before the Agreement Time Work End . *Gorontalo Law Review* 7.1 (2024), pp , 58-68.

award on his dedication. This matter in line with Article 24 of Law Number 14 of 2005 concerning Teachers and Lecturers states that teachers have the right get above income need minimum life and guarantee well-being social.

Inability institution education For give incentives and compensation after task held violate principle fairness and transparency in connection Work. According to theory management source Power human, fair and transparent compensation very important For guard motivation and performance employee. Kadarisman state that compensation own connection direct with motivation work, and giving incentive aim For increase motivation employee.¹⁵ Research by Pratiwi also shows this that There is influence significant between giving incentives and teacher performance , where incentives are adequate can increase productivity and teacher loyalty towards institution education .¹⁶

2.1.2 Realize Balance and Legal Protection in Agreements Work

In the world of education, especially in institutions like Ruhama Islamic College, concept balance in agreement Work between power educators and institutions education is very aspect important. Balance This No only covers rights and obligations, but also ensuring exists protection fair law for second split party.

a. Balance of Rights and Obligations

Balance rights and obligations important For connection harmonious work. According to Law no. 13 of 2003, agreement Work must reflect balance rights and obligations second split parties , as well faith Good in its implementation . Principle of balance in law agreement emphasize that balance No only determined by the position of the parties , but also by aspects faith well , which means institution education must show faith Good in fulfil rights power the educator .¹⁷

b. Legal Protection for Educators

Agreement clear work give certainty law and protect right power educator . Protection theory law by Philipus M. Hadjon emphasize importance agreement written For prevent violation right . Minister of Education Regulation no. 10 of 2017

¹⁵Eric Dwi Aryanto , *Influence Giving Incentive On CV Employee Performance* . Kampoeng Roti Surabaya . Thesis , Faculty Economy Muhammadiyah University Surabaya, 2015, p . 12.

¹⁶Jumiati, *et al* . Influence Giving Incentives and Motivation Work On the Performance of Kindergarten Teachers in Sungai Ambawang District Kubu Raya Regency . *Journal of Education and Learning Equator (JPPK)* 11.12: 3485-3497.

¹⁷Nurhamidah , *Implementation Providing overtime wages for workers at PT. Perfect Beautiful Partners Reviewed from Law Number 13 of 2003 concerning Employment* . Thesis , Faculty of Sharia and Legal Sciences , Sultan Syarif Kasim Riau State Islamic University, 2015, p . 56.

also provides framework law For protection power educator . Protection law This important For provide a sense of security and justice for power educator , so they can operate his task with maximum .¹⁸

c. Obligations of Educational Institutions

Educational institutions must fulfil rights power educators, incl appropriate incentives and compensation, as well provide environment Work conducive. UU no. 20 of 2003 confirms right educator For obtain income and security well-being appropriate social. In addition, institutions education must provide adequate facilities, support administrative, as well chance For development professional through training and workshops. Management institution effective education must covers good planning, organizing, directing and controlling to source Power humans, incl power educator.¹⁹

2.1.3 Improving Strategy Balance and Transparency Agreement Work

For increase balance agreement Work between power educators and institutions education at Ruhama Islamic College, various recommended solution need considered in a way Serious. Existing imbalance moment This No only impact negative on teacher well-being, but also influences quality education provided.

a. Making Agreement Clear and Written Work

Ruhama Islamic College is necessary quick compile agreement written and binding work For ensure connection clear and fair work between institutions and personnel educator. Agreement Work This must covers various aspect important like leave, termination contracts, incentives , and compensation . With exists agreement written, second split party will own clear guide about respective rights and obligations, so can minimize potency conflict later day.

In compiling agreement work, there is a number of components are a must noticed. According to Constitution Employment, agreement Work written must load at least name, address company, type business , name , type gender , and address worker, position or type job , place work , big wages and methods payment , terms and conditions loading job rights and obligations entrepreneurs and workers , start

¹⁸ Roha Purnama Putri, *et al* . Giving Legal Protection of Workers for Violations Agreement Contract Employment by the Department of Manpower Bintan Regency : (Case Study of PT. Sumber Izumi Mas Perkasa Bintan). *Journal of Regions, Cities and Environment Sustainability* 2.2 (2023), pp , 48-59.

¹⁹ Azvi Rahmi, *et al* . *Education Management* . CV. Gita Lentera , 2024 , pp , 3-4.

and term time enactment agreement work , as well place and date agreement Work created , and sign hands of the parties in agreement Work .²⁰

Apart from that, the Ruhama Islamic College is also needed compile clear policy about leave and termination contract . Policy paid leave must covers various type entitled leave obtained by energy educators, like paid leave annual , leave sick , on leave giving birth , and taking leave study . For example, teachers and lecturers who have civil servant status have right paid leave annual as well as paid leave For study and research with still obtain wages full. Policy This important For ensure that power educator can take paid leave without disrupt the learning process teaching and without harm institution.²¹

On the other hand, policy termination contract must designed like that in a way that is fair for second split party. Termination contract Work must done based on clear and appropriate reasons with regulation current regulation. For example , in Regulation Government Number 35 of 2021 concerning Agreement Fixed Time Work , Outsourcing, Work Time and Rest Time , and Termination Connection Work , arranged that termination contract Work must done with announcement moreover first and accompanied with adequate compensation for affected workers impact .

With compile agreement written work and policies paid leave as well as termination clear contract, Ruhama Islamic College can create environment conducive and professional work . This matter No only will increase satisfaction and performance power educators , but also will give protection adequate law for second split party . As the result, the institution can operate with more efficient and effective in reach objective desired education .

b. Transparency Finance

Transparency finance in institution education is aspect crucial that can be influence trust and satisfaction power educator as well as public . In context this , institution education must more transparent in management finance and giving clear information about budget For incentives and compensation . Transparency This important For avoid dissatisfaction and suspicion from power educator .

²⁰ <https://www.sinergiaconsultant.com/9-kompon-cepat-dalam-perkerjaan-kerja/> . Accessed July 7, 2024

²¹ Sovia Hasanah , *Is Vacations for Civil Servant Teachers and Lecturers Cutting Annual Leave ?* . 2017, [https://www. Hukumonline.com/klinik/a/baik-liburan-guru-dan-dosen-pns-me cut-cuti-tahunan -lt5975518fc85a8/](https://www.Hukumonline.com/klinik/a/baik-liburan-guru-dan-dosen-pns-me-cut-cuti-tahunan-lt5975518fc85a8/) . Accessed July 7, 2024

One of example application good transparency can seen from SD Negeri Banyu Urip VIII Surabaya who has carry out principle Management Based School (MBS) with effective . School This utilize online and offline media as means reporting results performance , esp in field finance . Involvement committee school , teaching staff , head school , treasurer , and officials Implementing Technical Activities (PPTK) in preparation Plan Activity Budget School (RKAS) shows exists good transparency . Apart from that , schools also use it board announcement For explain go out the influx of funds used For operational school .²²

However, no all institution education in Indonesia implements transparency finance with Good . As for example , the Ministry of Education, Culture , Research and Technology (Kemendikbudristek) still face critics related minimal transparency budget . Although managed budget experience enhancement significant from year to year , information about budget the No easy accessible to the public . This matter show that Still There is gap between big managed budget with level implemented transparency .²³

For increase transparency , institutions education can Study from practice best implemented in several schools and colleges high abroad . For example , some college high in the United States such as Harvard University and George Washington University uploaded report containing annual report academic , non-academic , and financial on their website . Report This covers summary source income , type expenditure , amount deficit , and position finance in two year final . Transparency model This can increase trust public to institution education .²⁴

Apart from that , the government has also set supportive policies giving compensation to power educator . For example , in 2023 , the Ministry of Education and Culture channel help incentive to 67 thousand non-PNS teachers and educators . This help given to teachers and educators who have not yet own certificate educator and not status as head school . Distribution help This arranged in Regulation Secretary General of the Ministry of Education, Culture , Research and Technology Number 11 of 2023 concerning Distribution Technical Instructions Incentive

²² Ella Febya Ardani and Syunu Trihantoyo , Application Transparency and Accountability of Operational Assistance Funds Schools (BOS) to Improve Community Participation in the Banyu Urip VIII Public Elementary School Environment in Surabaya. *Journal Inspiration Educational Management* , 8.3, (2020), p . 134-144.

²³ <https://antikoburu.org/id/minim-transparansi-anggaran-kemendikbudristek> Accessed July 7, 2024.

²⁴ <https://mpi.fit.uinsaid.ac.id/transparansi-pengelolaan-keuangan-belajar-dari-bisnis-muhammadiyah-di-australia/> Accessed on 8 July 2024.

Assistance for Non-ASN Educators in PAUD, Dikdas , and Dikmen Tahun 2023 Budget .²⁵

With Thus, transparency finance in institution education No only about openness information, but also about accountability and participation all holder interest. Openness This can increase trust society and energy educator to institution education, as well ensure that managed budget used in a way efficient and effective For reach objective more education Good.

By Overall, improve balance and transparency agreement working at the Ruhama Islamic College is important For create environment fair work, improve teacher welfare and performance, as well ensure quality more education Good. Agreement clear and written work, policies leave and termination fair contracts, as well transparency good finances will help realize matter the. With so, okay power educator nor institution education can Work The same For reach objective more education good and sustainable.

2.2 BALANCED WORK AGREEMENT BETWEEN EDUCATORS AND EDUCATIONAL INSTITUTIONS AT PRIVATE EDUCATIONAL INSTITUTIONS

Comparison agreement balanced work between power educators and institutions education at the institution education private is very issue important. Balance This influence well-being power educators and quality education provided to student. Case study implementation agreement You can work at the Ruhama Islamic College give description about various aspects involved, incl procedures and mechanisms agreement work, obstacles faced, and challenges field specific. With understand How agreement Work This run, we Can identify areas of need revised and formulated more recommendations effective For create agreement more work balanced and fair for all parties involved.

2.2.1 Implementation Agreement Work at Ruhama Islamic College

Implementation agreement work at the Ruhama Islamic College reflects dynamics connection Work between power educators and institutions education . However , Ruhama did not carry out order Constitution related agreement Work . Absence agreement Work or formal contract between power educators and institutions education in Ruhama gave rise to various problem.

²⁵ <https://www.detik.com/edu/school/d-6866482/guru-dan-pendidik-non-pns-bakal-cepat-bangunan-insentif-ini-cara-dapatnya> Accessed on 8 July 2024.

According to Law no. 13 of 2003 concerning Employment, Article 54, Paragraph 1, agreement Work must made in a way written and loaded information like name , address company , type business , name , type gender , age , and address worker , position or type job, place work , big wages and methods payment , terms and conditions work , start and term time agreement work , place and date agreement work , as well sign hands of the parties . However, Ruhama did not own contract Work or agreement fulfilling work provision the .

Absence agreement Work This give rise to various obstacles and challenges . For example , lack certainty law for power educator about rights and obligations them , as well obscurity about magnitude wages and conditions Work . Without agreement work , energy educators in Ruhama face challenge in get protection adequate law , making they prone to to change internal policies that can harm position and prosperity they .

Absence a formal contract results lack of structure and transparency in connection Work between power educators and institutions education . This can cause dissatisfaction and discomfort among power educator , who in turn can influence performance they in teach and educate student .

a. Procedures and Mechanisms Agreement Work

Recruitment procedures at Ruhama Islamic College have begun with spread pamphlet For inform chance application . After submitting application , administrative process covers selection involving files verification qualification candidate . Successful candidates stage administrative Then invited For follow session interviews and microteaching. Although successful candidate chosen direct instructed For start task teaching , no There is contract written that regulates details such as teaching hours , conditions work , and size wages . Determination of employment status in form of a new Decree (SK). given after a number of time .²⁶

Procedures and mechanisms agreement suitable work with regulation legislation very important in connection Work . Article 27 paragraph 2 of the 1945 Constitution confirms right every top citizen decent work and living , and Article 28 D paragraph 2 confirms right everyone for Work as well as get fair and decent rewards and treatment . Agreement Work must reflect rights these , incl clarity about wages , working hours , and conditions Work . However , the recruitment process in Ruhama is not in accordance with principles agreement nice work .

²⁶ *Personal Interview* , Sindi Rosmilda, Principal of SDI Ruhama School, South Tangerang, 25 June 2024

Obscurity contract Work become issue main . Absence contract written form that sets out important details such as teaching hours , conditions work , and size wages give rise to uncertainty for power educator . Contract clear and comprehensive work give protection law and guarantee to rights and obligations second split party . Without clear contract , power educator prone to to change detrimental internal policies they .²⁷

Transparency and certainty is element important in connection Work . Implementation agreement transparent and appropriate work law is key For create environment stable and productive work . Transparency covers information about rights , obligations , as well as procedure solution fair dispute for all parties involved . For increase quality connection work and fulfill standard law , Ruhama Islamic College is necessary review return procedure recruitment and improvement practices that are not in accordance with principles agreement nice work .

b. Obstacles and Challenges Faced

Ruhama Islamic College faces various obstacles and challenges in the recruitment and management process power educator. Some of them is:

1. Obscurity Contract Work: None contract written that regulates details such as teaching hours, conditions work, and size wages give rise to uncertainty for power educator, cause dissatisfaction and insecurity influencing work teacher performance and motivation.
2. Legal Protection and Welfare: No clear contract, power educator prone to to change detrimental internal policies them, hinder well-being them, and impact quality education.
3. Transparency and Certainty: Lacking transparency about rights, obligations, as well as procedure solution dispute give rise to uncertainty and dissatisfaction among power educator.

For overcome constraint Ruhama needs this review return procedure recruitment and improvement practices that are not in accordance with principles agreement nice work. Transparency and certainty in agreement Work will give benefit period long for all stakeholders in the educational process at the institution the.

2.2.2 Comparison Agreement Balanced Work in Private Educational Institutions

²⁷ Muhammad Raihan Nugraha , *Contracts School Teacher Work and Salaries Private* . 2024. <https://www.Hukumonline.com/klinik/a/contract-kerja-dan-gaji-guru-school-swasta-cl6609/> . Accessed on 8 July 2024.

In context connection work in institutions education private, important agreement balanced work become highlight main. Case study comparison with institution education private other give view to diverse implemented practices and policies in arrange connection between power educators and institutions. Analysis This dig balance rights and obligations, as well identify practice best in ensure protection fair laws and transparency in condition Work. With understand and apply principles this, institution education can increase quality connection Work as well as create environment empowered education competitive and fair for all parties involved.

a. Case study Comparison With Private Educational Institutions Other

In an attempt understand practice agreement balanced work, analysis done towards the Azzahra Pondok Foundation Petir manages SDIT Az-Zahra and SMP/IP Az-Zahra. this foundation carry out agreement Work or contract Work with clear and written provisions, including identity second party, position, amount wages, conditions work, and term time agreement, accordingly Article 54 paragraph 1 Law no. 13 of 2003 concerning Employment.²⁸

Implementation agreement work at the Azzahra Foundation reflects obedience to law, guarantee clear rights and obligations for power educators, as well give protection adequate law . Agreement Work written give certainty about condition work , teaching hours , amount salary , and conditions others , all of them arranged in a way transparent and capable accountable .

On the other hand, the recruitment process at Ruhama Islamic College is not show application agreement Work written that regulates details such as teaching hours, conditions work, and size wages. Successful candidates selection direct administration and microteaching instructed For start task teach without contract Work written. Determination of employment status in new SK form given after a number of time.

Approach law show nonconformity with Article 54 paragraph 1 Law no. 13 of 2003. Absence contract Work written create uncertainty law for power educators and transgressors due rights guaranteed through agreement transparent and written work . Article 56 paragraphs 1 and 2 of the same law state that entrepreneurs who don't make agreement Work or No give proof written about provisions agreement

²⁸ *Personal Interview* , Rini Anggraeni, Principal of the Az Zahra Foundation School, Depok, 28 June 2024

Work can worn penalty administrative form reprimand written and fined administrative .

Comparison This show that the Azzahra Pondok Foundation Lightning apply practice agreement suitable work with law , provide certainty and protection law for power the educator . On the other hand , the Ruhama Islamic College is necessary review return practice recruitment and implementation agreement Work written For ensure balance rights and obligations as well as protection adequate law for power educator . Implementation agreement balanced work is step important For create environment stable and productive work , as well support objective quality education . With obey provision law , institutions education can avoid penalty administrative and creating connection more work transparent and fair , impactful positive to quality education and welfare power educator .

b. Analysis Balance of Rights and Obligations

Implementation agreement works at the Azzahra Pondok Foundation Lightning done with clear and written provisions, including various aspect important guarantee balance rights and obligations between power educators and institutions education. Agreement Work This give certainty law regarding employment status, size salary , working hours , and conditions Work others written in contract . Educational institutions obliged obey and enforce agreement work that has been done agreed , incl payment salaries and provisions facility adequate work .²⁹

Transparency and accountability is aspect important in agreement works at the Azzahra Pondok Foundation Lightning . Teacher entitled know in a way transparent all over governing provisions connection Work them , including the assessment process performance and procedures submission complaint . Educational institutions must give information accurate and complete about applicable regulations and policies , as well straighten up transparent procedures in all aspect connection Work .

There is an agreement Work written give protection law to power educator from actions that don't fair or arbitrary . Educational institutions must ensure that all actions and policies taken in accordance with provision applicable law , incl solution fair and transparent disputes .

²⁹ *Personal Interview* , Rini Anggraeni, Principal of the Az Zahra Foundation School, Depok, 28 June 2024

Recruitment and placement process power educators at the Ruhama Islamic College do not accompanied agreement Work written that regulates details such as teaching hours , conditions work , and size wages . This matter give rise to imbalance rights and obligations . Without contract written , energy educator No own certainty about right them , like magnitude salary , working hours , and facilities should be they accept . Educational institutions No bound formally for fulfil its obligations , so potential give rise to uncertainty and ambiguity in connection Work .³⁰

Uncertainty emerging laws consequence agreement Work oral can harm power educator . For avoid problem this , Law no. 13 of 2003 concerning Employment oblige agreement Work made in a way written , includes all agreed rights and obligations , as well give adequate protection for power Work . With exists agreement written , second split party own base strong law For demand his rights and resolve dispute in a way fair and transparent .

c. Implications and Protection for Educators

Education is base main development something nation , and role power educator very crucial in determine quality education . Protection law to power educator very important, esp in context agreement organizing work rights and obligations they.

Protection law for power educators at the Ruhama Islamic College are based on an agreement organizing work connection between they with institution education. Implications law from agreement Work covers various aspect like right salary, guarantee social, conditions work, and protection to discrimination. Careful review to aspects This important For ensure justice and prosperity power educator.

d. Overview Based on Legal Protection Agreement Work

Teaching staff at the Ruhama Islamic College are protected by various regulation legislation For ensure they can operate his task with safe and professional. UU no. 14 of 2005 concerning Teachers and Lecturers stipulates that the teacher is power professionals who have right on protection law in carry out his task. Protection This covers right on riches intellectual, security , and safety in carry out assignments , as well freedom in give assessment and sanctions to participant

³⁰ *Personal Interview* , Rini Anggraeni, Principal of the Az Zahra Foundation School, Depok, 28 June 2024

educate in accordance with rule education , code teacher ethics , and regulations legislation .³¹

PP No. 74 of 2008 concerning Teachers emphasizes that teachers have the right get protection law from follow violence, threats , abuse discriminatory , intimidating , or treatment No fair from party anywhere . Minister of Education and Culture Regulation No. 10 of 2017 regulates that protection for educator covers protection from follow violence, threats , abuse discrimination , intimidation and treatment No fair , as well protection profession , safety and health work , and rights on riches intellectual .³²

The rights of teachers at Ruhama Islamic College include: obtain above income need minimum life and guarantee well-being social, get promotions and awards on performance , gain protection law in carry out assignments , as well obtain chance For develop and improve qualification academics and competence . The teacher's obligations include: transfer knowledge knowledge to students, give objective assessment , creating atmosphere fun and interactive learning , as well uphold tall regulation legislation , laws , and codes teacher ethics .³³

Organization the teaching profession plays a role important in give protection right for teachers who face problem law, provide help law , and protect teaching profession. Organization this also enforces code ethics the teaching profession in order for them the more competent and professional in carry out his task. Society has too share in give protection to educators, for example with report follow violence towards teachers and staff education .

e. Recommendation For Increase Balance in Agreement Work

For increase balance in agreement Work between power educators and institutions education at the Ruhama Islamic College, several recommendation can applied based on principles law employment ³⁴:

³¹ Cecep Darmawan, *Organization Teacher Profession and Protection* . 2023. https://mediaindonesia.com/opini/604842/organization-profesi-dan-perlindungan-guru#google_vignette . Accessed On 8 July 2024.

³² Jejen Musfah , *Position and Role of the Organization Profesi* , 2019. <https://fitk.uinjkt.ac.id/id/kedunian-dan-peran-organization-profesi> . Accessed On 8 July 2024.

³³ *Personal Interview* , Sindi Rosmilda, Principal of SDI Ruhama School, South Tangerang, 25 June 2024

³⁴ Tobbing Padimun Lumban , *The Principle of Balance in Contract Law Work . Hermeneutics : Journal Legal Studies* 6.1. (2022) , pp . 112-120.

1. Determination Standard Adequate Teacher Welfare : Based on Law no. 13 of 2003 concerning Employment , giving adequate compensation to worker covers giving allowance functional in accordance regulations , as well appropriate compensation with burden work and take responsibility answered the teacher.
2. Repair Condition Work: Provision facility adequate support for the learning process teach can reduce burden teacher work and improve effectiveness teaching .
3. Certainty Contract Work: Preparation contract work that provides guarantee work period length and certainty career for teachers, with reduce non- use of PKWT give guarantee stability.
4. Giving Awards and Recognition: Giving appropriate rewards and recognition for teachers who show dedication high and accomplished.
5. Protection and Settlement Dispute: Formation mechanism solution effective and transparent disputes, as well guarantee that agreement work done obey regulation current regulation.
6. Implementation Effective HRM Policy: Formulation policy clear and fair leave in accordance regulation legislation, as well giving appropriate incentives and compensation time.
7. Monitoring and Evaluation Periodic: Evaluation periodically to teacher welfare and performance, as well supervision implementation agreement Work.

Implementation recommendations This expected can create more balance Good in agreement work, improve well-being and performance power educators, as well in a way whole increase quality education at the Ruhama Islamic College.

3. CONCLUSION

1. Imbalance rights and obligations in agreement Work between power educators and institutions education at Ruhama Islamic College has impact significant negative. Although Constitution set teacher's rights, such as allowance functional , many teachers at Ruhama Islamic College are not accept rights they with worthy . Imbalance This seen in low well - being, condition work that doesn't support , and uncertainty work consequence agreement Work time certain (PKWT). The impact is decline motivation , performance , and teacher loyalty , ultimately lower quality education . Obscurity in policy leave and termination contract , as well injustice in giving incentives and compensation , exacerbate situation . Teacher often face condition work that doesn't fair

or not own protection adequate law . For overcome problem This , Ruhama Islamic College is necessary develop agreement clear and written work , includes rights and obligations second split parties , as well provision about leave , termination contracts , incentives, and compensation . Transparency finance and implementation principles justice in management source Power humans too important. With agreement fair and transparent work, welfare and motivation power educator can improved , which in the end will increase quality education at the Ruhama Islamic College.

2. Agreement balanced work between power educators and institutions education at the institution education private very important For ensure sustainability quality education . This matter involve protection right power educators , clear and fair agreements about obligation as well as right them , commitment to development professional , and effort together For increase quality education in a way comprehensive . With So, work equally balanced This become base For create environment productive and empowered learning competition in institutions education private .

4. SUGGESTION

1. Remember conditions described at the Ruhama Islamic College, one of them step it's important that you can taken is development agreement clear and written work between power educators and institutions education . Agreement This must covers all rights and obligations regulated by law, incl allowance functional and protective adequate law . Besides , it is necessary exists transparent policy about leave , termination contracts , incentives , and compensation , as well implementation principles justice in management source Power man . This matter can help increase well-being and motivation power educator, who in turn will impact positive to quality education.
2. For institution education private in a way general, important For ensure that agreement Work between power educators and institutions education is at in good balance. One possible suggestion applied is increase open communication and dialogue between second split party in compile agreement Work. This includes compile clear and fair agreement about rights and obligations, incl commitment to development professional power educator. In addition, institutions education the private sector is also necessary apply system evaluation and feedback constructive feedback For ensure that agreement Work still relevant and supportive enhancement quality education in a way sustainable.

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