

industrial relations paradigm. This paper empirically describes industrial relations that focuses on collective bargaining that seeks to reach a consensus. Power imbalance can be one aspect that makes a consensus in collective bargaining difficult to reach. If this problem is not resolved, the objective of industrial relations will not be achieved.

Budd et al. (2004) report that the modelling of employment relationship as the issue of collective bargaining questions the distribution of resources and prevailing regulations on the interaction between employers and employees. As a result, companies, labor unions, public policy and procedures of dispute settlement are considered as critical institutions, and as the research subject in the relation of industrial pluralist. A study by Budd et al. (2004) is in line with the modern industrial relations paradigm and is an industrial pluralist view that emphasizes the importance of collective bargaining, including through structuring the distribution of resources and regulations.

In relation with the setting in minimum wage, International Labor Organization (2008) reports that related institution facilitate the setting of minimum wage. Generally, in numerous countries, the wage setting is the form of governance, where there should be agreement and collective bargaining between the parties. Moreover, ILO (2013) states that collective bargaining in employment relationship should be established by negotiation. In the setting of minimum wage, collective bargaining should be performed in tripartite institution. ILO (2013) conveys the tripartite as the "equal/balance" interactive forum to solve problems through decision making.

Based on the concept of Hogbin (2006), the form of collective bargaining as stated by the International Labor Organization reinforces the second view of the power in employment relationship, namely balancing the power between employers and employees through regulation of employment relationships. Based

on Kaufman (2008), collective bargaining in work relations is a modern industrial relations paradigm. Based on Budd et al. (2004), the concept of collective bargaining as stated by the International Labor Organization requires that regulations, negotiation procedures, and other conditions are in equal conditions to reach a consensus in decision making.

The legal basis in setting the minimum wage in Indonesia is Law Number 13/2003 on Labor. The minimum wage specified by the Governor and by concerning the recommendation proposed by Provincial Wage Council and/or Regent/Mayor. According to Presidential Decree Number 107/2004 on Regional Wage Council, Council refers to a tripartite non-structural institution that consists of government, employers' association, trade unions and labor unions. On the basis of such regulations, it is implicitly stated that the forum of Regional Wage Council must be equal on the powers among its members. Such equality becomes what the entrepreneurs in Employers' Association Indonesia believe in, that one of the purposes of the association is the establishment of industrial relations based on harmony, dynamism, justice and equality.

Furthermore, this research focused on the setting of minimum wage in Bandung Regency and West Bandung Regency prior to the prevailing Government Regulation Number 78/2015 on Wage. Bandung Regency and West Bandung Regency are regions included in Metropolitan Bandung Raya, along with Bandung City, Cimahi City and Sumedang Regency. Based on the Bandung Regency Statistics Center (BPS), most of regions in Metropolitan Bandung Raya engage in the industrial sector. Bandung Regency is a region with the largest industrial sector (51.82%) compared to the other regions, followed by Cimahi City (47.41%) and West Bandung Regency (39.59%). Prior to 2007, Government of Bandung Regency was the master in labors' wage within the area of West

historical institutional method, 4) a constructive approach to public policy: partnership at work, 5) a normative vision.

In relation with the setting of minimum wage involving numerous parties, the writers refer to literatures on public policy. The involvement of multiple parties in a collective decision-making process is known as policy network, as conveyed by Howlett and Ramesh (1995), and Compston (2009). The other term on collective decision making is also called collaborative governance, as conveyed by Ansell and Gash (2007); Wanna and O'Flynn (2008); O'Leary, Slyke and Kim (2010); Choi and Robertson (2011).

Howlett, Mukherjee, & Koppenjam (2015) report that the old concept of the theory of policy network may be comprehended in the pattern of interaction to many groups of society and governmental actors. The impact of the policy network is the function of its members' power, in which it depends on the way to distribute the resources and the existence of "rules of the game" as the characteristics of policy network. As the effect, power distribution becomes a significant issue in formulating the policy.

Provan and Kenis (2008) denotes on the issue of power distribution in the form of network governance consisting of: participant governed, lead organization governed, and network administration organization governed. The form of this imbalance network is lead organization governed, and network administration organization governed.

Based on Provan and Kenis (2008) in the previous paragraph, participant-governed network refers to the form of collective balance network, which is regulated by its own members. This form of network will be more effective to accomplish the outcome when trust is widely spread between the members and higher level of consensus. Lead Organization-Governed Networks means the extreme side of Participant-governed network. This form of network occurs when

more powerful and less powerful parties exist at the same time. In this form, all network activities and decision making should be coordinated by the members or leader of the organization. The form of Lead Organization-Governed Networks would be more effective to accomplish the outcome when the low degree of trust may be divided among the members and the higher degree one towards the centralization. The consensus should be in the low-intermediate one. Network Administrative Organization refers to the form of network containing separated units to regulate the network and its activities. Similar to Lead Organization-Governed Networks, this form of network should be centralized. Such separated units act as the facilitator in coordinating and maintaining the network.

Provan and Milward (2001, p. 419) indicate that the power imbalances occur in a disproportionate organization in terms of resources or authority. This imbalance may also occur when one of the organizations directly control the fund to the other organization within the network. Furthermore, power imbalance is also discussed in collaborative governance. As addressed by Ansel and Gash (2007, p. 551), "If some stakeholders do not have the capacity, organization, status, or resources to participate, or to participate on an equal footing with other stakeholders, the collaborative governance process will be prone to manipulation by stronger actors." Choi and Robertson (2011, p. 2) also considers that, "The decision process may still be dominated by the most powerful actors and interests pertinent to the situation being addressed."

Based on these descriptions, power balance and imbalance can be seen from various aspects. Some aspects to analyze power balance and imbalance in collective decision making are: flow of funds in a network, form of the network, whether the network is decentralized or centralized with asymmetrical power (Provan and Kenis, 2008), the proportion in

term of resources or authority (Provan and Milward, 2001), capacity, organization, status, and resources to participate (Ansell and Gash, 2007). In details, Ansell and Gash (2007) define the following several aspects to analyze the imbalances of this authority and resources: 1) representative organization in the collaboration process (Buanes et al., 2004; Rogers et al., 1993), 2) the ability to negotiate (Gunton and Day, 2003; Lasker and Weiss 2003; Merkhofer, Conway, and Anderson 1997; Murdock, Wiessner, and Sexton 2005), and 3) time and energy allocated for collaboration (Yaffee and Wondolleck, 2003).

Information and capacity by the actors also become the key resources in the formulation of collective policy. As Clarkson et al. (2007, p. 828) state, asymmetric information occurs when one of the parties has greater information relating to the condition provided to the other participating party. Huffman (2009, p. 1) expresses that, "With information being imperfect, the uniformed agents can easily make bad decisions." The information asymmetry, and the capacity obtained among the actors would cause the uncertainty in the decision making and opportunistic behavior. Koppenjan and Klijn (2004, p. 6) show that uncertainty occurs when the actors are required to face the social problems and do not have any clue upon the effect of their effort in solving such problems. Qu and Loosemore (2013, pp. 415-421) define opportunistic behavior as the self-interest with deceit. Also, this behavior occurs due to the uncertain environment, imperfect monitoring, asymmetric information, commitment insufficiency and self-gain.

To solve asymmetric information, Clarkson et al. (2007, p. 829) reveal that the access to information through technology or education training may result in the intended solution. In addition, Faria and Silva (2013, p. 1088) state that such solution may be obtained through regulations and procedures to adopt transparent process.

The key point in solving issues regarding power imbalances should be the development of effective collaborative governance conveying the way to facilitate the decision making among different stakeholders. Choi and Robertson (2011) think that consensus may help to balance the power among the stakeholders, but of course, with more resources, information, legitimacy and prestige so that they have sufficient capacity to establish the process of consensus development for their own interest. As the effect, to accomplish the consensus in decision making, the role of facilitators in balancing the authorities among the stakeholders is definitely required. As conveyed by Provan and Milward (2001); Ansell and Gash (2007, p. 551), when the power imbalances arise, the role of leader as the element of successful collaboration is needed.

The present study uses the concepts of Ansell and Gash (2007) as a guidance theory, with several aspects to analyze power imbalances; namely: representative organizations, ability to negotiate, and resources to participate. Two of the decisive resources in the process of determining minimum wages are data and information. Therefore, this study uses the concept of information asymmetry related to uncertainty as stated by Clarkson et al. (2007).

Methods

The method used in this research was qualitative approach since the purpose of this research required the writers to explore. Such method was also chosen because it correlated with a number of characteristics contained in qualitative research based in Creswell (2009). Furthermore, the data in this research originated from field and secondary data. The writers collected the field data through: (1) unstructured and semi-structured interviews, and (2) observation, in which the writers conducted the observation as non-participant. In addition, the observation was conducted

during meetings on the setting of minimum wage for the 2015 Employee Minimum Wage in Bandung Regency. Meanwhile the secondary data was collected from (1) study of documentation (qualitative document) consisting of public documents (mass media, minutes and official reports from Regional Wage Council) and private documents (letters addressed to Regional Wage Council), and (2) study of literature.

The informants of this research were related parties of the setting of minimum wage consisting of: (1) Members of Regional Wage Council from the governmental elements: Office of Manpower of Bandung Regency and West Bandung Regency, (2) Members of Regional Wage Council from the representatives of the Bandung Regency Apindo (employers' associations of Indonesia), (3) Members of Regional Wage Council from labor unions (SPSI and SPN), (4) Labor Unions (PUK, SPSI, PUK, SPN, PUK Gaspermindo, PUK SPBMI, and (5) Entrepreneurs in Bandung Regency.

Meanwhile, the writers performed the data validation technique through the confirmation of statements by informants and the studied documents. The data testing in the technique of triangulation were the crosscheck medium towards the obtained data. Moreover, the data analysis includes the data preparation, coding (grouping based on the compiled theme, research findings and data reduction), narration and interpretation.

Results and Discussion

Formally, Regional Wage Council established on a trust that this forum is based on balance. In its implementation, the Wage Council is faced with the problem of power imbalances. The following are the empirical conditions of power imbalances in minimum wage setting in Bandung Regency and West Bandung Regency, as well as efforts made to balance power in collective decision making in minimum wage setting.

Representative Organizations

The Indonesian Government has developed infrastructures in this representation through several regulations including Presidential Decree No. 107/2004 on Regional Wage Council, Ministerial Decree No. 201/2001 on Representation in Industrial Relations Institutions, and Regulation of Ministry of Manpower and Transmigration No. 6/2005 on Guideline on the Verification of Labor Union Membership.

Based on the Presidential Decree No. 107/2004 on Regional Wage Council, the element of the members of Regional Wage Council consists of government, employers' association, and labor union with the comparison 2:1:1 added with higher educations and the experts. Subsequently, the member candidates must meet the following criteria:

1. Be an Indonesian citizen
2. Obtain a D3 degree at minimum.
3. Have sufficient experience and insight in the field of payment and human resources development

Based on the above regulation, the government of Bandung Regency and West Bandung Regency stipulate SP TSK SPSI and SPN as the representatives of labor unions in the region. The representatives of companies in Bandung Regency and West Bandung Regency for the members of Regional Wage Council are from Apindo of Bandung Regency and Apindo of West Bandung Regency.

The form of representative organization also depends on the perspectives by the other labor unions. Based on the results of the interview, the informant who was a member of the same trade union but not a member of the Wages Council stated that, *"If the recruitment is carried out by involving the officers of work units in Bandung Regency in determining who will sit on the wage council with some sort of selection system, I think it will produce acceptable decisions. But in reality, now as if the membership of the wage council*

Table 1.
Membership Composition and Educational Background of the Wage Council of Bandung Regency and Wage Council of West Bandung Regency

| No | Wage Council of Bandung Regency (2015-2018) | | Wage Council of West Bandung Regency (2014-2017) | |
|-----|--|-------------------------|--|------------------------|
| | Organization Unit | Educational Background | Organization Unit | Educational Background |
| I | Government | | Government | |
| | 1. Head of Manpower Office | Master | 1. Head of Social, Manpower and Transmigration Office | Master |
| | 2. Manpower Office | Master | 2. Office of Social, Manpower and Transmigration Working | Master |
| | 3. Manpower Office | Master | 3. Law Section of Regional Secretariat | Masters |
| | 4. Central Statistics Agency | Bachelor | 4. Central Statistics Agency | Bachelor |
| | 5. Office of Cooperatives, SMEs, Trade and Industry | Bachelor | 5. Regional Development Planning Board | Bachelor |
| | 6. Law Section of Regional Secretariat | Bachelor | 6. Office of Industry, Trade, Cooperative and SME | Bachelor |
| | 7. Economic Coordination Section of Regional Secretariat | Magister | | |
| | 8. Manpower Office | Magister | | |
| II | Apindo of Bandung Regency | 1 Master and 3 Bachelor | Apindo of West Bandung Regency | 3 Bachelor |
| III | Labor Unions | 1 Master and 3 Bachelor | Labor Unions | 3 High School |
| IV | Experts/ College | Masters | Experts /College | Doctoral |
| | Total Number | 17 people | | 13 people |

Source: Processed from Bandung Regent Decision Regarding Membership of Bandung Regency Wage Council Year of 2015-2018, and West Bandung Regent Decision Regarding Board Structure and Personnel West Bandung Regency Wage Year of 2014-2017.

members of the Council from labor unions had negotiation skill. The writer found out such skill based on the way they delivered the opinions as well as strategies. However, the negotiation skill was not followed by the insight and measurement of the condition of macro-economy as the basis of measurement in setting the minimum wage. In relation to the process of such recruitment, the education was not included as an absolute requirement, since the Head of Branch directly determined the result.

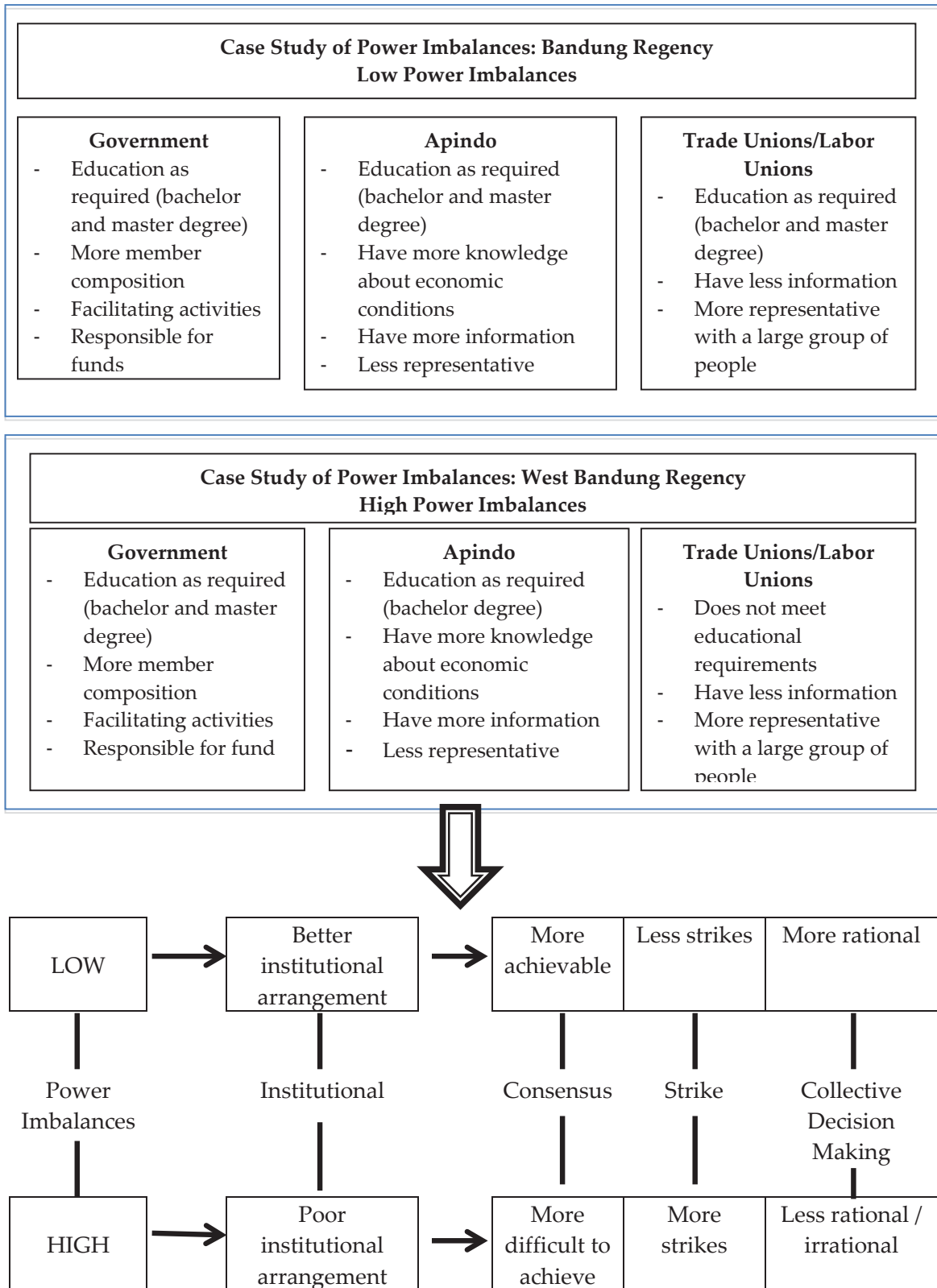
Information Asymmetry and Uncertainty

Based on observations on the minimum wage setting meeting, in the process of the setting of minimum wage, Apindo would have information in relation with the company’s condition. Also, during such process, the Apindo frequently state that the companies’

condition is not well, and they propose the value of minimum wage within the lower limit, but without describing the company’s data. Although such information is confidential and not considered as the measurement in setting the minimum wage, transparency upon the company’s condition becomes one determiner in setting the minimum wage and may result in trust improvement between the parties. Information asymmetry in setting the minimum wage occurs when the other party is not able to access private information. This is somehow in line with Huffman (2009, p. 3) who states that private information is a type of information asymmetry.

Other than information asymmetry, the setting of minimum wage in Bandung Regency and West Bandung Regency must also face uncertainty. Uncertainty originates from the insufficient capacity (education obtained by

Chart 1.
Conditions of Power Imbalances in Bandung Regency and West Regency and Their Implications on Collective Decision Making



Source : obtained from data analysis

through the Wage Council is included in the form of a lead organization governed, that is an imbalance form of network where there are strong parties and weak parties. Strong parties are from the government element. The government facilitates activities, is responsible for funds, and has a composition of more members so that they will be able to determine decisions if there is a vote. The government also has a decisive role because the minimum wage is set by the governor through the recommendation of the regent. Employers are often considered to be stronger because they have capital and information resources. But empirically, the labor union has the power of being representative and through strikes involving a large group of people. The strength of the labor union also comes from solidarity in the Metropolitan Bandung Raya. In this regard, this study has limitations, as it has not revealed how the strength of regional solidarity can be formed, and what factors or motives encourage workers to form calculated forces. This condition is certainly different from the employers' organization, where there is a lack of solidarity even though it is in the same area, which is Metropolitan Bandung Raya.

Minimum wage setting in Indonesia is an imbalance form. Conditions in Bandung Regency are more balanced than in West Bandung Regency. From this case, it can be concluded that in more imbalanced conditions, there will be more strikes, the potential for conflict will be greater, a consensus will be more difficult to produce, and the process of collective decision making will be irrational.

The second conclusion of this study is that power imbalances can be overcome through the formation of a consensus among the parties involved and institutional arrangements. When power imbalances occur, information asymmetry occurs and there is low trust among stakeholders. Thus, trust in the leader is needed. Leaders play a role in balancing strength among stakeholders, one of which is

to ensure the achievement of a consensus, and ensure that agreed rules can be implemented properly. A consensus is also formed through better institutional arrangement, agreement with rules, clarity of rules in the process of collective decision making, and data and information support. Another aspect that also determines is the commitment and willingness of each party to comply with and accept the results of the decision.

There are two suggestions proposed based on the findings of this study. Firstly, one suggestion from a practical point of view is to maintain collective bargaining in industrial relations, especially in determining minimum wages as intended by the International Labor Organization (2008, 2013). Power imbalances cannot be overcome by eliminating the role of the parties involved, but through better institutional arrangements. This is intended to create harmonious, dynamic and equitable industrial relations based on the principles of Pancasila democracy. Secondly, the results of this study present a phenomenon regarding regional strength (agglomeration) as one aspect that can be reasonably calculated. A second suggestion for further study is to study more comprehensively about the concept of agglomeration or spatial interaction so that it can form both economic power and solidarity in a region.

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