

## *The Welfare of Female Worker Family from Maqâshid Asy- Syarî`ah Perspective (Labor Case Study in CV. Kausar Jaya, Gresik)*

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### **Abstract**

*The impetus of women plunging into labor is to improve the quality of life and their families welfare from the wages allocated to the needs of their families. The facts on the field show that many female workers who work in large industries are not prosperous because they are not entitled as a labor, including the right to worship in accordance with their respective religions and the obligations of employers to prepare adequate praying space. The purpose of this research is to know and measure the level of welfare of female workers in CV Kausar Jaya based on the perspective of maqâshid asy-syarî`ah. The research approach used in this research is qualitative approach. Data sources were taken from interviews with workers and leaders of CV Kausar Jaya. The research results found that CV Kausar Jaya workers were given places and times to pray, timely wages, and holidays, but the workers of CV Kausar Jaya did not get the vitamins for the eyes and social security of labor.*

**Keywords:** Labor Welfare, Labor family welfare, *Maqâshid Asy-Syarî`ah*.

# *Kesejahteraan Keluarga Buruh Perempuan Perspektif Maqâshid Asy- Syari'ah (Studi Kasus Buruh di CV. Kausar Jaya, Gresik)*

## **Abstrak**

Dorongan perempuan terjun menjadi tenaga buruh adalah untuk meningkatkan kualitas hidup dan kesejahteraan keluarga mereka dari upah yang dialokasikan untuk kebutuhan keluarganya. Fakta di lapangan menunjukkan bahwa banyak pekerja perempuan yang bekerja di industri besar ternyata tidak sejahtera, karena mereka tidak diberi hak sebagai buruh, termasuk hak beribadah sesuai dengan agama masing-masing dan kewajiban pengusaha untuk menyiapkan ruang sholat yang memadai. Tujuan penelitian ini untuk mengetahui dan mengukur tingkat kesejahteraan pekerja wanita di CV Kausar Jaya berdasarkan perspektif maqâshid asy-syarî'ah. Pendekatan penelitian yang digunakan dalam penelitian ini adalah pendekatan kualitatif. Sumber data diambil dari wawancara dengan pekerja dan pimpinan CV Kausar Jaya. Hasil penelitian menemukan bahwa pekerja CV Kausar Jaya diberi tempat dan waktu sholat, upah tepat waktu, dan hari libur, tetapi para pekerja CV Kausar Jaya tidak mendapatkan vitamin untuk mata dan jaminan sosial tenaga kerja.

*Kata kunci: Kesejahteraan Buruh, Kesejahteraan keluarga buruh, Maqâshid Asy-Syarî'ah.*

## **INTRODUCTION**

The gender ideology that separates men and women is seen from the assumptions, attributes and traits that are socially constructed and supported by government policy; religious verse interpretation, traditional beliefs and customs that tend to corner women. This can be seen through the manifestation of the existing injustices, among others, as follows: the process of impoverishment, the notion of ideas in the decision-making process is unimportant, the formation of negative tendencies, and become the object of physical and economic violence.<sup>1</sup>

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1 Mansour Fakhri, *Analisis Gender Dan Transformasi Sosial* (Yogyakarta: Insist Press, 2008), hlm. 12; Lihat juga Irwan Abdullah, "Tantangan pembangunan Ekonomi Dan Transformasi Sosial: Suatu Pendekatan Budaya," *Humaniora* Vol. 14, no. 3 (3 Agustus 2012): hlm. 260-270, <https://doi.org/10.22146/jh.v14i3.762>; Lihat juga Joan DeJaeghere dan Nancy Pellowski Wiger, "Gender Discourses in an Ngo

Gender inequality that resulted in economic injustice to women workers was recorded since the Dutch colonial era. Female laborers in colonial times were always lower than male laborers despite doing similar size or difficulty of jobs.<sup>2</sup> It is not in the colonial period, the gender inequality that generated economic violence against women was recorded in Indonesian history in the early years of independence. The economic violence against women is reflected in the case of female laborers' wages is lower than that of men, despite having conducted the same work. The injustice of wages arises from the social structure which assumes that women are the side breadwinners, not the main breadwinners in a family.<sup>3</sup>

Women are also victims of gender inequality. Gender inequality is manifested in the subordination of women from the narrow assumption that women do not need high education because the final result is only dwelling in kitchens, mattresses and wells.<sup>4</sup> The implications of such a narrow assumption are the low participation of girls to enjoy and continue the education to a high level. Of the 108 developing countries, there are 66 countries that in fact the girls experience discrimination in the field of education. It can be seen from the amount of composition of girls who in primary and secondary school is always 10% smaller than the number of men.<sup>5</sup>

Indonesia's statistical data describes the portrait of educational participation released by the International Labor Organization (ILO) revealed that the number of non-school girls is greater than that of boys from 2006 to 2014 (ILO, 2015: 73). Looking at table 1, from 2006 to 2014, the number of non-school is dominated by women. The highest number of non-school women was in 2009 and 2011, which exceeded seven million. The worst thing when

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Education Project: Openings for Transformation Toward Gender Equality in Bangladesh," *International Journal of Educational Development*, Gender Justice, Education and International Development: Theory, Policy and Practice, Vol. 33, no. 6 (1 November 2013): hlm. 557-565, <https://doi.org/10.1016/j.ijedudev.2013.02.002>.

2 John Ingleson dan Andi Achdian, *Buruh, Serikat Dan Politik: Indonesia Pada 1920an-1930an* (Tangerang Selatan: Marjin Kiri, 2015), hlm. 78.

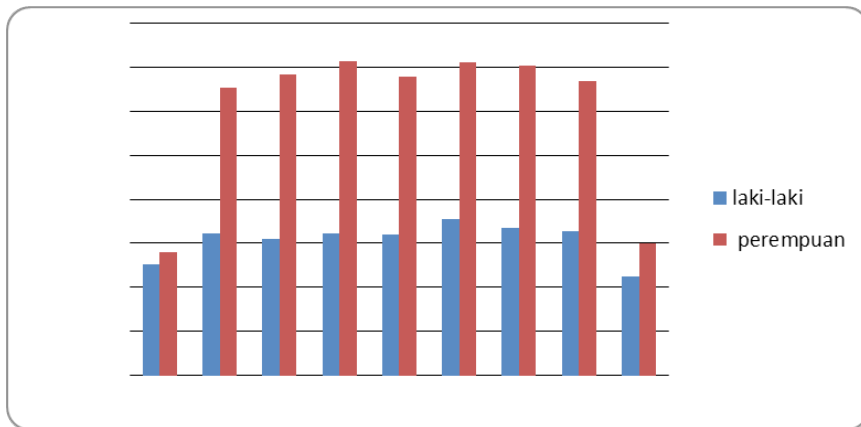
3 Jafar Suryomengolo, *Politik Perburuan Era Demokrasi Liberal* (Tangerang Selatan: Marjin Kiri, 2015), hlm. 73; Lihat juga Meiliarni Rusli, "Konsep Gender Dalam Islam," *Kafa'ah: Journal of Gender Studies* Vol. 1, no. 2 (12 Juli 2011): hlm. 151-158, <https://doi.org/10.15548/jk.v1i2.75>.

4 Fakih, *Analisis Gender dan Transformasi Sosial*, hlm. 12.

5 P. Michael Todaro, *Pembangunan Ekonomi*, Terj. oleh Haris Munandar (Jakarta: Bumi Aksara, 2000), hlm. 419.

women cannot be at once barred from education and skills are the more difficult they access economic resources.<sup>6</sup>

**Table 1**  
**Comparison of Non-School Men and Women.**



Source: International Labour Organization (ILO) 2015, data reprocessed.

When education and skills are low, in order to seek income, women enter informal sectors such as small traders, scavengers, domestic helpers or run into Indonesian labor (migrant workers) who are often not protected by law. The problem of informal workers is twofold, low incomes and the absence of legal protection and social security that are the basic right of workers. Ironically, the number of informal workers with no guarantee of basic rights is overwhelming. Informal workers with unpaid workers and casual workers make up 70 million people. The amount is equivalent to 63 percent of Indonesia's workforce in 2012.<sup>7</sup>

Ironically, many women workers become the victims of physical, mental, economic and their right to worship is violated. Throughout 2010, thousands of cases of female migrant workers were found. In 2010 there were 59,821 cases that happened to women. The cases were 4,341 cases of physical

6 International Labour Office, *Tren Ketenagakerjaan dan Sosial di Indonesia 2014-2015: Memperkuat Daya Saing dan Produktivitas Melalui Pekerjaan Layak* (Jakarta: ILO, 2015).

7 Muhtar Habibi, *Surplus Pekerja Di Kapitalisme Pinggiran: Relasi Kelas, Akumulasi, Dan Proletariat Informal Di Indonesia Sejak 1980-An* (Tangerang Selatan: Marjin Kiri, 2016), hlm. 2; Lihat juga Dewi Yuliati, "Nasionalisme Buruh Dalam Sejarah Indonesia," *Humanika* Vol. 16 (Desember 2012), <http://ejournal.undip.ac.id/index.php/humanika/article/view/4609/4190>.

abuse, 2,979 cases of sexual harassment, and 4,380 cases of troubled employers, and economic violence affecting 2,821 workers whose salaries were not paid by employers.<sup>8</sup>

The workers also experience the violations of the right to worship. Lami a female worker tells that she and her friend have prayed in the detector room because the praying room is narrow and full. After praying, Lami was told to apologize to the company's director. However, his apology was rejected, his salary is not paid. The next morning he went to work. But the security holds him and takes his ID card. At 10 am, June 24, 2012 he is given a decision letter which state he is disabled from work.<sup>9</sup>

It also appears a case of a worker laid off because of prayer. Nuzulun Ni'mah is a female worker who works in a pan factory. After performing the Asr prayer, he walked back to the factory. On the way back, he met the owner of the factory, then he was dismissed and his ID card was brought by the factory owner to the personnel department. Then he asked his fellow workers about whether or not to perform the pray. Then his friends answered, it is allowed to pray but you have to find the right time. The night before he left, he was called by the personnel manager and he was told that today he was fired and given the final salary.<sup>10</sup>

The narrow space for worship and very strict leadership policies concerning the time of worship indicates that the leader violates the law number 13 of 2003 which requires employers to give sufficient time to the workers to worship. The treatment of corporate leaders that prevented workers from praying also contradicted the concept of religious preservation in the concept of maqâshid asy-syarî'ah.

Maqâshid Asy-Syarî'ah is a number of God's purposes and moral concepts that underlies the process of legal compilation based on Islamic Shari'a, like the principles of justice, human dignity, freedom of will, holiness, and ease. Jaser audah (2013) a contemporary Islamic intellectual explains that

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8 Jannes Eudes Wawa, *Ironi pahlawan devisa: kisah tenaga kerja Indonesia dalam laporan jurnalistik* (Jakarta: Penerbit Buku Kompas, 2005), <http://catalog.hathitrust.org/api/volumes/oclc/67362065.html>.

9 Agus Japar Sidik, *Buruh menuliskan perlawanannya* (Bogor: LIPS: Lembaga Informasi Perburuhan Sedane, 2015).

10 Sidik.

the conception and theorizing of the classical maqâshid asy-syarî'ah must be updated in the framework of Islamic renewal and realization of human development. The concept of religion preserving in the classical period is understood as a punishment for abandoning faith, so in contemporary era it developed into the concept of freedom to practice religion or religious freedom.<sup>11</sup>

The concept of preserving the offspring updated to the attention to the family, then the concept of preservation of reason where the classical theologian limit it with the wisdom behind the banning of liquor, then in the contemporary period its concept is replaced by scientific thinking, traveling for knowledge, and suppresses the attitude of blind and avoid the sending of experts to abroad.

The preservation of wealth in the classical period is seen as a punishment for theft, and then in contemporary period the preservation of wealth includes the dimensions of social security, economic development, and the velocity of money. Preservation of honor and preservation of soul in the classical period is seen as a wisdom behind the Islamic penal law imposed on offenders who violate honor. In the modern period, Conservation of honor and soul developed into the preservation of human dignity, even the protection of human rights (HAM). When in industrial relations, there is a leader who prohibits or impedes workers or laborers to worship means violating a person's right to believe in God and violate human rights.<sup>12</sup>

The social phenomenon of housewife who doubles as a woman laborer in home industry of swallow's nest branch of Kausar Jaya CV in Kediren Village, Kalitengah Sub-district, Lamongan Regency East Java Province is a practical form of woman that carry double burden. A woman becomes a housewife with the task of taking care of family needs and on the other hand bears the burden of being an industrial worker. However, there are cases of women workers in the workplace do not get their right to worship. Based on the description above, the authors intend to explore the prosperity felt by female workers of CV Kausar Jaya based on the perspective of maqâshid

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<sup>11</sup> Jaser Audah, *Al-Maqasid Untuk Pemula*, Terj. oleh Ali Abdolmonin (Yogyakarta: Suka-Press, 2013).

<sup>12</sup> Audah, hlm. 56.

asy-syarî`ah. By taking a case study of women worker in CV Kausar Jaya which is engaged in swallow nest industry.

## **CV. KAUSAR JAYA PROFILE**

CV Kausar Jaya is an industry that focuses on swallow nest leaching service. It has many branches, with one person in charge of the branch, with the task of supervising, giving a salary, and dividing the work to the workers. The owner of CV Kausar Jaya is Mr. Ali Muhammad. He lives in the Gresik regency. The building center of CV Kausar Jaya is located in the H Zubair VIII / 03 street Gresik, with phone number (031) 3982791.

The researcher did not examine all branches of CV Kausar Jaya, but only examined one branch of CV Kausar Jaya industry located in Kediren Village, Kalitengah Subdistrict, Lamongan Regency. The branch is located among the house of the resident of RT 02, RW 01 Kediren Village.

Organizational structure residing in branch of CV Kausar Jaya still not arranged neatly. The person in charge of the branch, Mrs. Sampur admitted that she has many work load, starting from recruiting the workers, dividing the nest to the workers every day, supervising the workers, mediating when there is conflict between workers, responsible when the output is bad, coordinating with Mr. Ali as the owner, hiring workers is also her duty.

Workers who joined the branch of CV Kausar Jaya located in Kediren Village amounted to 19 people. All the workers are women. CV Kausar Jaya is actively work within six days. Each worker takes the obligation to clean the nest in accordance with the choice and the commitment to Mrs. Sampur. Some take 75 gramMrs of nest a day, 100 gramMrs, up to 150 gramMrs swallow nest. They start to work from 07.30 to 15.30.

Payment of wages is made on Saturdays. The system used is a wholesale wage system. With such a wholesale system, the workers who wash and clean swallow nest at most will get a high wage, and vice versa. The workers who clean a little nest will get a little salary.

The amount of wages received based on the wholesale system can be seen in table 2 as follows.<sup>13</sup>

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13 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren,

**Table 2**  
**Workers' Name and Wage in CV Kausar Jaya Branch Kediren Village**

No	Workers' Name	Age	Education	The Number of Nests/day	Salary/day
1	Nurul Komariyah	35-44	SMP	150 gram	Rp. 75.000
2	Dwi Sulikningsih	25-34	SMA	100 gram	Rp. 50.000
3	Lilik Astatik	35-44	SMA	100 gram	Rp. 50.000
4	Putri Intan Sari	15-24	SMP	100gram	Rp. 50.000
5	Sri Utami	25-34	SMK	100 gram	Rp. 50.000
6	Suliani	45-54	SMP	100 gram	Rp. 50.000
7	Lastri	35-44	SMA	75 gram	Rp. 35.000
8	Ika Noviyanti	25-34	SMA	60 gram	Rp. 30.000
9	Masufa	15-24	SMP	150 gram	Rp. 75.000
10	Musyarofah	35-44	SMA	100 gram	Rp. 50.000
11	Samini	45-54	SD	100 gram	Rp. 50.000
12	Yuni	25-34	SMA	75 gram	Rp. 35.000
13	Nasrul Ummah	25-34	SMA	150 gram	Rp. 75.000
14	Varia Makrufah	25-34	SMA	100 gram	Rp. 50.000
15	Antima	45-54	SD	150 gram	Rp. 75.000
16	Atin	25-34	SMA	80 gram	Rp. 35.000
17	Ida	25-34	SMA	130 gram	Rp. 60.000
18	Martini	45-54	SMP	80 gram	Rp. 35.000
19	Rizka	15-24	SMA	80 gram	Rp. 35.000

## MAQÂSHID ASY-SYARÎ`AH

Maqâshid asy-syarî'ah is etymologically composed of two words namely maqâshid and syarî'ah. The word maqâshid (مقاصد) is the plural form of the maf'ul maqshadan and is derived from the root word of qashada-yaqshudu - (مقصد) - (يقصد) - (قصد), which has the meaning of purpose or target (Sahroni and Karim, 2015: 1) . While the word syariah comes from the word asy-syarî'ah (الشريعة) which means the path. Jaser Auda (2013) contemporary theologian explains that al-maqâshid can have many meanings, including goals, targets, interests, or the ultimate goal of Islamic law.<sup>14</sup>

In term, maqâshid asy-syarî'ah (الشريعة مقاصد) has the meaning of the basic values that become the goal of an established law. Theologian have different views on the concept of ahqqshsh asy-syarî'ah. Ibn Assyria defines maqâshid asy-syarî'ah as:

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Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

<sup>14</sup> Auda, *Al-Maqasid Untuk Pemula*, hlm. 6.



*“The meaning or wisdom that comes from Allah SWT, which occurs in all or the majority of Allah’s provisions, its (not on certain laws)”.*

Plus the definition of Ar Risuni which provides the definition of maqâshid asy-syarî`ah.

*“The goal to be achieved by this Shari’a to realize the welfare of the servant”<sup>15</sup>*

In the fifth century until the eight century Hijri, some theologians were born whose thoughts are influential in the theory of maqâshid asy-syarî`ah and in the twentieth century, contemporary theologians were born whose thoughts also affect the development of maqâshid asy-syarî`ah theory. The theologians are as follows.

### **1. Imam Al-Juwayni**

Abu al Ma’ali al Juwayni wrote a book titled *Al-Buthan Fi Al Fiqh*. The book is considered as the first jurisprudence to discuss the theory of basic needs levels. Al-Juwayni preaches five levels of maqâshid asy-syarî`ah: inevitability, public needs, moral action, and suggestions.

Al-Juwayni contributes to the idea that the purpose of Islamic law is the real protection of faith, soul, reason, personality, and property.<sup>16</sup>

### **2. Imam al-Ghazali**

Abu Hamid al-Ghazali developed the theory of Al-Juwayni. Al-Mustafa’s book on the thought of al-Ghazali, explain the order of necessity. The first order of necessity is faith; the second is the soul, the third minds, the fourth descendants, and the last of the treasures.<sup>17</sup>

### **3. Imam al-Syatibi**

Abu Ishaq al-Syatibi, his thoughts on maqâshid asy-syarî`ah are very close to al-Juwayni and al-Ghazali. Al-Syatibi poured his thoughts

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<sup>15</sup> Sahrani Oni dan Adiwarmar A. Karim, *Maqashid Bisnis&Keuangan Islam : Sintesis Fikih & Ekonomi* (Jakarta: PT. Rajagrafindo Persada, 2015), hlm. 2; Lihat juga Novita Anjarsari, “Perspektif Keuangan Islam Menghadapi Krisis Keuangan Global: Tinjauan Konseptual,” *Jurnal Akuntansi Unesa* Vol. 2, no. 1 (2013): hlm. 1-21, <http://jurnalmahasiswa.unesa.ac.id/index.php/jurnal-akuntansi/article/view/6488>.

<sup>16</sup> Audah, *Al-Maqasid Untuk Pemula*, hlm. 38.

<sup>17</sup> Audah, hlm. 40.

on maqâshid asy-syarî'ah in the book titled al-muwafaqat fi usul al-syarî'ah. Al-Syatibi developed the theory of maqâshid asy-syarî'ah from the wisdom behind the rules toward the basic rules.

The sacred text is divided into two large sections. The first part is al-Kulliyat (the text concerning the points of religion) and al-Juziyyat (text related to the details of religion). The text of the Shari'a has the power or supremacy towards other texts including the nature of the Shari'a as a preserver of human problems both in the dimension of inevitability, need, and luxury. It includes al-Kulliyat's text as the command of doing good, justice, and mercy.<sup>18</sup>

Al-Syatibi explains that human life will continue when man still preserves Allah's purposes. The five purposes of Allah that must be preserved, contained in the sentence written al-Syatibi as follows:

المصلحة بأنها المحافظة على مقصود الشارع من الخلق خمسة  
وهو أن يحفظ عليهم دينهم ونفسهم وعقلهم  
ونسلمهم ومالهم. فكل ما يتضمن حفظ هذه الأصول الخمسة فهو  
مصلحة وكل ما يفوت هذه الأصول  
فهو مفسدة ودفعه مصلحة

It means: "The benefit is fulfilling the purpose of Allah Almighty, which wants to be achieved in every Allah's creature. There are five goals, namely to protect his religion, his soul, his mind, his descendants, and his wealth. By default, every business that realizes the maqashid then it includes the benefit, and vice versa, every attempt that eliminates the benefit, it includes disadvantage"

The second part contains al-Juziyyat. The goals that includes in the scope of al-Juziyyat are detailed rules about the processes and mechanisms of human life, such as a marriage, trade, or government.

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18 Audah, hlm. 40.

4. ***Maqâshid Asy-Syarî`ah Perspective of Yusuf Al-Qaradawi***

The contemporary theologian, Yusuf al-Qaradawi conducted a survey to the Al Quran. Then he draws the conclusion that the main aim of Shari'a are to preserve the true faith, to preserve human dignity and rights, to invite people to worship Allah, to purify the human soul, to improve morals and noble values, to develop good families, to treat women fairly, build a strong Muslim nation, and invite cooperation among people.<sup>19</sup>

5. ***Maqâshid Asy-Syarî`ah Perspective of Jaser Auda***

Jaser auda (2013) developed a more grounded study on maqâshid asy-syarî'ah. He made maqâshid asy-syarî'ah as an Islamic methodology to achieve the development and realization of human rights. He argues that, maqâshid asy-syarî'ah must match or in line with the progress of the times that continue to progress.

The concept of maqâshid asy-syarî'ah has experienced many changes from the point of classification, depending on the dimensions viewed by a jurist or theologian. There is a dimension of inevitability based on classical classification, the legal dimension that seeks to achieve maqâshid asy-syarî'ah, the human class covered by maqâshid asy-syarî'ah and the universality level of maqâshid asy-syarî'ah.

Classical classification of maqâshid asy-syarî'ah includes three levels of inevitability: level of necessity, need, and luxury. Then the theologian divide inevitably into five points. They are: the preservation of religion, the preservation of life or soul, the preservation of property, the preservation of reason, and the preservation of the offspring. Then, some theologian add the preservation of honor to the level of inevitability.

Jaser Auda expressed the thought of maqâshid asy-syarî'ah about religious preservation. According to his view, religious preservation is a basic need for the survival of human life, especially the afterlife. The preservation of religion in the classical period is a punishment for anyone who abandons religion. In the 20th century, according to Jaser Auda

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<sup>19</sup> Audah, *Al-Maqasid Untuk Pemula*, hlm. 18.

religious preservation is a freedom of religion or freedom of beliefs.<sup>20</sup>

Jaser Auda (2013) explains that the concept of preservation of reason in the classical period is regarded as a wisdom behind the prohibition of drinking. Therefore, Islam strictly prohibits the consumption of intoxicating goods, such as marijuana, alcohol, and drugs. Human life is in danger when their soul is not guarded from various threats of disease, toxicity and pollution. It was in this context that the Prophet Muhammad prohibit torturing humans, animals, and plants.<sup>21</sup>

In the 20th century the concept of preservation of reason must be contemporaryized so that it is very relevant to the purpose of human development. The term of preservation of reason in the 20th century is broader and relevant to human resource development, including scientific thinking, traveling in search of knowledge, and avoiding sending experts to abroad.<sup>22</sup>

The term protection of property in the classical period is considered a punishment for theft of property. So Islam strictly prohibits the actions of monopoly, concentration of wealth, corruption and fraud. It aims to avoid the economic crisis, so the economy of community continues to be stable. The term Protection of property, in contemporary period in the perspective of Jaser Auda includes social security, economic development, the velocity of money, the welfare of society, and the reduction of inequalities between social classes. The development of the term allows the utilization of *maqâshid asy-syarí'ah* in sparking economic growth, which is indispensable to the predominantly Muslim countries. Islam also upholds the act of educating and nurturing children and maintaining the integrity of the family with the aim of guarding human offspring.<sup>23</sup>

The term of preservation of offspring in the perspective of the classical theologian is a goal behind the punishments imposed by the Shari'a upon the person who violates the limits of decency. Then in the 20th cen-

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20 Audah, hlm. 40.

21 Audah, hlm. 17.

22 Audah, hlm. 53.

23 Audah, hlm. 58.

ture the term of preservation of offspring developed into a theory that led to the attention to the family. Likewise with the preservation of the soul, which at the time of classical theologian termed as the protection of honor. Thus in contemporary period, it is expanded and extended into protection against human rights.<sup>24</sup>

## **WELFARE ANALYSIS OF CV KAUSAR JAYA WORKERS**

Islam is a religion that spreads love for the whole nature. The religion passed by Allah SWT through the intermediary of Prophet Muhammad SAW is very protective and attention to the individual. Allah makes laws or Shari'a with the aim of the benefit of the world and the hereafter, so that the individual will feel prosperous.

To achieve the welfare and prosperity of human life in the world and in the hereafter, then the individual must keep the five basic points as al-Ghazali and al-Syatibi state. The five main points are keeping religion, keeping the soul, the five basic things to keep the mind, keep the offspring, and keep the treasure. Human life will face danger when their mind is disturbed, so Islam forbids consuming alcohol and narcotics. The lives of individuals and communities are at risk when their lives are not maintained and are not conserved by disease prevention measures and or there is no policy on environmental security and pollution. Likewise with the preservation of offspring, Islam upholds the activities of educating children and maintaining family integrity such as prohibiting lawless to parents, abandoning children, or not being fair to children.<sup>25</sup>

Auda (2013) contribute the idea that five necessities concept in maqâshid asy-syari`ah should be able to contribute to development, morality and social justice for the community. Starting from the contribution of these thoughts, the researchers focused on seeing how the leader of an industry upholds the protection to the workers. Therefore, this research examine the policy of CV Kausar Jaya in maintaining the five elements of maqâshid asy-syari`ah which includes religion, soul, reason, offspring, and wealth.

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<sup>24</sup> Audah, hlm. 53.

<sup>25</sup> Audah, hlm. 8.

## 1. Keeping the religion

Every religious person has the right to carry out his religious duties. The employer in the industry must also give time to the worker to worship in the midst of a busy work. The obligation of employers to give the worship time to their workers is contained in Article 80 of Law No. 13 Year 2003 Article 80.

The command to maintain a balance of vertical relationship with Allah SWT and horizontal relationship with fellow human, animal, and natural is contained in Q.S. Al Baqarah (2): (30).

وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً قَالُوا أَتَجْعَلُ فِيهَا مَنْ يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَاءَ  
وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ

Quraish Shihab (1996) explains that the content or substance of the letter of al-Baqarah (2): (30) inform about the elements of caliph as well as obligations of the caliph. These elements are the earth or the territory, the caliph, in this case being empowered, the relationship between the owner of power and the region and its relation to the power giver.<sup>26</sup>

The task of the caliph is to carry out the rules Allah wants. As a logical consequence of the implementation of these rules is to make rules, enforce rules and control the rules that are or have been recommended. The duties of a ruler or leader who is granted a ruler of a political or economic region are outlined in Al Hajj (22): 41. The letter of al-Hajj verse 41 explain that the leader should establish prayer, as a manifestation of good relations with Allah, then paying zakat as a symbol of attention to the weak.<sup>27</sup>

Then commanding the good that include all sorts of policies, customs, and cultures that are in line with religious values. Then it prevents the bad. To carry out their duties, leaders are required to always exchange ideas or deliberations with competent parties to achieve goodness for all.

26 Moh. Quraish Shihab, *Wawasan Al-Quran: Tafsir Maudhu'i Atas Pelbagai Persoalan Umat* (Bandung: Penerbit Mizan, 2000).

27 Umar Shihab dan Hasan M Noer, *Kontekstualitas Al-Qur'an: Kajian Tematik Atas Ayat-Ayat Hukum Dalam Al-Qur'an* (Jakarta: Penamadani, 2003), hlm. 301.

Starting from the explanation of the Al Quran interpretation, it can be taken the value that a leader should establish prayers and ordered to the good. The structure of industrial relations consists of leaders who have the obligation to generate the policies to the workers. It is the mandatory for the leader to order the good such as obliging the workers to pray or giving time to worship God.

The practices run by CV Kausar Jaya, are very considerate and provide sufficient time for workers to perform the prayers. The interviews results show that the leader of CV Kausar Jaya strongly supports the workers to worship the God. Here is the statement of Mrs. Sampur as the person in charge of CV Kausar Jaya branch of Kediren village during interview process; *“Yes, I give time to pray, the praying room is below and above, there is no forum to read Al Quran but there is a tour to guardian five. In the fasting month, the working time is shorter, the workers are already home at noon, because after shubuh they are already working”*.<sup>28</sup>

From Mrs. Sampur answer, it can be explained that CV Kausar Jaya take care of the workers' the religion by giving time to pray and provide two places to pray. In addition to provide concessions to pray, CV Kausar Jaya also provide facilities of Sunnah worship to workers such as religious tourism or commonly called the pilgrimage of guardian five. Then in the fasting month, the workers can also go home faster than usual working days.

Ibu Lilik Astatik as the worker of CV Kausar Jaya also revealed that the leader gave time and two places to pray.<sup>29</sup> The practice of giving worship time to the workers is a proof that CV Kausar Jaya is concerned about the welfare of workers in the dimension of the world and the hereafter. This is in accordance with the law of No.13 of 2003 article 80 which explains that it is obligatory to give sufficient time to the workers to perform the mandatory worship of their religion.

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28 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

29 Wawancara dengan Ibu Lilik Astatik, Buruh CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Jumat, 7 April 2017.

## 2. Keeping the soul

The five key points to be protected after keeping the religion is to keep the soul. The things in this case are to stay away from suicide, killing others, injuring others through physical and mental abuse and abortion.<sup>30</sup> Then Auda (2013) explains that keeping the soul includes precautions against disease and pollution. The thought when applied in the field of industrial relations, then an employer must take precautions against things that can damage the soul of workers, such as physical exploitation, no contract of employment, no health and safety guarantee.

The protection to the soul shows that Islam is very concerned about the right of life to the human soul. Human has the right to be free without oppression. There is a structure of government power and economic power to protect workers or labors who are subordinate in the structure of economic power and to protect them from employer torture. Then, the government produces legislation to protect the lives of workers.

These protections range from social security of employment, regional minimum wage, rest periods for drinking and eating, welfare facilities such as information, sports facilities and joint tourism, employment contracts, security and rest periods. Article 99 of Law no. 13 year 2003, every worker is entitled to get social security of labor. Article 76 of paragraph 4 stipulates that the employer is obligated to provide shuttle transport for workers or women workers who come and leave from 23.00 to 05.00.

In article 76 paragraphs 2 and 3, the entrepreneurs are prohibited from employing pregnant women workers according to doctor's statements because it is harmful to the health and to the safety of pregnancy or her while working at 23.00-07.00. The entrepreneurs who employ women laborers at 23.00-07.00 are required to provide nutritious food and drink and maintain the security and decency during work. This is in accordance with the explanation of Al Quran in al-Qasas (28): 77.

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<sup>30</sup> Ahmad Al-Mursi Husain Jauhar dan Khikmawati (Kuwais), *Maqashid Syariah* (Jakarta: Amzah, 2009).



وَابْتَغِ فِيمَا آتَاكَ اللَّهُ الدَّارَ الْآخِرَةَ وَلَا تَنْسَ نَصِيبَكَ مِنَ الدُّنْيَا وَأَحْسِنْ كَمَا أَحْسَنَ اللَّهُ  
إِلَيْكَ وَلَا تَبْغِ الْفَسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ

Quraish Shihab further explains that the individual or society must have a balanced mindset between the world and the hereafter. Individuals or people should not only carry out *ubudiyah* orders such as prayer, zakat, fasting and hajj only, but also nullify the happiness and prosperity of life in the world.<sup>31</sup>

The verse suggest that man should use the gift of abundant wealth and the unstoppable favor for obedience to God and to draw closer to Allah so as to get the reward in the afterlife. Then God forbids the people on earth to do damage and act badly to God's creatures.<sup>32</sup>

Starting from the interpretation, it can be taken a matter that every human, whatever his/her social status, is prohibited to do damage and act badly to God's creatures. The worker is including to the God's creatures. When the interpretation of the verse is applied in industrial relations, a leader cannot engage in abuse and exploitation that can threaten and destroy the soul of the worker.

CV Kausar Jaya which in fact has 19 women workers is in need of physical and mental security. Such security is required so as not to damage the physical, mental and economic workers. The practice of protecting the lives of female workers who have been taking place at CV Kausar Jaya based on interviews shows that CV Kausar Jaya is not perfect in protecting the lives of female workers. There are some things that cannot be fulfilled. For example about workers social security. Here is the statement of Mrs. Sampur as the person in charge of CV Kausar Jaya of Kediren village branch during the interview process: *"Social security of employment does not exist. Here, a work accident has never been happened. I will visit the sick workers, and give some money"*.<sup>33</sup>

31 Shihab, *Wawasan al-Quran*.

32 Ahmad Syakir, *Mukhtashor Tafsir Ibnu Katsir*, Terj. oleh Suhada, Jilid 5 (Jakarta: Darus Sunnah, 2014), hlm. 69.

33 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

From Mrs. Sampur answer, it can be explained that CV Kausar Jaya branch of Kediren Village has not provided social security for the labor. In practice, Mrs. Sampur as the person in charge, will visit her workers when someone is sick, and provide assistance from personal money.

Essential life protection is to meet the needs of workers through payment of wages. With a decent wage, workers can meet the needs of decent living as well. In practice, CV Kausar Jaya paid wages according to the worker's achievement, not taking indicators the needs of decent living or UMR.

In practice, the workers who choose to clean 100 gramMrs a day will earn Rp. 50,000 per day. If the salary is multiplied a week, then workers who clean 100 gramMrs of nests will get a salary of Rp. 350,000. If in a month there are four weeks, then they can get a wage of Rp. 1.400.000. Meanwhile, the workers who clean 150 gramMrs of nest will get a wage of Rp 75,000 per day. In a week she will earn Rp. 450,000. Moreover, in a month she can get Rp. 1.800.000.

Here is the statement of Mrs. Sampur as the person in charge of CV Kausar Jaya branch Kediren village during the interview process: *"Here, the wages system is wholesale, if the workers ask for a little nest, she will get little salary. If the workers ask for many nests, certainly she will earn a lot of wage, beyond the regional minimum wage of Lamongan."*<sup>34</sup>

From Mrs. Sampur's statement, it can be concluded that the wages given are not based on indicators of decent living needs or UMR, but based on the wholesale system. If the workers can clean 150 gramMrs nest a day, then the salary in a month can be Rp. 1.800.000.

When workers are asked about the wages received whether it can meet the needs of life or not, the answer is diverse. Some respond that their wages are enough to meet the necessities of life. There are also the workers who say that the wages are enough to meet the needs of the family if coupled with the husband's income.<sup>35</sup>

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34 Wawancara Dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

35 Wawancara dengan Ibu Intan dan ibu Dwi, Buruh Cabang CV Kausar Jaya Desa Kediren, Jasa Pencucian Sarang Walet CV Kausar Jaya kediren, Jumat, 7 April 2017.

Furthermore, keeping the soul is on the side of providing nutrition or vitamins and adequate rest time to eat and drink for workers. The policy practice that has been conducted by the leader of CV Kausar Jaya is only give time to rest eat and drink sufficiently. Policy practice to provide eye vitamins to workers who in fact use eye concentration is never noticed let alone implemented. Mrs. Dwi, the worker of CV Kausar Jaya explain that the leader of CV Kausar Jaya never give the eye vitamins, but her job use eye concentration.<sup>36</sup>

Here is the story of Ms. Sampur as the person in charge of CV Kausar Jaya branch Kediren village during the interview process: *"I have never given vitamins for workers. I have given the time to rest and eat. Usually, while the workers work there are drinks and snacks in front of them. Here, they work casually unlike a real factory."*<sup>37</sup>

Keeping the soul that is not less important is to provide facilities for the welfare of information rights, and sports as well as holiday tours. The policy given by the leader of CV Kausar Jaya only lies in the holiday tour alone. There is no policy to provide information through newspapers or the internet, as well as space for sports.

The workers were once taken to the Tomb of Wali Lima and Taman Malindo. However, the tour that was realized was only to the Tomb of Wali Lima. When the workers are invited to malindo, they prefer to stay at home. Then the tour is not implemented. However, the CV Kausar Jaya provide a change in the form of money.

Here is the story of Mrs. Sampur as the person in charge of CV Kausar Jaya branch Kediren village during the interview: *"Yes the vacation planning is to Malindo, but the kids do not want to go. Finally, I give them money."*<sup>38</sup>

Keeping the soul that needs to be applied is the employment agreement. It must exist so that the workers are guaranteed the type of work

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36 Wawancara dengan Ibu Dwi, Buruh CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Jumat, 7 April 2017.

37 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

38 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

to be done, the amount of wages, and the time of payment of wages. The owner of the industry must grant the right of employment agreement. In fact, CV Kausar Jaya branch Kediren Village does not provide the employment agreement from the beginning. They can work directly without any written agreement. About the amount of wages and what they do, usually they already know from the conversations of friends who already worked.

The practice of not providing employment agreement is a violation of the law number 13 of 2003 Article 54 that the employer must prepare a employment agreement which at least contains the name, address of the company, and type of business. The contents of the contract must include the name, sex, age, and address of the worker, type of work, place of employment, and the amount of wages, the way of payment, and the working conditions that contain the rights and obligations of employers and workers. The period of validity of the employment agreement, place and date of the employment agreement are made, and the signature of the parties in the employment agreement.

The following is the story of Mrs. Sampur as the person in charge of CV Kausar Jaya branch of Kediren village during the interview process.

*"There is no contract agreement, wage information and type of work directly heard from friends of work. To accept a new worker, then I asked the boss by phone. Usually, it takes a week to wait the answer, if the answer is yes, then the prospective worker can directly work, otherwise she goes back. We accept all graduates from elementary, junior high school and senior high school, and Bachelor. The most important is they can see."<sup>39</sup>*

Next, keeping the soul that must be considered by the leader is to maintain security and decency as well as provide time off for the workers to gather and chatting with the family. In practice, the leader policy of CV Kausar Jaya is to maintain the security and decency as well as to give the workers time to gather with the family.

The following is the story of Mrs. Sampur as the person in charge of CV Kausar Jaya branch Kediren village during the interview process:

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<sup>39</sup> Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

*"The workers only take off in Sunday. If the red-letter day is due to Christmas or New Year, I leave it to the workers whether they want work or not. Before the holiday, H-5 the workers are off."*<sup>40</sup>

3. Keeping the reason

God-given grace is a pleasure that makes people higher in rank than other creatures. Al Quran denounces the people who waste a mind that is not used to thinking, caring, and pondering. Al Quran also denounces those who do not exploit the ability of reason to manage natural resources and also to develop creativity as a way of getting prosperity.<sup>41</sup>

The reason that is in fact the gift that can exalt the human must be maintained and developed. The industrial field where the workers use their reason to manage low-value goods into high-value goods must develop the minds of their workers through vocational training. Increasing the education of women will not only boost the productivity of agriculture or industry sectors, but also will decrease the age of marriage, fertility rate, and improve the quality of children's health and nutrition.<sup>42</sup>

In addition to job training, what is even more important in keeping the minds of the workers is the space to communicate when there is a conflict between workers or workers with employers. The emergence of deliberations forum as consultation chambers can help solve the problem pressing the workers mind according to consensus.

The enhancement of the reason abilities of workers or laborers is legitimized by law No. 13 Year 2003 article 9 and article 10. It is mentioned in article 9 that job training is conducted and directed to equip, improve and develop work competencies in order to improve capability, productivity and prosperity.

The increasing ability of reason through job training for laborers is in accordance with the explanation of the Al Quran in Q.S. An Nahl (16) 90:

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40 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

41 Jauhar dan Khikmawati (Kuwait), *Maqashid Syariah*, hlm. 69.

42 Todaro, *Pembangunan Ekonomi*, hlm. 420.

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَعِنَ الْفَحْشَاءَ وَالْمُنْكَرَ وَالْبَغْيَ  
يُعِظُكُم لَعَلَّكُمْ تَتَذَكَّرُونَ

Quraish Shihab explains that the verse is the most perfect verse in explaining the aspects of good and bad. Allah SWT says and simultaneously confirms and directs Allah SWT with the greatest name, with the aim of emphasizing the importance of the message of the verse. Allah SWT in that verse consistently commands every one of his servants to be fair in attitude, speech, and action, even to him/her. Fair is to give the rights to the owner, through the nearest way. It shows that a person's rights must be given without delay, because delaying a person's right means abusing him.

Allah SWT then advocated doing ihsan. It means to give whatever the relatives need. The Prophet Muhammad emphasized to give who is in the dependents of someone first, then the closer. Then God forbid all sorts of sin and all forms of persecution. With such command and prohibition Allah gives instruction and guidance to human beings, so that human can always remember and take valuable lessons.<sup>43</sup>

In the practice of industrial relations, workers and employers are close relatives, although there is no blood relation. It is because between employers and workers need each other. So the employer must provide a valuable need to the workers, such as providing job training and consultation forum.

The policy applied by CV Kautsar Jaya about the improvement of the reason through job training has never been implemented. Even the official forum to solve the problem also has not existed in CV Kautsar Jaya.

The following is Mrs. Sampur answer when answering the researcher's question: *"There is no job training here. The workers who want to work and be accepted, she can directly work. The point is when*

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43 M. Quraish Shihab, *Tafsir Al Misbah: Pesan, Kesan dan Keserasian Al-Quran* (Jakarta: Lentera, 2002), hlm. 323.

*she has bad work; the boss came here, sometimes scolding the workers. Deliberation forum to solve the conflict also did not exist, because there has never been any conflict here."*<sup>44</sup>

From the answer, it can be known that CV Kausar Jaya branch Kediren Village never improve the ability of workers through job training. But when the bad output produced by workers, the boss came to rebuke and sometimes scold. In addition to no job training, CV Kausar Jaya also does not have consultation and deliberations room when there is conflict.

The headman of Kediren village disclosed that in solving the conflict between the workers and employers or fellow workers is usually resolved by themselves. No intervention or consultation room provided by the Kediren village government.<sup>45</sup>

The absence of such training and meeting room indicates that CV Kausar Jaya is absent from improving the welfare of workers or laborers.

#### 4. Keeping the offspring

Islam forbids acts that can destroy the honor of others. In addition to respecting individuals, Islam is also very concerned about the conditions of the next generation. Islam requires a family to have a strong offspring in term of health, education, and economics. In other words, Islam does not support the weakness of heredity in health, education, and economics. Jaser Auda explains that Islam strongly upholds the act of keeping the family together, caring for and educating the children.<sup>46</sup> Keeping the offspring is confirmed in Quran Q.S. An Nisa (4): 9.

وَلْيَخْشَ الَّذِينَ لَوْ تَرَكُوا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعَافًا خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا

The verse, according to At-Tabari, explains that inheritance is the main issue discussed in the verse. Allah SWT has commanded men to

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44 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017.

45 Wawancara dengan Bapak Sudjai, Kepala Desa Kediren, Minggu, 9 April 2017.

46 Auda, *Al-Maqasid Untuk Pemula*.

keep their offspring with everything that can harm themselves and others.<sup>47</sup> Keeping offspring can be done by providing nutrition, health and quality education. When improving the quality of children's health and nutrition is done, the effort is simultaneously an effort to improve the quality of human resources for generations to come.

In the field of labor, the labor family including their offspring must also be concerned with health and education to create a strong descendant and became a superior man. It is guaranteed in the law number 13 Year 2003. Article 82 states that pregnant women are entitled to leave of absence for 1.5 months before delivery and 1.5 months after delivery. Article 83 legitimize the breastfeeding mothers should be given the opportunity to breastfeed their children. Article 81 states that women who feel menstrual pain and inform the entrepreneur are not obliged to work on the first and second day.

The practice that CV Kausar Jaya has been carrying out in keeping the descendants has not fully protected the descendants of the workers. They are not given a two-day break when menstrual pain. However, CV Kausar Jaya has provided a policy in protecting the worker's offspring in terms of giving the time to the workers to breastfeed her child and giving her time to take her children to school and to read Al Quran. This is expressed by Mrs. Sampur in the interview process as follows:

*"Yes, I tell to go home to breastfeed her child and put her son to sleep, because the workers home is near here. We have the chance of maternity leave, but until now there are no pregnant workers. If a worker does not work because menstrual pain is up to them, but if she does not work, she does not get the salary.. Here is free to take her children to school and read Al Quran."*<sup>48</sup>

## 5. Keeping the wealth

Islam is very concerned about the wealth acquired and consumed by someone. Wealth is an indispensable necessity of an individual's life. The motivation to find a wealth made by a person is to maintain his/her existence and increase the enjoyment of the material. In order to develop

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<sup>47</sup> Muhammad Ibn Jarir Al-Thabari, *Tafsir Al-Thabari*, Jilid 16 (Kairo: Daru Hajar, 2008), hlm. 281-286, <http://waqfeya.com/book.php?bid=542>.

<sup>48</sup> Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017



the concept of maqâshid asy-syarî`ah for the realization of human rights, the term of preservation of wealth was originally a punishment for theft. So in the context of the development of contemporary maqâshid asy-syarî`ah, it was developed into social security, economic development, and economic welfare.<sup>49</sup>

CV Kausar Jaya who gives work to the workers, must keep the wealth of the workers. In order for the workers to fulfill their family needs and to improve the welfare of the workers, the leader must pay the wage on time in accordance with the contract, give the holiday allowance, and give the wage according to the productivity of the worker.

This is in accordance with the hadith of the Prophet Muhammad SAW which says: "Pay the wages of workers, before the sweat dry" (HR Ibn Majah). This hadith shows that the Prophet Muhammad highly appreciate the energy issued by workers and also understand the needs that must be met by workers, so the wages must be paid before his sweat dry. In other words, the wage must be paid after the work is done.<sup>50</sup>

The practice that has been done by CV Kausar Jaya is by giving the wage on time on Saturday. The payment of wages never had a late. In addition to timely payment of wages, CV Kausar Jaya also provide holiday allowance (THR) to workers at the time of Idul Fitri holiday. However, in terms of severance pay, CV Kausar Jaya has never provided severance pay.

Here is Mrs. Sampur statement when asked about wages, holiday allowance and severance pay: "*I always pay her wages on Saturday, then off in Sunday. For the holiday allowance, we usually give money and Kongguan bread. For the severance pays, we have never given it because until now there is no layoff.*"<sup>51</sup>

It is added with the information of Mrs. Intan as a laborer of CV Kausar Jaya who revealed that CV Kausar Jaya give holiday allowance

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49 Audah, *Al-Maqasid Untuk Pemula*, hlm. 58.

50 Munir Che Anam, *Muhammad saw & Karl Marx tentang masyarakat tanpa kelas* (Yogyakarta: Pustaka Pelajar, 2008); Lihat juga Mark Tilzey, "Reintegrating Economy, Society, and Environment for Cooperative Futures: Polanyi, Marx, and Food Sovereignty," *Journal of Rural Studies* Vol. 53 (1 Juli 2017): hlm. 317-334, <https://doi.org/10.1016/j.jrurstud.2016.12.004>.

51 Wawancara dengan Ibu Sampur, Penanggung Jawab Cabang CV Kausar Jaya Desa Kediren, Industri Cabang CV Kausar Jaya, Kamis, 6 April 2017

(THR) in the form of money and bread: *“The company give THR in the form of money and bread. The wages are paid every Saturday.”*<sup>52</sup>

From Mrs. Sampur’s statement and cross check result with Mrs. Intan as laborer, it gives a strong information that CV Kausar Jaya give THR to employees. THR is in the form of money and a basket of canned bread. A more important aspect is that workers are paid on Saturdays in accordance with the agreement and there has never been a fact that wages are being paid inappropriately in time.

## CONCLUSION

The workers welfare of the maqâshid ash-shari’ah perspective is reflected in the sustainable the religion, soul, mind, descent, and the wealth of a worker. The phenomenon of women laborers’ prosperity in CV Kausar Jaya shows that in the field of religious preservation, workers can perform worship in the workplace and get a pilgrimage facility to tomb of wali lima. It shows that workers can preserve their religion.

In the dimension of the preservation of the soul, the workers can feel the guarantee of security and decency. Then the workers get a chance to gather with the family when the day off once a week. The workers also enjoy the recreation together and eat and drink while working. However, the welfare of the workers in the dimension of the conservation of the soul is less fulfilled on the side of no labor social security; the wage is still based on the wholesale system, and does not get the nutrients for eye health. It is added with the less prosperous workers in the protection of the soul because they do not get a clear employment contract and cannot get sports facilities.

Labor welfare in the dimension of preservation of reason is not fulfilled. This is because there is no forum of deliberation between workers and employers and there is no job training to support workers’ productivity. Labor welfare in term of preservation of offspring is sufficient. This is reflected from the workers who can carry out breastfeeding activities and bring their children to school and to mosque to read Al Quran. The dimension of the

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52 Wawancara Dengan Ibu Putri Intan Sari, Buruh CV Kausar Jaya, Industri Cabang CV Kusar Jaya, Jumat, 7 April 2017

welfare of the workers in the preservation of wealth is fulfilled by the timely wage given and the holiday allowance (THR), but the dimension of wealth preservation has not been fulfilled because the workers do not get severance at termination of employment (PHK).

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