



# ANALYSIS OF TERMINATION AND DISMISSAL POLICIES ON THE WELFARE OF EDUCATORS AND EDUCATION PERSONNEL AT SMPN 2 KEPANJEN

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## Abstract

Termination of employment in the context of education occurs when the rights and obligations between educators and education personnel end. This study aims to analyze the impact of termination and dismissal policies on the welfare of educators and education personnel at public junior high school 2 Kepanjen. The method used in this research is qualitative, with data collection through observation and in-depth interviews. The research subjects consisted of the principal and three educators with the status of Government Employees with Work Agreements (P3K). The results showed that the implementation of the termination and dismissal policy at State Junior High School 2 Kepanjen is in accordance with the regulations stipulated in Law No. 13/2003 on Manpower. During the research period, there were no cases of termination of employment that occurred at public junior high school 2 Kepanjen. The employment relationship ended due to retirement or death. This finding indicates that the policies implemented have provided stability for educators and education personnel, so that their welfare is maintained.

**Keywords:** dismissal; termination of employment; welfare

## 1. Introduction

Education is an effort to develop human potential through learning and other methods accepted by society (Setiawan and Mina, 2021). Education is a fundamental pillar in the development of a nation. It is not merely a process of knowledge transfer, but a systematic effort to develop human potential holistically, encompassing cognitive, affective, and psychomotor aspects. Quality education depends on various factors, one of which is the welfare of education practitioners, namely teachers and educational staff. Hamzah in Setiawan and Mina (2021) argues that teaching is a profession that aims to educate and develop life values. The welfare of teachers and educational staff is very important for good quality education.

Well-being is a condition in which a person feels physically prosperous and spiritually at peace (Wahyudin, 2020). According to Oktafiana et al. (2020), well-being in general is the fulfillment of all life needs. Meanwhile, teachers are professional educators who play a role in educating, teaching, guiding, and evaluating students in formal education, from PADU to SMA/SMK. Teacher well-being is well-being that includes material and non-material aspects obtained from their profession. Thus, teacher well-being is the fulfillment of all teachers' life needs and the realization of conditions that enable them to perform their professional duties optimally.

Termination of employment (PHK) is a condition where an employee no longer works at an institution, either because the employment contract has expired or because it has been terminated by the institution (Sedarmayanti in Amaliah, 2019). Hasibuan in Andriani (2019)

argues that termination is when an employee and an organization end their employment relationship, so that there are no longer any work obligations between them. According to Husaini and Sutama (2021), employee termination is a decision made by managers in an effort to optimize human resources. It is concluded that termination of employment is the end of the employment relationship between an employee and an organization, whether due to the expiration of a contract or termination by the organization. If termination of employment is not carried out fairly and transparently, it can cause unrest, reduce work productivity, and disrupt stable working conditions.

Akbar and Maselena (2017) state that according to Law Number 13 of 2003 Article 1 point 25 concerning Employment, termination of employment is the ending of an employment relationship due to a specific event, thereby ending the rights and obligations of workers/laborers and employers. Although this definition is general, it is important to understand the context and impact of termination of employment, especially in the education sector, which requires stability and continuity in the teaching and learning process. Termination of employment in the education sector is not only a legal issue but also affects the work environment, teacher motivation, and ultimately, student performance. Research on the impact of termination of employment on the well-being of educators and educational staff is needed to understand the challenges in maintaining educational quality amid changes in labor policies.

Tilaar in Lubis et al. (2024) argue that the dismissal of teachers will have a serious impact on educational quality, particularly in remote areas, as it leads to a shortage of qualified teachers. The contract system applied to most honorary teachers in Indonesia makes them vulnerable to arbitrary layoffs (Safitri, 2023). Simangunsong (2024) also points out that the honorary status of teachers can make their careers prone to uncertainty and the threat of sudden termination of employment. Therefore, honorary educators in Indonesia are vulnerable to termination of employment because they have non-permanent contract status.

Educators and educational staff who are economically, socially, and emotionally well-off will contribute maximally to the teaching and learning process. However, policies on termination of employment and dismissal threaten their well-being and risk lowering the quality of education. Termination of employment in the education sector is a complex decision that requires careful consideration and a measured process due to its broad and complex impact on individuals and the education system. It is important that the well-being of teachers and educational staff not only directly affects the quality of education but also the development of students' character and abilities. When educators feel secure and prosperous, they tend to be more committed and enthusiastic about teaching, which creates a positive and productive learning environment. Conversely, the uncertainty caused by termination policies can lead to stress and anxiety, which negatively impacts not only the educators themselves but also the students they teach.

## 2. Method

This study uses a qualitative research method with a case study type of research. Creswell in Kusumastuti and Khoiron (2019) argues that qualitative research includes formulating research questions, collecting specific data from participants, analyzing data from details to generalizations, and interpreting the meaning of data. According to Safarudin et al. (2023), qualitative research provides a richer understanding of the phenomena experienced

by research subjects, including their behavior, perceptions, and motivations. This research was conducted at SMPN 2 Kepanjen, located at Jl. Locari No. 207, Cepokomulyo, Kec. Kepanjen, Kabupaten Malang, Jawa Timur 65163. The data sources in this research were the school principal and three P3K educators. The data collection techniques in this research were interviews and observations. This study uses triangulation to obtain truly valid data and gain a comprehensive understanding, in accordance with the recommendations put forward by Denzin and Lincoln in Kusumastuti and Khoiron (2019). Denkin in Rahardjo (2010) argues that the purpose of triangulation is to gain a more comprehensive understanding of the phenomenon being studied.

### 3. Results and Discussion

#### 3.1 Result

The employment agreement serves as the legal basis for the working relationship between the school and the educator. The agreement contains various rules, including prohibitions that must be obeyed by educators. One of the prohibitions emphasized is unexcused absences that exceed the specified limit. Serious violations, such as severe human rights violations, can result in immediate termination of employment. This demonstrates that the employment contract is not merely a formality but an important tool for maintaining discipline and professionalism among educators.

The principal and Ms. Nadhila explained that the sanction system at SMPN 2 Kepanjen follows established rules. Not only are there severe sanctions, but there are also minor and moderate sanctions imposed according to the level of violation. For example, unexcused absences for several days in a year will result in certain sanctions. This tiered sanction system demonstrates an effort to provide educators who commit violations with an opportunity for improvement. However, if the violation is repeated or very serious, the sanctions imposed will be increasingly severe, even up to termination of employment. The sanctioning process involves the inspectorate, indicating an integrated oversight and accountability mechanism. Mrs. Ika added that severe sanctions in the employment contract would result in termination of employment without honor. Therefore, SMPN 2 Kepanjen does not hesitate to take firm action against educators who commit serious and repeated violations. The existence of severe sanctions also serves to ensure that educators always comply with the applicable rules.

Ms. Nadhila explained that to date, SMPN 2 Kepanjen has never experienced any cases of termination of employment for educators and educational staff, except in cases of retirement. The principal of SMPN 2 Kepanjen also emphasized that the school has never experienced any termination of employment with educators or educational staff. Ms. Hanifa explained that resignation, although different from termination of employment, still has an impact on interpersonal relationships. The loss of an educator, even if voluntary, can cause changes in work dynamics and adjustments for other educators, such as rearranging their teaching schedules. However, SMPN 2 Kepanjen has also never experienced an educator voluntarily resigning.

Government policies regarding termination of employment for educators and educational staff have the potential to significantly impact the quality of education. Mrs. Hanifa

explained that termination of employment policies, although not yet implemented at SMPN 2 Kepanjen, still have an impact on the quality of education. The potential for termination of employment encourages educators to continuously improve their performance. An integrated performance appraisal system, at the school, education office, and State Civil Service Agency (BKN) levels, ensures strict supervision and accountability. Performance reports that must be submitted annually, accompanied by physical evidence, provide transparency and objectivity in assessing teacher performance.

Mrs. Nadhila added that the performance evaluation system at SMPN 2 Kepanjen has undergone changes. Previously, evaluations were conducted every semester, but now they are conducted annually. Despite the change in evaluation frequency, the system continues to function as a quality control mechanism. Performance reports that must be uploaded and submitted to the education office provide objective evidence that can be held accountable. The principal also plays a role in assigning ratings based on these performance reports. This system ensures that the performance of each educator can be monitored and evaluated on a regular basis. Mrs. Ika explained that the performance ratings of each educator influence the overall rating of SMPN 2 Kepanjen. This demonstrates that the performance evaluation system is not only focused on individuals but also on improving the overall quality of the school. Schools with educators who perform well will receive high ratings, which in turn can enhance the school's reputation and appeal.

The principal, Mrs. Hanifa, Mrs. Nadhila, and Mrs. Ika agreed that SMPN 2 Kepanjen had never faced challenges in terms of teacher dismissals, except for retirements. The absence of termination cases indicates stability and consistency in teacher performance at the school. However, retirement poses its own challenges, particularly in terms of fulfilling teaching hours. When a teacher retires, the school faces difficulties in filling the teaching hours left vacant. The shortage of teachers for certain subjects, which often occurs after a teacher retires, leads to an imbalance in workloads. The school must adjust schedules and distribute teaching hours to meet curriculum requirements. Mrs. Hanifa, Mrs. Nadhila, and Mrs. Ika explained that difficulties in arranging teaching hours can result in some teachers receiving a heavier teaching load than they should.

The principal and Mrs. Hanifa explained that the process of replacing educators at SMPN 2 Kepanjen involves the active role of the education office. The school submits its teacher needs to the education office, which then conducts the selection and appointment process for new teachers. This is because SMPN 2 Kepanjen wants to ensure that the teachers recruited meet the established qualification and competency standards. The selection process conducted by the education office also ensures objectivity and transparency in teacher recruitment. Mrs. Nadhila and Mrs. Ika also mentioned the role of honorary teachers in addressing teacher vacancies. Although the school is no longer permitted to officially hire honorary teachers, in emergency situations where no permanent teachers are available, the school may be forced to temporarily use honorary teachers.

### 3.2 Discussion

Three important elements in human resource management are promotion, transfer, and termination of employment, which are closely related and play a very important role in ensuring organizational effectiveness and employee welfare. According to Sauri et al. (2024), promotion is a strategic process of placing employees in higher positions with greater responsibilities, authority, and rewards. Evaluation criteria include performance, tenure, and individual potential. The aim is to recognize achievements, enhance motivation, and boost employee productivity. Transfer involves moving employees between positions or work locations within the organization, whether at the same level or up/down in rank, to meet organizational needs, develop employees, or resolve conflicts. Meanwhile, termination of employment is the cessation of employment due to various factors, including company restructuring, retirement, or employee incompatibility with organizational needs. Termination is typically accompanied by compensation in the form of severance pay and other benefits to mitigate the impact on affected employees.

Clear policies on retirement and termination of employment, in accordance with regulations and laws, are important to avoid misunderstandings and conflicts. Educators and educational staff will understand expectations, and institutions can manage the retirement process more effectively. Asih in Jf and Latif (2020) state that the termination of employment for educators and educational staff shares similarities with termination of employment in other sectors. Some of the main reasons include: (a) legal regulations; (b) decisions by the government or relevant agencies; (c) resignation; (d) retirement; (e) expiration of contract; (f) health conditions; and (g) death.

### **Mechanism for Termination of Employment and Dismissal**

The government emphasizes that institutions or companies must terminate employment in accordance with Law No. 13 of 2003 on Manpower. This law regulates the termination process through consultation between employees and companies, and if this fails, through the courts (Toba and Sukma in Naflah, et al., 2024). One of the keys to the success of education is the existence of a structured and comprehensive employment agreement. As stated by Mrs. Hanifa, this employment agreement serves as the legal foundation for the employment relationship between the school and the educator. The agreement includes various rules, including prohibitions that must be adhered to by educators.

Termination of employment can be carried out by an institution or company if an employee is proven to have violated the employment agreement, whether it be the employment contract, company regulations, or collective bargaining agreement (Mahardian et al., 2019). Sari et al. (2022) argue that employee termination incurs significant costs, particularly because companies or institutions must cover pensions, severance pay, and other benefits when conducting layoffs. Termination of employment that is not managed properly can have negative impacts, damaging the company's reputation and potentially leading to complex and costly legal disputes.

### **The Impact of Termination Policies on Relationships between Educators and Education Personnel and on the Quality of Education**

Job termination not only affects individuals who lose their jobs, but also has a broad impact on society and the economy. For individuals, job termination can cause mental stress, loss of identity, and financial difficulties. Finding a new job that is equivalent in terms of salary and working conditions is often difficult. The rising unemployment rate due to layoffs reduces purchasing power and exacerbates the overall economic situation (Azizah et al., 2024). Government policies on the termination of employment for educators and educational staff, based on Law No. 13 of 2003, have a significant impact on labor relations dynamics.

Government policies regarding the termination of employment for educators and educational staff have the potential for significant impacts on the quality of education. Mrs. Hanifa explained that the termination of employment policy, although not yet implemented at SMPN 2 Kepanjen, still has an impact on the quality of education. The loss of educators, even if voluntary, can lead to changes in work dynamics and adjustments for other educators, such as rearranging their teaching schedules.

### **Challenges in Implementing Termination of Employment and the Process of Replacing Educators**

Aisyah et al. (2024) argue that replacing vacant positions must be well planned to ensure the smooth running of the learning and administrative processes. This may involve training new educators and educational staff or transferring responsibilities to remaining educators and educational staff. Nelson in Aisyah et al. (2024) reveals that retiring employees will receive severance pay in accordance with their job classification as compensation for their years of service and replacement of the rights they should have received. The principal, Mrs. Hanifa, Mrs. Nadhila, and Mrs. Ika agree that SMPN 2 Kepanjen has never faced challenges in terms of teacher dismissals, except those caused by retirement. The absence of termination cases indicates stability and consistency in teacher performance at the school. However, retirement poses its own challenges, particularly in terms of fulfilling teaching hours.

According to Sauri et al. (2024), promotion is a strategic process to place employees in higher positions with greater responsibilities, authority, and rewards. The assessment criteria include performance, length of service, and individual potential. The principal and Mrs. Hanifa explained that the process of replacing educators at SMPN 2 Kepanjen involves the active role of the education office. The school submits its teacher needs to the education office, which then conducts the selection and appointment process for new teachers. This is because SMPN 2 Kepanjen wants to ensure that the teachers recruited meet the established qualification and competency standards.

## **4. Conclusion**

Education is a complex and multidimensional process, in which the welfare of teachers and educational staff plays an important role in ensuring good quality education. Welfare, which includes economic, social, and emotional aspects, greatly influences the motivation and commitment of educators in carrying out their duties. Clear policies on retirement and layoffs, in accordance with applicable regulations, are essential to avoid misunderstandings and conflicts among educators and educational staff. This study shows that SMPN 2 Kepanjen has not experienced any layoffs, indicating stability in the work environment and contributing positively to employee well-being. The importance of good human resource management in the education sector is crucial to ensuring optimal educational quality. The policies

implemented at SMPN 2 Kepanjen demonstrate that a transparent and accountable performance evaluation system, coupled with clear disciplinary mechanisms, can motivate educators to improve their performance. As a result, educational quality can be maintained, ultimately benefiting students and the community as a whole.

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