

CHAPTER III

RESEARCH METHOD

A. Type of Research

The type of this research is normative-empirical legal research with juridical approach. This research is based on normative legal science (rule of law) and then studied how the reaction and interaction that occurs when the norm system in the rule of law works in the society (law in action).³⁴ The juridical approach in this study is meant that the problem analysis is done by combining legal materials (secondary data) with primary data obtained by the field research (interview).³⁵

B. Type of Data

1. Primary data

Primary data is a data which were obtained directly in the form of information and opinion of respondents by conducting field research through interview.³⁶

2. Secondary data

Secondary data were obtained from various literatures or library materials related to the problem or research material.³⁷ In secondary data there are three supporting legal research materials, consist of:

³⁴ Mukti Fajar ND & Yulianto Achmad, *Dualisme Penelitian Hukum Normatif & Empiris*, (Yogyakarta: Pustaka Pelajar, 2015), p. 47.

³⁵ Bambang Waluyo, *Penelitian Hukum dalam Praktek*, (Jakarta: Sinar Grafika, 2002), p. 15.

³⁶ Bambang Sunggono, *Metodologi Penelitian Hukum*, (Bandung: Rajawali Pers, 2008), p. 15.

³⁷ Mukti Fajar ND & Yulianto Achmad, *Op. Cit*, p. 156.

- a. Primary legal material is binding legal material consisting of laws/legislations, jurisprudence or judicial decisions and international agreements, such as:
- 1) Constitution of 1945;
 - 2) Law No. 39 of 1999 on Human Rights
 - 3) Law No. 13 of 2003 on Manpower;
 - 4) Law No. 23 of 2014 on Regional Government;
 - 5) Government Regulation No. 78 of 2015 on Wages;
 - 6) Minister of Manpower and Transmigration Regulation No. 7 of 2013 on Minimum Wage;
 - 7) Minister of Manpower and Transmigration Regulation No. 21 of 2016 on Decent Living Needs;
 - 8) Governor Regulation of Special Region of Yogyakarta No. 74 of 2016 on Minimum Wage;
 - 9) Various other legislations related to the determination of the minimum wage, etc.
- b. Secondary legal material is legal material that provides explanation of the primary legal material, consist of:
- 1) Books related to the research;
 - 2) Scientific journals related to the research;
 - 3) Legal documents by legal scholars related to the research;
 - 4) Trusted articles or news from the internet related to the research.

- c. Tertiary legal material is a legal material that can explain and complete the primary legal material and secondary legal material, such as dictionary and encyclopedia.

C. Method of Collecting Data

1. Library research

Data were obtained by reading and analyzing the legislations, books, journals, papers, articles, and legal research related to the problems of research.

2. Field research

Data were also collected from the field by interviewing several informants or respondents regarding the problems of research.

D. Research Location

The research was conducted in the Department of Manpower and Transmigration of Special Region of Yogyakarta, the office of Employers Association of Indonesia (*APINDO/Asosiasi Pengusaha Indonesia*) Chapter Special Region of Yogyakarta and the Secretariat of Confederation of All Indonesian Laborers Union (*KSPSI/Konfederasi Serikat Pekerja Seluruh Indonesia*) Chapter Special Region of Yogyakarta.

E. Respondent and Informant

Respondent is a person who respond directly related to the data needed. Meanwhile, the informant is the person who gives an opinion based on the objectives of research problem.

The respondents are Mrs. Hermelien Yusuf (Vice Chairman of Industrial Relations and Advocacy of APINDO DIY) as the representative of the Indonesian Employers Association (APINDO) Chapter DIY and Mr. Kirnadi (Vice Chairman of KSPSI DIY) as the representative of the Confederation of All Indonesian Laborers Union (KSPSI) Chapter DIY, while the informant is Mr. R. Darmawan (Head of Wage Section in the Department of Manpower and Transmigration of DIY, who is also a member of the Provincial Wage Council of DIY) as the representative of the DIY government.

F. Data Analysis

This research used descriptive-qualitative analysis, so the researcher provided exposure to the subject and research object. Then, the researcher also conducted analysis and determined the relevant data or legal materials based on the data obtained from respondents and informants in written and spoken forms.