

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency



Desak Gde Dwi Arini<sup>1</sup>, Ni Gusti Ketut Sri Astiti<sup>2</sup>, Putu Ayu Sriasih Wesna<sup>3</sup>

<sup>1,2,3</sup> Fakultas Hukum, Universitas Warmadewa Denpasar, Bali-Indonesia

**ABSTRACT:** The regulation of legal protection and empowerment of local labor in the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower and Regional Regulation (Perda) of Bali Province Number 10 of 2019 concerning the implementation of Manpower, as well as Law Number 25 of 2007 concerning Investment in companies located in Blangsinga Tourism Village, Gianyar Regency is a study of researchers. Companies located in the tourist village of Blangsinga employ local labor in all fields, and it is highly expected to the Government in general as well as employers as investors and local labor in particular that arrangements regarding legal protection and empowerment of local labor require a separate policy from employers, where the employer is also obliged to foster good relations with all parties, namely investors, the community of Blangsinga tourist village and the Government of Gianyar Regency, in this case the Department of Labor, because the policies and regulations issued by the company are inseparable from its supervision, to avoid the possibility of arbitrary actions by employers against the local workforce itself. The purpose of this research is to prevent conflict so that it is necessary to make objective standards so that investors are also protected by their investments. The constraints and obstacles faced by a company in implementing Law Number 13 of 2003 concerning Manpower and Regional Regulation of Bali Province Number 10 of 2019 concerning the Implementation of Manpower, as well as Law Number 25 of 2007 concerning Investment with the existence of human nature as a creature where certain times or certain conditions in the economic field experience a downturn, encouraging the enactment of the Manpower Law and Regional Regulation of Bali Province Number 10 of 2019 concerning the Implementation of Manpower and the Investment Law. In overcoming these obstacles and barriers, the company as an Investor makes every effort to realize the core of the Law of the Republic of Indonesia Number 13 of 2003 and Regional Regulation of Bali Province Number 10 of 2019 concerning the implementation of employment, and Law Number 25 of 2007 concerning Investment which determines that the Company is obliged to prioritize the empowerment of local workers working where the company is established and operating, by providing certain policies by being enforced after deliberations between the company and village officials first. Outputs The targeted scientific journals are reputable National or International journals, as well as research reports in 2023, and Intellectual Property Rights (IPR).

**KEYWORDS:** Empowerment Concept, Local Labor, Tourism Development, Gianyar Regency

### I. INTRODUCTION

The existence of tourism in Bali as the main sector of the regional economy is due to the island of Bali's enchanting natural beauty, friendly people, and diversity of traditions, which causes tourism activities in Bali to continue to exist from time to time. The beauty of nature and all the uniqueness that is accompanied by the power of religion and combined with culture so that it is very strong in the side of people's lives<sup>1</sup>. For this role, Bali has now become one of the regions with the largest tourism visits in Indonesia. The increase in the number of tourists who come can be recognized as a good impact, especially on the economic aspects of the community. Community-based tourism is an important economic activity that when managed properly can have a good impact on the order of development, poverty reduction, community harmony, local economic development, natural resource management, and a sustainable environment.(Malik Farmawaty, 2016). The economic aspect that can be utilized by the community is the rapid development of new tourism such as hotels, villas, travel, and others that can open up jobs for the surrounding community. On the other hand, the development of the tourism industry must prioritize the principle of environmental sustainability, so that its management can be felt until our children and grandchildren. (Purnamasari, andi Maya, 2011). This is related to the principle of Balinese culture which adheres to the Tri Hita Karana principle, namely the principle of harmonious relations between humans and the environment. (Kristyana Dewi, Desak Ayu, and Wayan Bela Siki Layang, 2019).

Indonesia is a country that has a variety of cultures and traditions in each region. In a variety of cultures, each region will try to create a tourism object. With a large tourism object, it can be a foreign exchange contributor to the Indonesian economy, so this is where there are investors who want to build more modern tourism. Speaking of investors has been protected by Law No. 25 Year 2007 on Capital Investment, which provides protection for investors who invest in Indonesia, especially in Gianyar Regency.

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency

Therefore, to bring investors at least three conditions are needed: investment is able to provide economic benefits for investors, investment will be strongly influenced by political stability, and the legal certainty of investors to invest. (Erman Rajagukguk, 2022).

The object of research conducted by researchers is a company located in the tourist village of Blangsinga, Gianyar Regency, paying attention to the Decree of the Regent of Gianyar Number: 18/E-02/HK/2021 concerning the Determination of Tourism Villages in Gianyar Regency. In the Decree of the Regent of Gianyar, one of the Tourism Villages in Gianyar Regency is Saba Tourism Village, Blahbatuh District, Gianyar Regency. Saba Tourism Village has tourism businesses such as: Nature Tourism, Cultural Tourism, and Artificial Tourism. Saba Village, has five (5) Traditional Villages and eight (8) banjar Dinas. One of the Traditional Villages is Blangsinga Traditional Village which has the power to manage the Blangsinga Tourism Village, with famous tourist businesses namely natural attractions of waterfalls (water fall), Alue vera business, Plaminggo, turtle breeders and Glass Bridge. In the area of Blangsinga Tourist Village, Oleh - Oleh Krisna was formed to support the activities of the village, including the empowerment of the community of Blangsinga Tourist Village towards Oleh - Oleh Krisna.

Tourism Village Preservation is one of the things that must be considered in the Blangsinga Tourism Village Empowerment activities, so that Blangsinga Tourism Village remains crowded with domestic and foreign tourists. In the course of Indonesian history, a local workforce is present in a variety of roles and activities, all of which inspire its successors to further increase the potential that exists in the future. With the advancement of world development, local labor has gained an equal place and degree between women and men. This is inseparable from the struggles that have been pioneered by R.A. Kartini and other female heroes, so that labor, especially women, have the same dignity as men and can become equal partners of men in various aspects of the life of the nation and state.

The existence of a workforce, whether male or female, is a nature that cannot be avoided and appears when humans are born. Human nature as a man or woman is to create a balance in human welfare itself. But in reality, we often encounter polemics that are based on differences in gender. Various forms of injustice are experienced and felt by labor/workers because of their female status. The traditions and culture of the society and its development are also influential. The Javanese expression, "Perempuan kuwikancawingking", shows the meaning of the shackled position of women.

Along with the advancement of technology and industry in this globalization era, it has opened the eyes and insights of the local workforce, so that many workers feel the need to hone themselves in order to develop the potential that exists in themselves. With the transition from the industrial era to the era of increasingly rapid information transformation, which finally entered the free market era which is a manifestation of globalization, it has unwittingly demanded workers to fight for their existence.

Recently, new jobs have developed that were not previously available to the Indonesian workforce. In the past, jobs in companies such as receptionists, secretaries, typists, and others were done by women. The jobs that are now developing are jobs that are mostly held by men in general, but do not rule out the possibility for women to do them. This difference is a reflection of the fact that men and women must complement each other in achieving perfection or a higher level of humanity. With the development of technology, it is possible that a child who is still underage has the status of a laborer, this is due to the demands of his family's life in the economic field, because of the inability of his parents to support their children, and there is also one fact in big cities due to hobbies that the child is finally involved in a contract with a company such as for example an artist who is still underage.

Based on the review of a psychologist, there are three sources that stimulate the development of labor / worker independence in Indonesia, namely: (Saparinah Sadli, 2001: 34). As a consequence of being raised in the economic conditions of a family that is lacking, and as a manifestation of traditions and social systems that encourage the independence of labor / workers as members of society, as well as a consequence of their educational background and experience.

This shows that the development of modern society has forced local workers to increasingly play a role in various kinds of busy activities and productive work outside the nature of accompanying their families. From the description above, a conclusion can be drawn that local labor as an equal partner with companies located in the Blangsinga Tourism Village, has the same opportunity in development in all fields and or gets a job by paying attention to nature and its dignity without leaving its duties as a young coach according to its abilities.

In achieving highly competitive human resources, namely quality and quality integrity, professionalism and morality and having a strong identity developed based on the local wisdom values of Balinese krama Manpower development as an integral part of national development based on Pancasila and the 1945 Constitution of the Republic of Indonesia, is carried out in the context of the development of Indonesian human beings as a whole and the development of Indonesian society as a whole to improve the dignity and self-esteem of labor and realize a prosperous, just, prosperous and equitable society, both material and spiritual. The authority is mandated by Law Number 23 of 2014 concerning Regional Government, especially in Article 12 paragraph (2) letter a, which determines that mandatory affairs which are the authority of the Regional Government for the Regency or city include the field of labor.

Manpower development has many dimensions and interrelationships. The relationship is not only with the interests of labor during, before and after the working period but also with the interests of employers, government and society. For this reason, a thorough and comprehensive arrangement is needed, including the development of human resources, increasing the productivity

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency

and competitiveness of Indonesian labor, expanding employment opportunities, providing labor placement services, and fostering industrial relations.

The development of industrial relations as part of labor development must be directed to continue to realize harmonious, dynamic, and equitable industrial relations. In the field of labor, recognition and respect for human rights is a major milestone in upholding democracy in the workplace. The enforcement of democracy in the workplace is expected to encourage optimal participation from all Indonesian workers and laborers to build the Indonesian state that is envisioned which is the authority and will be organized by the Provincial Government. The regulation on local labor is seen from Article 1 paragraph (14) of the Bali Province Regional Regulation Number 10 of 2019 concerning the implementation of employment, determining that:

Local workers who are often abbreviated as TKL are workers who are or live in the Bali province area as evidenced by an Identity Card (KTP) and or Family Card (KK) in the jurisdiction of the Province of Bali, and are bound by the overall rules that apply in the territory of Indonesia. Thus the implementation of Article 14 of Regional Regulation Number 10 of 2019 concerning Manpower Implementation in Bali Province is in accordance with the norms of labor law. Regional Regulation of Bali Province Number 10 of 2019 concerning the Implementation of Employment, Article 37 determines that: (1) Companies give priority to local residents who have work competence in accordance with the provisions of laws and regulations. (2) Priority for local residents as referred to in paragraph 1 is coordinated with the Village Apparatus, Provincial Office, and / or Regency / City Office in an open and transparent manner.

This is the basis for the holding of special rules regarding local workers who need legal protection in accordance with their nature as a laborer regardless of where they work or do not see the gender and or type of work and have a working relationship with the party who employs them. This is regulated in the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower. In the Law of the Republic of Indonesia concerning Manpower, it applies restrictions on the work carried out by workers in general, based on consideration of the rules in the Bali Province Regional Regulation Number 10 of 2019 concerning the implementation of employment which determines that:

Every company must prioritize local workers where the company is established and operates and discuss with village officials about the percentage of workers used. This means that companies that prioritize local workers must increase the empowerment of their workers based on their competence and the percentage of workers used must be agreed upon for each village in the company in the tourist village of Gianyar Regency. This is the background that attracts the attention of researchers to study and examine it in a study entitled "The Concept of Local Labor Empowerment Towards the Development of Tourism Support Facilities in Gianyar Regency".

Starting from the background mentioned above, the problem arises in relation to the proposed research. The problem can be formulated as follows: 1. How is the concept of local labor empowerment towards the construction of tourism support facilities in Gianyar Regency, in the sense of discussing the concept of local labor empowerment in the working relationship between employers as investors and workers and 2. How is the role of the traditional village of Blangsinga in empowering local labor in the Tourism Village of Gianyar Regency.

## II. METHOD

According to Kartini Kartono (1995), research methods are ways of thinking and doing, which are well prepared to conduct research and to achieve goals. From the description above, it can be understood that research is basically a planned activity carried out with scientific methods aimed at obtaining new legal material in order to obtain the truth or untruth of an existing symptom.

The research used is Empirical legal research, which is a legal research method that uses empirical facts taken from human behavior, both verbal behavior obtained from interviews and other behaviors. Empirical legal research is field research by seeing and observing what is happening in the field, the application of these regulations in practice in society. To support this empirical legal research, normative legal research is also used with a statutory approach by examining the laws and regulations related to local labor.

The problem approach that will be used in this research is to use a statutory approach, a conceptual approach, namely activities to examine laws and regulations, principles, theories and legal norms that live in society, especially those related to local labor and a sociological approach, which is an approach used to examine social factors that affect the protection of rights and empowerment of local workers according to Law Number 13 of 2003 concerning Manpower, and Regional Regulation of Bali Province Number 10 of 2019 concerning Manpower Implementation, Law Number 25 of 2007 concerning Investment.

To support the discussion of the issues raised, data sources are obtained from: 1) Primary data is data obtained in the field through field research (Field Research). 2) Secondary Data is data obtained through library research, which consists of primary legal materials and secondary legal materials. Primary legal materials in the form of Civil Code, Law Number 13 of 2003 concerning Manpower, Law Number 23 of 2014 concerning Regional Government, Regional Regulation of Bali Province Number 10 of 2019 concerning the implementation of employment, Law Number 25 of 2007 concerning Investment. Secondary Legal Materials are conducted by library research obtained from literature, research results and journals.

## **Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency**

In the technique of collecting primary data and secondary data, researchers conduct field research with observation techniques and interview techniques related to the problem and the data is then poured into scientific papers by linking the problems discussed. After primary data and secondary data are collected, the data is processed and analyzed using qualitative techniques. After going through the processing and analysis process, then the legal material is presented in a descriptive analysis.

### **III. DISCUSSION**

#### **A. The Concept of Local Labor Empowerment towards the Development of Tourism Support Facilities in Gianyar Regency**

Bali Province in general and Gianyar Regency in particular has a lot of tourism potential. Bali has many tourist attractions that are always growing every year. The rapid development of tourism in Bali and especially in Gianyar Regency, especially the tourist village of Blangsinga, there are various businesses such as: Krisna souvenir business, turtle breeding business, Aloe Vera business, Plaminggo business, and villa and restaurant business which are visited by many foreign and domestic tourists. As well as there are various attractions such as: Tegenungan waterfall, Musen temple (Shiva Buddha), and the Glass Bridge which cooperates between the traditional village and investors from China, with a profit distribution of 25% of the profits going to the traditional village and 75% of the profits going to foreign investors. For the Glass Bridge tourist attraction, the imposition of tariffs for local tourists Rp. 100,000, -, for domestic tourists Rp. 150,000, - and for foreign tourists tariffs Rp. 250,000, - It has implications for the number of tourists traveling especially to tourist objects in Gianyar in particular and to Bali in general.

With a commitment from the beginning of these businesses in the Blangsinga tourist village, they have empowered local labor professionally, from the results of research on June 6, 2023 said that 70% consisted of local labor, and non-local labor was only 30%. The people who join as local labor in these businesses are basically all the results of cooperation between investors and the Blangsinga Traditional Village, initially as labor there is a special selection stage to work in the company. The absorption of local labor, namely the people of the Blangsinga traditional village with the initial plan to absorb local labor is rationed, namely the people from each Banjar. The reality that occurs is that all banjars take the available quota so that the quota can be filled by the banjar with a note that it is still the community of the Blangsinga traditional village.

Due to these businesses which have upheld empowering the local workforce from the beginning, so that it requires a special stage from the company in seeking the skills of local people so that they can have competitiveness and marketability to tourists who visit as tourist attractions, foreign language skills, service skills, and how to rescue disasters or risks for tourists. Talking about the concept of local labor is a workforce that comes from its homeland or native to the area where it lives and is domiciled in the area and is proven by an identity card (KTP) and family card (KK).

The results of research on June 6, 2023, with the Saba Village Perbekel named Mr. Ketut Redhana, SP, said that the empowerment of local labor in the Krisna souvenir business, in the aloe vera business, and the Plaminggo business, the Villa and restaurant business and the turtle breeder business in the Blangsinga tourist village with a percentage of 70% local labor, and the remaining 30% of outside labor, this proves that this is in accordance with Regional Regulation Number 10 of 2019 concerning the implementation of employment, this means the results of an agreement from the company with the Blangsinga traditional village. This aims to facilitate communication with the surrounding community, not monotonously aiming for business for profit alone. This is also done to facilitate deliberation and kinship with the community. However, there is a weakness, namely that between the company and local workers who have been recruited there is no written employment contract, this results in no legal certainty of the rights and obligations of both parties and when there is a risk of violation it is difficult to resolve fairly.

According to the results of research on June 6, 2023, that the working relationship between employers and local workers is limited to the working relationship between employers and their workers but when the workers are obedient and obedient to the rules or regulations of the company, this is no problem and runs smoothly, but when a violation occurs, problem solving is always sought by deliberation or family methods. The results of the study also said that there had never been a problem of default / non-performance of obligations between the company and local workers in the Blangsinga tourist village business that did not carry out obligations even though the binding agreement was in oral form, meaning that the local workforce had received their rights such as wages on a UMR scale, getting holiday allowances (THR), and being guaranteed with BPJS Health and BPJS Employment.

The urgency of regulating the absorption of local labor from the indigenous village community reflects efforts to realize inclusive economic growth for the Blangsinga indigenous village community, Gianyar Regency, Bali Province. The empowerment of the indigenous village of Blangsinga tourism village does not put pressure on tourism entrepreneurs in the local labor recruitment policy. The cross-sector combination set by the local government of Gianyar Regency, Bali Province bridges the needs of inclusive economic growth in the form of providing employment and training facilities and apprenticeship education before being recruited as labor in each region of Bali Province. Thus the research results show that it is significant with the empowerment of the Blangsinga traditional village in realizing the inclusive economic growth of the traditional village community in Bali Province.

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency

### B. The Role of Blangsinga Traditional Village towards the Empowerment of Local Workers in the Tourism Village of Gianyar Regency

The results of research on June 6, 2012, with Mr. Ketut Redhana, SP as Perbekel Saba Village that the role of traditional villages is very priority to the empowerment of local workers who work in businesses in the tourist village of Blangsinga Gianyar Regency such as businesses: Krisna souvenirs, Tegenungan waterfall business, Aloe Fera business, turtle breeder business, Usha Plaminggo, Villa and Restorant business, this is based on the results of the interview all managed directly by the Traditional Village, meaning that a business permit must be carried out between the traditional village and the company, with a percentage of 70% local labor and 30% external labor. This provides business and work opportunities for the village community, automatically providing welfare to the villagers there. Based on the results of the research conducted, there are several roles of traditional villages in Blangsinga Tourism Village, namely as follows:

1. The traditional village plays a role in managing Blangsinga tourism management; Customary villages have a role in cooperating with investors who invest in Blangsinga tourism village;
2. The traditional village plays a role in terms of providing recommendation permits to investors, without prior coordination with the Village Head / Perbekel, this is what happened in the Blangsingan tourist village based on the results of interviews with the Saba Village Perbekel named Mr. I Ketut redhana, SP;
3. So great is the role of the traditional village compared to the Dinas Village which only receives monthly financial reports (approximately 300 million per month of financial income from businesses and from tourist attractions along with Tegenungan waterfall, villas and restaurants, which are in the tourist village of Blangsinga this is used for development costs? Thus, the basic budget income of Blangsinga Tourism Village is very high for Gianyar Regency.

Blangsinga traditional village government is carried out by traditional village administrators commonly called prajuru or used to be (paduluan). The governance system of a traditional village varies greatly depending on the type of village. The types of traditional villages in Bali can be divided into:

1. Baliage Village, That is, the old village in Bali still strongly maintains the original community system, during the royal era it was not influenced by the Majapahit community system;
2. Apanage Village, Villages that were intensively influenced by the Majapahit social system during the kingdom era;
3. Anyar Village, Villages arise as a result of population movements driven by the desire to find a livelihood. They raided the forest and formed villages.

The Apanage and Anyar villages generally follow a single government system, while the Baliage village follows a twin government system.

In the single-government system, there is a top official called Bendesa or village head, assisted by penyarikan or clerk and petengan, whose function is similar to the treasurer of a modern organization, and other officials such as sinoman. Meanwhile, adat villages follow a twin government system, with two top officials in the government structure.

The prajuru of the adat village are elected and appointed by the adat village. The structure and composition of the prajuru is regulated in awig-awig and awig-awig is implemented by the village prajuru. The village prajuru as the executive body in organizing the village government is guided by awig-awig made and ratified by the village krama. Therefore, the village prajuru is responsible to the village krama and the accountability is expressed through a democratic paruman. (I Nyoman Sirtha, 2008: 54)

The general duties and authority of traditional village officials in Bali are contained in the provisions of Regional Regulation Number 4 of 2009 concerning Traditional Villages in Bali, which stipulates that traditional village officials have duties:

1. Implement the awig-awig of the traditional village;
2. Organizing religious ceremonies in the adat village;
3. Seeking peace and settlement of adat disputes;
4. Representing the adat village in legal actions both inside and outside the court with the approval of the village paruman;
5. Administering and managing the assets of the adat village;
6. Fostering religious harmony within the customary village area.

In realizing the common goal, the Prajuru of the traditional village has the task of implementing awig-awig, taking policies, through paruman aims to ensure the maintenance of the unity and integrity of the village krama, striving for a harmonious balance in the village based on the concept of Tri Hita Karana, if there is a violation of the agreed provisions (awig-awig) it will cause imbalance or disharmony on a scale of niskala.

I Nyoman Sirtha, (2002) says that: "Community life in Bali is organized as a unit of traditional village (desa pakraman) which has its own law called awig-awig. Each traditional village has awig-awig, based on the philosophy of Tri Hita Karana (three foundations of happiness) namely Parahyangan, Palemahan, Pawongan".

Based on the provisions of Bali Province Regional Regulation Number 4 of 2019 concerning traditional villages in Bali, the definition of awig-awig is stated: "Awig-awig is a rule made by a customary village and / or customary banjar that applies to the krama of the customary village, krama tamiu, and tamiu. It is used as a guideline for the implementation of Tri Hita Karana in accordance with the village's religious dharma in each traditional village." Awig-awig contains basic rules regarding customary

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency

territories, traditional village krama, religion and sanctions. Awig-awig of a customary village, which is customary law, has the function of regulating and controlling the behavior of community members in their social life in order to achieve order and community tranquility.

Awig-awig lives in the community not only distinguishing rights and obligations but also providing customary sanctions in the form of fines, physical sanctions, and psychological sanctions of a spiritual nature, so that it is felt as the pain of the violator.

Community life in Bali is organized as a unit of traditional villages that have their own laws called awig-awig. Each pakraman village has awig-awig, based on the philosophy of Tri Hita Karana. In an effort to realize the common goals of indigenous peoples have the task of implementing awig-awig and participating in taking policies through paruman (meetings) aimed at ensuring the maintenance of the unity of the village krama, still striving for a harmonious balance in the village based on the concept of Tri Hita Karana, so that if there is a violation of the agreed provisions (awig-awig) causes an imbalance or disharmony sekala niskala. For this reason, it is necessary to restore the imbalance. Recovery is also carried out in sekala and niskala.

Soepomo argues that the relationship between the imposition of sanctions, what is important is the prioritization of the creation of a balance between the physical world and the supernatural world, between all groups of people, between the community and the community. (Soepomo R, 1977: 13)

Sanctions have an important role in Balinese society. Not only customary violations by the community are subject to customary sanctions, even for ordinary offenses, the community is often burdened with customary sanctions even though the perpetrator has been convicted in the general court.

There are three classes of Balinese customary sanctions called pamidanda, three classes of sanctions known as tri danda, consisting of: (Suasthawa Dharmayuda, 2001)

1. Artha danda

Namely legal action in the form of imposing fines in the form of money or goods.

2. Jiwa danda

Namely legal action in the form of the imposition of physical and mental suffering for offenders (physical or psychological punishment);

3. Sangaskara danda

Legal action to restore magical balance (punishment for performing religious ceremonies).

The sanctions of awig-awig Desa Adat found in pawos indik pamindanda are:

1. Desa miwah banjar wenang niwakang pamindanda ring krama/warga desa/banjar sane sisip (The village and Banjar can impose sanctions on guilty villagers/banjar residents).
2. Tatiwak danda inucap kalaksanayang olih Kelihan Desa Adat /Kelihan Banjar, manut kawentenan. (Sanctions/fines are implemented by Kelihan Adat Banjar and Kelihan Desa Adat according to the situation).
3. Read the pamidanda luwire (Various sanctions/fines):
4. Pamidanda sane katiwakan patut madudonan, masor singgih manut kaiwangan (Sanctions are imposed so that they are differentiated according to the mistake).
5. Jinah pamidanda/raja berana olih-olihan pamidanda inucap kengin ngeranjing dados druwen Desa/Banjar. (sanction in the form of property becoming the property of the village or banjar).

Among the several types of customary sanctions still in force, the sanction of kasepekang (being ostracized) is the most severe sanction. Sanctions are usually imposed on villagers or individuals, because they are considered to have continuously disobeyed the collective agreement outlined in awig-awig. Those who are kasepekang do not receive customary services until they improve themselves and declare their submission to the applicable regulations. It often happens that the application of the sanction of kasepekang is applied beyond the meaning contained in it, namely being ostracized so that the person concerned realizes his mistakes and corrects himself so that he returns to good society. Sometimes it happens that those who are kasepekang in addition to being ostracized are also prohibited from using traditional facilities such as being prohibited from using the banjar hall, prohibited from going to the temple and prohibited from using the setra (cemetery).

### III. CONCLUSIONS AND RECOMMENDATIONS

#### Conclusions

Empowerment of local labor in the Krisna souvenir business, Aloe Vera business, Villa and Restorant business, Turtle Breeder business, Plaminggo business located in the Blangsinga tourist village, Gianyar Regency, in accordance with the Bali Provincial Regional Regulation Number 10 of 2019 concerning the implementation of Manpower has agreed with the Blangsinga traditional village and has agreed to employ local labor around 70% from local labor in the Blangsinga traditional village, and 30% from outside labor. This shows that the local workforce recruited comes from their birthplace or is native to the area where they live and are domiciled in the area and are proven by identity cards (KTP) and family cards (KK). As well as the role of indigenous villages in empowering local labor is very large, very influential on the company's commitment and there must be approval from the indigenous village every time they recruit workers, with the aim that there is a balance between the rights and obligations of

## Concept of Local Labor Empowerment towards the Construction of Tourism Support Facilities in Gianyar Regency

companies operating in the village which contributes to the welfare of the community in the area and automatically provides welfare from the economic aspect.

### Recommendations

Suggestions addressed to the Government of Gianyar Regency, must periodically supervise companies that recruit local labor to avoid violations that occur, meaning that there must be a balance of rights and obligations carried out by the company and apply the concept of Tri Hita Karana. And to the community as a local workforce, there must be legal certainty about workers' rights in accordance with the standard regulations in the regional regulations of the province of Bali.

### REFERENCES

- 1) Abdussalam. H.R. 2009, *Labor Law*, Restu Agung, Jakarta.
- 2) Djumadi, 1988, *Labor Law of Employment Agreement*, Sinar Grafika, Jakarta.
- 3) Djumad, 2005, *Employment Agreement*, Revised Edition First Printing, Sinar Grafika, Jakarta.
- 4) Djumad, 2006, *Second Printing*, Sinar Grafika, Jakarta.
- 5) Edy Sutrisna Sidabutar, 2007, *Guidelines for Settlement of Termination of Employment*, Banten: Express, Tangerang.
- 6) Erman Rajagukguk, 2022, *Investment Law (PMA and PMDN)*, PT.Raja Grafindo Persada, Jakarta.
- 7) Isnaeni, 2014, *A Diorama of Contract Law*, PT.Reveka Media, Surabaya.
- 8) Malik, Farmawati, 2016, *The Role of Culture in Bali Tourism Imaging*, Jurnal Indonesian Tourism, Journal of Research, and Development of Indonesian Tourism 11, Number. 1.
- 9) Philipus M. Hadjon, 2007, *Protection for the People of Indonesia*, M2 Print Printing, Special Edition, Surabaya.
- 10) Purnamasari, Andi Maya, 2011, *of Community Development Journal for Tourism in Toddabojo Tourism Village*, South Sulawesi Province, Makassar.
- 11) Kristayana Dewi, Desak Ayu, And Wayan Siki Laying, 2019, *The Authority to Supervise and Control the Air Adenine Control Function of the Environmental Service in Indonesia*, Kertha Negara Journal of Legal Sciences, Number. 9.
- 12) Hidayat Muharam, 2006, *Guide to Understanding Labor Law and its Implementation in Indonesia*, PT. Citra Aditya Bhakti, Bandung
- 13) Imam Soepomo, 1983, *Labor Law in the Field of Employment Relations*, Djambatan, Jakarta.
- 14) Imam Soepomo, 2009, *Labor Law and Regulations*, Jambatan, Jakarta
- 15) Ridwan Halim, 1987, *Sari Actual L, abor Law, Print I*, PT. Pradnya Paramita, Jakarta
- 16) Sendjun H. Manulang, 1988, *Labor Law in Indonesia*, PT Rineka Cipta, Jakarta.
- 17) Suma "Mur, 2005, *Corporate Hygiene and Occupational Health*, Gunung Agung, Jakarta.
- 18) Civil Code (KUHPperdata)
- 19) Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower.
- 20) Law Number 23 of 2014 concerning Local Government.
- 21) Law No. 25 of 2007 on Investment.
- 22) Bali Province Regional Regulation Number 10 of 2019 concerning Manpower Implementation.



There is an Open Access article, distributed under the term of the Creative Commons Attribution – Non Commercial 4.0 International (CC BY-NC 4.0) (<https://creativecommons.org/licenses/by-nc/4.0/>), which permits remixing, adapting and building upon the work for non-commercial use, provided the original work is properly cited.