

Fulfillment employment rights for individuals with disabilities in Surabaya

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Abstract

This research is a type of socio-legal research with a qualitative approach that, in collecting data, uses two types of data sources: primary from interviews with informants and secondary obtained from reading book searches and product analysis of applicable laws and regulations related to persons with disabilities. This study aims to determine the extent to which the fulfillment of the right to work for persons with disabilities has been carried out in the City of Surabaya by the City Government through the performance of authorized regional institutions and the underlying legal products. This research is a topic that is quite important and has urgency today because, considering the increasingly rapid current of modernization now, it does not necessarily improve the quality of fulfilling human rights (HAM), especially for people with disabilities, who often receive discrimination from the surrounding environment, especially in the field of work. In the field of work, persons with disabilities have the same rights as non-disabled workers, as explained in the 1945 NRI Constitution Article 28D Paragraph (2). A derivative of the reading of the Article of the Constitution is in Law Number 13 of 2003 concerning Manpower, which also discusses employment rights for persons with disabilities. In the future, Local Regulation to protect disabled persons is needed.

Keywords: character education; local wisdom; Batik Pekalongan

Introduction

Indonesia is a democratic country where one of its manifestations is through the fulfillment of Human Rights which are highly respected and upheld in various state



administration practices. As a democratic country which is also a country of law, of course everything is regulated in such a way through legal products to serve as a basis for behavior in knowing the boundaries between right and wrong. The practice of human rights is also clearly stated in the Indonesian legal product or constitution, specifically in Articles 27-34 of the 1945 Constitution of the Republic of Indonesia, which in turn encourages the state to participate in providing equal protection for all citizens regarding the fulfillment of human rights (Istifarroh & Nugroho, 2019).

Human rights must be fully respected and guaranteed by the state, as stated in Article 28D Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. Based on this article, citizens have been guaranteed by the state and have the right to receive equal treatment in the eyes of the law and between citizens of the same country. with others, then in article 28D Paragraph (1) it is also explained that the state is not allowed. differentiate between citizens of one country and citizens of another country because basically everyone is the same. The words "everyone" in this article also have the meaning of referring to groups of people with disabilities who of course have the same rights in fulfilling all human rights which include the right to life, the right to education, the right to justice, the right to welfare and the right to obtain employment for decent living (Vincentia, 2020).

Article 27 paragraph (2) of the 1945 Constitution states that every citizen has the right to work and a living that is worthy of humanity. The meaning of the article is not only intended for ordinary people, but also for people with disabilities. Persons with disabilities with all their deficiencies and limitations have the same right to work without being underestimated, to be treated equally and independently, without having to invite excessive pity. Unfortunately, until now accessibility in the employment sector has not been provided wide space for Persons with Disabilities, because sometimes companies do not provide it and do not understand the rules between the work given and the skills of persons with Disabilities, access to infrastructure, access to public services, and access to justice (Trimaya, 2018).

Employment opportunities for people with disabilities have long been a topic of discussion, as many individuals with disabilities face significant barriers in getting and keeping jobs. However, there have been efforts in recent years to improve accessibility and inclusion in the workplace for disabled individuals. In this discussion, I will explore the right to employment for disabled persons and provide some relevant citations to support the discussion.

The employment of persons with disabilities is becoming increasingly important due to a shortage of skilled labor, demographic changes in age, and changes in societal perceptions and legislative frameworks (Baumgärtner et al., 2015; Kulkarni, 2016). Persons with disabilities are one of the world's largest minorities, with approximately 1.1 billion individuals affected by a disability (Beatty et al., 2019; Lengnick-Hall et al., 2008; Schur et al., 2014). However, they still face disproportionately high levels of job insecurity, underemployment, and unemployment compared to the rest of the population. To combat these disparities and better utilize the high-skilled labor pool that persons with disabilities constitute, a growing body of research has been conducted to better utilize the high-skilled labor pool that persons with disabilities constitute (Baldrige et al., 2015; Lengnick-Hall et al., 2008; Schur et al., 2014).

The right to work for people with disabilities is recognized by international law. The UN Convention on the Rights of Persons with Disabilities (CRPD) outlines the right of individuals with disabilities to work on an equal basis with others and to be protected from discrimination in employment (Article 27). This convention emphasizes the importance of improving access to the labor market for persons with disabilities and calls for reasonable accommodation to enable persons with disabilities to participate in the world of work. Despite legal protections, many people with disabilities still face barriers to employment. According to an International Labor Organization (ILO) report, the global employment rate for people with disabilities is only 44%, compared to 75% for non-disabled individuals. Barriers to employment for people with disabilities include discrimination, inaccessible workplaces, lack of reasonable accommodation, and negative attitudes towards disability (ILO, 2018).

Law Number 8 of 2016 concerning Persons with Disabilities states that "Persons with disabilities are anyone who experiences physical, intellectual, mental and/or sensory limitations for a long period of time so that they experience obstacles and difficulties in interacting with other people. environment" (Undang Undang Penyandang Disabilitas, 2016). All these limitations then encourage people with disabilities to participate fully and effectively with other citizens based on equal rights (Istifarroh & Nugroho, 2019). In general, the main social problem often faced by people with disabilities is that their conditions are "abnormal" depending on the type of limitations they have, so that ultimately these conditions cause other people to feel uncomfortable or uncomfortable interacting with them. So, it could be said that the surrounding environment has given a bad stigma to people with disabilities, starting from the perception that they cannot be independent, always depend on other people and even be considered real social instability. In fact, people with disabilities are also equal human beings and should receive equal treatment in various fields including employment opportunities. The study in USA found that people with disabilities in the United States are more likely to lose their jobs involuntarily compared to those without disabilities, especially in the employment-education sub-sample (Mitra & Kruse, 2016). The causes of this gap could be due to unobservable characteristics, job mismatch, and discrimination. Employer and public policies are needed to improve job security for people with disabilities.

One of the foundations for discussing the fulfillment of the right to work is Law Number 13 of 2003 concerning Employment or what has become known as the Employment Law which regulates in full the policies for providing protection to workers. This law should be used as a legal umbrella that is interrelated with the rights of people with disabilities to participate in the formal and informal sectors in the world of work. In fact, there are still very few people with disabilities who work in the formal sector, even though there are regulations governing the minimum number of people with disabilities employed in the formal sector, namely in Article 53 paragraphs (1) and (2). Paragraph (1) states that the Government, Regional Governments, State-Owned Enterprises and Regional-Owned Enterprises are required to employ at least 2% of persons with disabilities from the total number of employees or workers. Then paragraph (2) requires private companies to employ a minimum of 1% of people with disabilities from the number of employees or workers (Widjaja et al., 2020). So Legally, the right of persons with disabilities to obtain employment can be said to be guaranteed and protected by the state, although its implementation has not been completely successful because there are still many formal state-owned and private companies that do not employ persons with disabilities.

In today's world, people with disabilities experience discrimination in terms of employment, access to good services, education, transportation and even basic elimination or management, etc. They do not have the same permission as ordinary humans or capable members of society. They were never thought to have ordinary abilities to do good. Their rights have been violated, and the government has even done harm to the fulfillment and protection of their human rights (Adoga-Ikong & Ibekwe, 2020). The state, in this case the government, based on the constitutional mandate, must fulfill the human rights of persons with disabilities, especially in accessing formal sector jobs.

The fact that it is not easy for people with disabilities to work in the formal sector comes from the companies themselves which often provide acceptance requirements that are the same as those for applicants with normal conditions, meaning that companies do not provide an open response to applicants with disabilities. disability condition. For example, this can be seen in the point that the minimum education requirement for a bachelor's degree/diploma is quite high for people with disabilities considering that in the education sector there are still obstacles related to fulfilling their rights. Then there are points regarding the requirements for a physically and mentally healthy body condition and an attractive appearance, which are considered too general so that if translated, of course, people with disabilities who have limitations in certain conditions cannot be said to be healthy, so ultimately people with disabilities cannot try to apply for job vacancies. available. Things ranging from job vacancy requirements made by the companies themselves of course discriminate against people with

disabilities, which ultimately means that access to fulfill the minimum quota in accordance with the provisions of the Law on Persons with Disabilities cannot be realized.

In 2020, people with disabilities in the city of Surabaya alone will reach a total of approximately 7,000 people with disabilities ranging from physical, mental, intellectual, and sensory. Of course, the most prominent problem is regarding employment and a decent living for people with disabilities. Until now, even though it has been clearly regulated regarding the fulfillment of the rights of persons with disabilities, there is still a lot of discrimination in the social environment. People with disabilities, for some people, one of whom is an entrepreneur, are still seen as someone who cannot work well and has no skills. In fact, there are still many people who consider people with disabilities to be physically and mentally unhealthy. In overcoming problems that are increasingly felt the same in the city of Surabaya, the government must play an active and serious role in efforts to fulfill the right to employment for people with disabilities so that it is hoped that all limitations they have will not be exceeded. hinder the opportunity to live a decent, independent life and free from discrimination against others. Therefore, the question arises in this research, how are the rights of people with disabilities fulfilled in the city of Surabaya?

Method

The problem formulation in this research will be answered using Socio-Legal research which carries out textual studies, where articles in laws and regulations and policies relating to the protection of human rights for people with disabilities in the city of Surabaya are also critically analyzed. This method is called a "non-doctrinal" method because it uses legal principles in social research, and legal methods are basically empirical (Fuad, 2020). This research uses a qualitative research approach with a qualitative descriptive research design with the aim of being able to describe in depth the protection of human rights for people with disabilities in the city of Surabaya and its relationship with RANHAM. In this socio-legal research, the sources are the Surabaya City Social Service and the Ministry of Law and Human Rights as two institutions that are related and have authority in implementing policies to protect human rights for people with disabilities. The research location in this research is broad, namely in the city of Surabaya and universally the subjects are all people with disabilities in the city of Surabaya who experience inequality in efforts to fulfill their rights to obtain work and a decent life.

Participants in this research were the government represented by heads of institutions or representing the Surabaya Regional Office of the Ministry of Law and Human Rights. Apart from that, there were also representatives from the Surabaya City Social Service and of course people with disabilities in the City of Surabaya. Data was collected using qualitative methods then reduced and described to answer the existing problem formulation. Meanwhile, the instrument in this research uses an interview guide that is adapted to the problem formulation. Then the data is analyzed normatively empirically. In sociolegal research, data analysis includes the data collection and processing stages, then continues with data interpretation to produce accurate and useful conclusions. The stages are to carry out descriptive analysis, qualitative analysis with interviews and then its relevance to existing regulations regarding the regulation of fulfilling disability rights in the workplace.

There are two types of data that will be used in this research, namely primary data and secondary data which are collected and then analyzed in depth to answer the problem formulation. The primary data for this research are basic norms, laws and regulations relating to the protection of human rights for people with disabilities. Apart from that, primary data was also obtained through interviews with predetermined informants. Meanwhile, secondary data was obtained from literature books, legal research reports, namely previous written/scientific works related to the issues discussed. Data collection techniques were carried out by means of interviews and documentation.

Results and Discussion

The term "Persons with Disabilities" became known when Law Number 8 of 2016 concerning Persons with Disabilities (hereinafter to be referred to as the Law on Persons with Disabilities) was promulgated on April 15, 2016. The term Persons with Disabilities replaces the term persons with disabilities used in Law Number 4 of 1997 concerning Persons with Disabilities. Article 1 number 1 of the Law on Persons with Disabilities explains that Persons with Disabilities are any person who experiences physical, intellectual, mental, and/or sensory limitations over a long period of time In interacting with the environment can experience obstacles and difficulties to participate fully and effectively with other citizens based on equal rights (Widjaja et al., 2020). But the view that disability as a shortcoming to be productive must be abandoned (Quintavalla & Heine, 2019; Rika et al., 2020; Vornholt et al., 2018). Disability should be considered a privilege that they will be productive in a different way when they are given the opportunity to work. A disability worker is any person with special needs who can carry out work like a normal person in general according to the characteristics or qualifications of their respective jobs according to their abilities. Workers with disabilities should be given special protections related to accessibility in the fulfillment of the needs of daily life about the right to obtain employment. The right to obtain a job is the right of everyone who is the embodiment of human rights in terms of meeting the needs of his life to carry out his life properly (Ratnasari & Salain, 2016).

Despite these legal protections, people with disabilities in Indonesia still face significant barriers to employment. According to a report by the International Labour Organization (ILO), the unemployment rate for people with disabilities in Indonesia is almost three times higher than the rate for people without disabilities. Many employers in Indonesia are still hesitant to hire people with disabilities due to negative attitudes and misconceptions about their ability to work. However, there are also several initiatives aimed at improving employment opportunities for people with disabilities in Indonesia. For example, the Disability-Inclusive Business Initiative (DIBI) in Indonesia is a public-private partnership that aims to promote inclusive employment practices and increase job opportunities for people with disabilities. Additionally, the National Agency for Placement and Protection of Indonesian Workers (BNP2TKI) has a special program to support the placement of people with disabilities in overseas employment.

In Indonesia, the Law No. 8 of 2016 concerning Persons with Disabilities affirms the right of people with disabilities to work and to have equal opportunities in employment. The law requires employers to provide reasonable accommodations for employees with disabilities and prohibits discrimination against employees with disabilities in the workplace. Additionally, the government of Indonesia has implemented a quota system that mandates that at least 1% of all employees in government agencies and private companies must be people with disabilities.

The one percent quota for people with disabilities seems to be far from reality, there are still many private companies and state-owned companies that although employing more than 100 people do not hire a single person with disabilities or only hire one person. It is rare for private companies and state-owned companies to accept persons with disabilities because there are no rules governing sanctions for companies that do not employ persons with disabilities. Because most people think People with disabilities are equated with sick and helpless people so there is no need to be given education and jobs. They were pitied enough and nurtured enough for their survival. So that this results in people with disabilities not getting the same rights and opportunities as other citizens of the community It results in people with disabilities not getting proper protection. So that people with disabilities is vulnerable to being used as cheap means of production, for example child labor and female labor which are always overshadowed by acts of human rights violations (Istifarroh & Nugroho, 2019).

Legal protection for workers is the embodiment of the basic rights of the regulated constitution attached and protected by it the Constitution of the Republic of Indonesia Article 27 paragraph (2) of 1945. In the field of human resources, workers/laborers' protection of their

rights should be provided. Workers' rights in the UUTK regulated in Articles 77 to 101 include labor / worker rights. Many persons with disabilities, including Indonesia, have their rights violated so that enjoying equal rights must be realized. Article 53 of the Law on Persons with Disabilities Protects the equal rights and status of persons with disabilities. Lowest Looking for a job, having educational opportunities, Having equal opportunities before the law. Persons with disabilities deserve equal opportunities to meet self-needs, even if there is discrimination against persons with disabilities It is a violation of human rights.

Although there are several laws and government regulations that provide legal protection for persons with disabilities, it is still difficult for people with disabilities to obtain opportunities in the world of work. Even if there is, it is impossible to determine whether all the rights of persons with disabilities in the world of work have been realized. The existence of the foundation can be used to relieve various pressures and restrictions. It can be said that foundations or non-profit organizations play an important role in dealing with various problems that arise. The gap between the rapid development of tourism in Bali and the realization of the basic rights of persons with disabilities began to be bridged through the existence of foundations or non-profit organizations. The foundation relies heavily on its human resources, human resources, social workers, are the main assets that the foundation needs because they create and execute various service plans according to their respective visions and tasks (Manuaba & Santosa, 2020). From a formal juridical aspect, persons with disabilities get strong legal guarantees to obtain their right to employment.

Arrangements for The Fulfillment of The Right to Work for Persons with Disabilities in The City of Surabaya

Indonesia is a first-generation country that actively participates in disability issues globally and has signed the Convention on the Rights of Persons with Disabilities (CRPD) since its establishment in 2006. However, Indonesia will have to wait until 2011 for ratification of the CRPD based on Law No. 19 of 2011. The law affirms the civil, political, and ECOSOB rights of persons with disabilities and recognizes the need to fulfill its obligations of Indonesian law to form a completely new legal framework in the implementation of the CRPD (Dahlan & Anggoro, 2021).

The International Convention on the Rights of Persons with Disabilities (CRPD) aims to promote, protect, and guarantee the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to increase respect for their inherent dignity. Discrimination against people with disabilities is often a concern, as it disturbs their peace and tranquility of life.

Article 1 of the CRPD outlines the objectives of the convention, which include promoting, protecting, and guaranteeing the full realization of all human rights and fundamental freedoms without discrimination in any form based on disability. This includes adopting all laws and regulations for the implementation of the rights of persons with disabilities, taking appropriate policies and repealing discriminatory policies, considering the protection and promotion of human rights of persons with disabilities in all policies and programs, refraining from reparability in any act or practice contrary to the convention, eliminating discrimination based on disability by any person, conducting or promoting research and development of universally designed goods, services, equipment, and facilities, implementing or advancing research and development, providing accessible information to persons with disabilities on mobility aids, equipment, and assistive technologies, and promoting training for professionals and personnel working with persons with disabilities on human rights.

Article 5 on Equality and Nondiscrimination emphasizes that states involved in the convention must recognize all human beings as equal and prohibit all discrimination based on disability and ensure equal and effective legal protection. Women and children are among the most vulnerable to rights violations and discrimination against persons with disabilities, as they are already among the vulnerable groups. The government's efforts are stated in the

Convention to provide protection and assistance to persons with disabilities so that they can live independently.

The International Labor Organization (ILO) regulates problem-solving in the workplace, focusing on the placement, recruitment process, and supporting facilities for persons with disabilities (Gde Wiryawan, 2022). The ILO believes that employers benefit from hiring people with disabilities when disability-related matters are handled properly. People with disabilities can make important contributions to their work, especially in jobs that match their skills and abilities.

To implement effective management of workers with disabilities, positive cooperation between the government, employers' organizations, trade unions, and organizations of persons with disabilities is essential. The strategy should include accepting job seekers with disabilities, providing equal opportunities, and continuing employment guarantees for workers with occupational disabilities. Employers must cooperate with the labor market to find jobs that match their abilities, working capacities, and interests, and ensure that workers with disabilities receive the same benefits as workers without disabilities, such as transportation and housing benefits.

Companies, both public and private, must carry out recruitment of workers with disabilities. The Indonesian Constitution, the highest legal foundation of all sources of law in Indonesia, guarantees every citizen the right to a decent job and livelihood. The government has the authority to make legal regulations derived from the highest legal umbrella, such as derivative legal regulation under the 1945 NRI Constitution.

Regulation is crucial in implementing human rights assistance and protection for persons with disabilities in Indonesia. It is the basis of all national and state actions, especially in fulfilling the right to work for persons with disabilities according to the Indonesian constitution. Companies must meet the needs of people with disabilities to be productive and support the success of the company where they work.

The Right to Employment for Persons with Disabilities

The Law of the Republic of Indonesia Number 8 of 2016, which pertains to Persons with Disabilities, delineates the entitlements and prospects available to individuals with disabilities. According to Article 7 of the legislation, individuals with disabilities are entitled to freedom from stigma, harassment, humiliation, and negative labelling associated with their impairment. Nevertheless, the actuality falls short of the legal requirements since many individuals of average standing engage in derogatory behaviour towards those with impairments and display apathy for their circumstances.

Within the framework of RANHAM, individuals with disabilities are included within four vulnerable categories whose rights are of immediate importance. These include the entitlements to get education, exercise political freedoms, access public areas, and avail career prospects. To ensure the sustainability of RANHAM in every area of Indonesia, it is essential to foster collaboration among the central government, regional authorities, business entities, and all segments of society.

According to Article 1 number 2 of Law No. 8 of 2016, equality of opportunity is providing unrestricted opportunities or access to individuals with disabilities in all areas of government and community administration. The objective of ensuring equal rights and opportunities for those with disabilities is to attain a satisfactory standard of living, prosperity, self-sufficiency, and independence from discriminatory treatment in their surroundings. Law Number 8 enumerates 22 rights that individuals with disabilities must possess and that others are prohibited from infringing against. These rights encompass the entitlement to life, devoid of societal stigmatisation, as well as access to justice, legal safeguards, privacy, quality education, employment opportunities, entrepreneurship, cooperative ventures, healthcare, political participation, engagement in sports, cultural activities, and tourism. Additionally, these rights encompass social welfare, accessibility, provision of public services, protection from disasters,

freedom of religion, concessions, data collection, independent living, societal involvement, habilitation and rehabilitation, freedom of expression, communication, and access to comprehensive information (Vornholt et al., 2018). Furthermore, these rights include the ability to change locations and nationalities, while being safeguarded against discrimination, neglect, torture, and exploitation.

Women with disabilities are afforded extra safeguards for four specific rights under Article 5 paragraph (2) of Law Number 8 of 2016. These rights include the right to reproductive health, the right to exercise choice regarding the use of contraceptives, the right to enhanced protection against acts of violence, including sexual violence and exploitation, and the right to increased protection against various forms of discrimination.

The government must prioritise the fulfilment of fundamental rights for individuals with disabilities via the implementation of policies, laws, regulations, and tangible actions in Surabaya, the chosen research site (Quintavalla & Heine, 2019). These rights include the entitlement to quality education, access to public places, political participation, access to good employment and economic opportunities, and fair and dignified work placements.

Right to Employment for Persons with Disabilities in the City of Surabaya

The right to work is one of the human rights that basically belongs to all human beings without exception, including people with disabilities. People with disabilities certainly need equal opportunities in terms of obtaining a job to achieve a decent and independent life, especially in the current era, economic welfare is seen as one of the most important benchmarks in knowing a person's level of well-being. The state in this case as a party carrying out its duties should certainly be able to prosper its people through various actions, one of which is through the fulfillment of human rights (HAM). In the group of persons with disabilities, the state is present through laws and regulations that regulate the right of persons with disabilities to obtain employment, namely in Law Number 8 of 2016 concerning persons with disabilities. One of the derivatives of Law No. 8 of 2016 is in the Regional Regulation of East Java Province Number 3 of 2013 concerning Protection and Services for Persons with Disabilities. Unfortunately, in the city of Surabaya, which is known as a big city, it turns out that until now there are still no laws and regulations specifically governing persons with disabilities. This was then also confirmed by Mrs. Lusy as the Head of Human Rights Division of Regional Ministry of Law and Human Rights, East Java Province, who was interviewed regarding the fulfillment of the right to work for persons with disabilities and was associated with RANHAM.

"If the city of Surabaya is indeed a special related regulation for persons with disabilities and RANHAM until now does not exist, because the Regional Laws is tailored to the needs of each region and their respective budgets are automatically not the same as other cities/regencies, so they cannot be confused" (The result of an interview with Mrs. Lussy, Head of Human Rights at the Regional Office of the Ministry of Law and Human Rights of East Java, August 22, 2022).

From the excerpt of the interview, the City of Surabaya still does not consider the 'need' of laws and regulations regarding persons with disabilities, especially those related to the fulfillment of their human rights, including the right to work.

Law No. 8 of 2016 mandates that the government, regional governments, state-owned enterprises, and private companies must provide employment opportunities for persons with disabilities as much as 2% of their employees or existing workers. However, there are discrepancies in implementation, as not all companies have workers with disabilities, leading to limited access for people with disabilities to work in the formal sector and live in a prosperous economy like most non-disabled individuals.

The Regional Regulation of East Java Province Number 3 of 2013 regulates the right to work for persons with disabilities, stating that every person with a disability has the same opportunity to get a job according to their type and degree of disability and is entitled to special services or accessibility in carrying out their work. However, this is not always possible, as it

results in a significant number of people with disabilities who do not have jobs and impact their dependence on the surrounding environment.

In Surabaya, two government agencies, the Regional Office of the Ministry of Law and Human Rights (Kanwilukumham) at the East Java Province level and the Surabaya City Social Service (Dinsos), participate in hiring people with disabilities, employing 1 to 2 workers with physical disabilities such as visual impairments and limitations on the legs and hands. The Surabaya City Social Service (Dinsos) has tried to comply with provisions in Article 16 paragraph (3), hiring persons with disabilities at least one for every 100 workers.

The Surabaya City Government's view of being responsible for the right to a decent living for people with disabilities includes providing employment opportunities. To address existing problems, the Surabaya City Government created a disability community forum, where Surabaya people with retardation and completed higher education can join as teachers in the Achievement Children's Home built by the Surabaya City Government. Additionally, the city government opened job vacancies in the City Government area, promising to recruit 140 children with disabilities to work for the city in 2023.

Meanwhile, Mayor Eri Cahyadi has promised to recruit 140 children with disabilities to work for the city government, ensuring that people with disabilities are truly residents of the city and their positions will be adjusted to their abilities. This action aims to facilitate employment rights for people with disabilities and ensure that everyone has advantages and disadvantages.

Furthermore, until now the city of Surabaya also has a special house for people with disabilities called "Kampung Kalijudan" which accommodates refugees with disabilities. People with disabilities who are in special homes are then classified based on the level or type of disability, and those who can be given training, whether it be producing work or job training, will be trained as much as possible so that they can be empowered. according to their abilities. Although this practice has not been fully implemented, it can be said to be the implementation of Article 18 of the Governor's Law Number 3 of 2013 which states that the Provincial Government is obliged to provide job training for prospective workers with disabilities which in practice can be provided by the business world. perpetrators and/society. Even though the training was carried out by the Surabaya City Social Service, if we look at it in terms of quantity, it is still felt to be insufficient and requires more attention so that the number of people with disabilities who feel empowered can increase and the impact will be better.

The programs implemented at the Kalijudan Social Pondok UPTD are adapted to the main tasks and functions of the Kalijudan Social Pondok UPTD as stated in Surabaya Mayor Regulation Number 2 of 2013. The programs implemented at the Kalijudan Islamic Boarding School are more focused on children with intellectual disabilities or people with mental disabilities. The training carried out at the Kalijudan cottage includes mental or spiritual, physical, social and skills development that can be used as basic capital for people with disabilities so they can be economically independent. The functions of UPTD Kalijudan as stated in Surabaya Mayor Regulation Number 2 of 2013 include: (1) carrying out program preparation; (2) managing and maintaining facilities and infrastructure; (3) providing services, coaching, and developing the potential of the mentally disabled and students who collaborate with the UPTD; (4) providing administrative implementation; (5) provide evaluation and reporting on task implementation; (6) carry out other tasks assigned by the Social Service according to its duties and functions.

The role of the Kalijudan UPTD has also been adjusted according to Article 6 Point (c) regarding Surabaya Mayor Regulation Number 2 of 2013 regarding the Organization of the Service Technical Implementation Unit (UPTD), namely the implementation of services, guidance, and development of the potential of mentally retarded and foster students. The targets of the coaching carried out by UPTD Kalijudan are mentally retarded children who live not in accordance with the norms of a decent life in society, and do not have a class identity and live nomadic lives. Mentally retarded children who do not live according to the existing norms

of life will be caught by Satpol PP, who will then be referred to Liponsos Keputih through the Mayor's Recommendation, as well as voluntarily handing over mentally retarded children from the community who are disadvantaged families but have mentally retarded children. From this coaching target, UPTD Kalijudan can produce several crafts in the form of feather dusters, batik cloth made manually, accessories such as pigoras, hangers, tissue holders and footprints, all of which are made manually. It is hoped that the output from this coaching will be able to provide creativity to children with disabilities so that in the future they can be economically independent without having to be completely dependent on other parties.

The mental or spiritual guidance practice carried out by UPTD Kalijudan is to introduce and teach the understanding of the importance of prayer or worship according to their respective religions to disabled children there. For children with disabilities of various Islamic backgrounds, there are Koran reading activities every afternoon, Ramadhan hut activities during the month of Ramadan. This activity is carried out with the aim of forming mentally retarded children's faith in every religion they adhere to. This spiritual guidance can strengthen children with disabilities' understanding of the implementation of the pillars of faith and the pillars of Islam and their practices if they practice Islam. The Kalijudan UPTD will also give appreciation to those who carry out fasting services, so that they can be encouraged to carry out religious services as best they can.

The second activity carried out by UPTD Kalijudan is physical guidance, which involves holding sports activities. Namely, among others, gymnastics, futsal, and badminton. This physical activity is carried out every Friday and is attended by all mentally retarded children except the mentally retarded who have severe physical deficiencies. From physical guidance to mentally retarded children, they can behave more positively compared to when they were first found on the streets. Apart from that, there are several mentally retarded children who also have talent and interest in sports, as evidenced by the many achievements they have obtained. The third activity is social guidance. This social guidance focuses on individual relationships between mentally retarded children with other people and the environment around them. The social guidance provided includes guidance on caring for oneself, such as how to bathe, eat, clean personal items such as washing dishes and clothes. Teaching manners and manners, as well as cultivating a sense of togetherness, helping each other, caring. With this, they can carry out their functions like social creatures in general to interact with the community around them.

The final activity is skills guidance, where skills guidance is prioritized to explore their talents and interests. Interest guidance includes calistung, music, vocals, dancing, cooking, painting, and making handicrafts. However, in skills guidance, not all mentally retarded children take part in these activities, only those who have talent and interest take part in these activities. Calistung is attended by mildly mentally retarded children who receive basic calculations, then in the cooking activity the children will be taught to make cakes, be introduced to several kitchen utensils, and use the method of measuring containers so that the children are not too heavy in thinking. The next activity is making handicrafts where they will be taught how to manage used goods to become doormats from used sacks, dusters, and others. The goods produced will be sold during external visits or at art exhibitions. Furthermore, for activities such as music, singing and dancing, only certain mentally retarded children who have potential can be involved (Putri, I, F, D, 2018: 8-12). From these talent and interest guidance activities, the talents and interests of mentally retarded children can be identified, so that the mentors can more easily direct their talents and interests. With these blessings they can also have fun, which can be used as a reference for the life they will develop in the future.

Conclusion

The data on persons with disabilities in Surabaya, particularly those working in both formal and informal sectors, is not owned by the Surabaya City Social Service and the Municipal Representative of the Manpower Ministry Surabaya. This lack of coordination between these institutions indicates a need for quality improvement in coordination to create well-administered data. Researchers attempted to contact the City Development Planning Agency (Bappeko) of Surabaya City as an informant, but Bappeko did not feel related to the study's title

and did not provide any data. This suggests a lack of cooperation between authorized institutions and a lack of awareness about the matters for which they are responsible.

Persons with disabilities who receive training in Kalijudan village by Dinsos Kota Surabaya are only equipped with the ability to work informally or in the household sector, such as making crafts. Preparation for work in the formal sector is not taught, even though people with disabilities may be able to do formal work. This suggests that the Surabaya City Government through Dinsos is still considered responsible for facilitating people with disabilities in Surabaya, but its scope is less comprehensive and needs further evaluation.

A Regional Regulation specifically regulates the rights of persons with disabilities, but there is little regulation and transparency for the public. There is also a lack of supervision and evaluation of the rights of persons with disabilities in obtaining work requirements, despite Law Number 8 of 2016 clearly stating the minimum quota.

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