

Implementation of the Job Loss Guarantee Program at BPJS Ketenagakerjaan Kediri Branch: A Legal Analysis in the Perspective of Ministerial Regulation No. 2 of 2025

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ABSTRACT

The Job Loss Guarantee Program (Jaminan Kehilangan Pekerjaan/JKP), introduced under Law No. 11 of 2020 on Job Creation and recently reformed through Ministerial Regulation No. 2 of 2025, constitutes a central pillar of Indonesia's employment social security architecture. This study examines the implementation of the JKP program at the BPJS Ketenagakerjaan Kediri Branch Office and identifies the principal barriers encountered therein, analyzed through the perspective of Ministerial Regulation No. 2 of 2025. Employing a juridical-empirical approach, the research integrates normative legal analysis with qualitative field data collected through semi-structured interviews, direct observation, and documentary review at the Kediri branch. The findings demonstrate that while JKP implementation is generally functional in its cash benefit disbursement dimension evidenced by a national growth in claims from 9,794 cases (IDR 44.5 billion) in 2022 to 250,594 cases (IDR 378.8 billion) in 2024, three persistent barriers constrain its reach and effectiveness: (1) uneven dissemination of program information despite continuous multi-channel socialization efforts; (2) insufficient integration of the SIAPkerja digital platform, hindering timely claim submissions; and (3) delays in employer reporting of employment termination to the Regional Manpower Office, prolonging participant verification and creating lapse risk. The regulatory transition to Ministerial Regulation No. 2 of 2025 which introduces a flat 60% wage replacement rate, an extended six-month claim window, and simplified contribution eligibility requirements represents a substantively positive reform addressing documented deficiencies under the prior regime. Applying Edwards III's Implementation Theory and Legal Change Theory as synthesized from Roscoe Pound's sociological jurisprudence and Friedrich Karl von Savigny's historical school, this study offers four policy recommendations: optimizing JKP socialization for workers and employers; strengthening public education on the new regulatory provisions; deepening digital system integration across the JMO application, SIAPkerja platform, and employer administrative systems; and instituting continuous government evaluation of Ministerial Regulation No. 2 of 2025's implementation. This study contributes the first empirical baseline analysis of JKP under the 2025 regulatory framework and advances the application of interdisciplinary legal-policy frameworks in Indonesian social security scholarship.

Keywords: Job Loss Guarantee; JKP; BPJS Ketenagakerjaan; Ministerial Regulation No. 2 of 2025; social security; labor protection; Indonesia

INTRODUCTION

Social security systems are fundamental mechanisms designed to provide economic compensation when individuals face social risks such as illness, unemployment, old age, and other contingencies of life (Eriksen, 2004). In Indonesia, the National Social Security System (Sistem Jaminan Sosial Nasional/SJSN), established under Law No. 40 of 2004 and operationalized through Law No. 24 of 2011 on Social Security Organizing Bodies (BPJS), represents the state's constitutional commitment under Article 28H of the 1945 Constitution to protect its citizens' welfare.

BPJS Ketenagakerjaan (Employment Social Security Agency) administers five programs: Work Accident Insurance (JKK), Death Insurance (JKM), Old-Age Savings (JHT), Pension (JP), and most recently the Job Loss

Guarantee (Jaminan Kehilangan Pekerjaan/JKP). The JKP program was introduced through Law No. 11 of 2020 on Job Creation (the Omnibus Law), as part of a broader labor market reform aimed at balancing investment deregulation with worker protection. Its establishment acknowledges that increased labor market flexibility while potentially stimulating economic growth simultaneously heightens workers' exposure to the risk of employment termination (Nugroho et al., 2024; Mahy, 2022).

The JKP program provides three categories of benefits: (1) cash transfers for up to six months; (2) access to labor market information; and (3) competency-based job training. Since its inaugural implementation in 2022, JKP has recorded remarkable growth. According to BPJS Ketenagakerjaan financial data, the number of claims increased from 9,794 cases (totaling IDR 44.5 billion) in 2022 to 237,550 cases (IDR 367.2 billion) in 2023, and further to 250,594 cases (IDR 378.8 billion) in 2024. This 25-fold increase in case volume within two years reflects both growing worker awareness and the intensification of layoff waves in the post-pandemic economic context.

The regulatory framework governing JKP underwent significant revision in early 2025. Government Regulation No. 6 of 2025 amended Government Regulation No. 37 of 2021, and its derivative Ministerial Regulation of the Ministry of Manpower (Ministerial Regulation) No. 2 of 2025 superseded Ministerial Regulation No. 15 of 2021. The most consequential changes include: (1) a unified cash benefit rate of 60% of the reported wage for all six months (replacing the previous tiered structure of 45% for the first three months and 25% for the subsequent three months); (2) an extended claim window of six months from the date of employment termination (extended from three months); (3) simplified contribution eligibility requirements (minimum 12 months of contributions within 24 calendar months, removing the previous requirement of at least 6 consecutive months); and (4) a reduced contribution rate of 0.36% from the reported wage.

Despite its normative progress, the implementation of JKP at branch level particularly at the BPJS Ketenagakerjaan Kediri Branch continues to face practical challenges. Kediri, as a mid-sized industrial and commercial city in East Java, presents a representative case study for examining JKP implementation dynamics in regional Indonesia. This study addresses two research questions: (1) How is the JKP program implemented at the BPJS Ketenagakerjaan Kediri Branch in the perspective of Ministerial Regulation No. 2 of 2025? (2) What are the barriers to the implementation of the JKP program at the BPJS Ketenagakerjaan Kediri Branch?

The significance of this study lies in its empirical contribution to an area predominantly characterized by normative-doctrinal analysis. As Faisal (2025) notes, implementation research on JKP remains scarce, despite the program's operational challenges being widely acknowledged. This study aims to bridge that gap by generating empirically grounded insights that can inform policy refinement and operational improvement.

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

The Job Loss Guarantee Program in Indonesian Social Security Reform

The genesis of JKP is inseparable from the broader trajectory of Indonesian social security reform and labor market transformation. The Omnibus Law on Job Creation (Law No. 11 of 2020) introduced JKP as a compensatory protection mechanism in response to its liberalization of employment contract arrangements and severance pay structures. Nugroho et al. (2024) characterize JKP as the state's attempt to mitigate the social costs of deregulation providing a safety net for workers displaced by more flexible but less stable labor market conditions.

Prior studies have examined JKP from various analytical angles. Pratiwi (2021) conducted the first systematic normative analysis of JKP under Government Regulation No. 37 of 2021, finding that the regulatory framework incorporates comprehensive worker protection principles but does not address implementation operationalization. Simbolon (2022) analyzed JKP through the lens of *maqāṣid al-sharī'ah*, establishing its alignment with Islamic social welfare principles and its constitutionality as an expression of the state's obligation to protect life and property. Cahyono (2022) highlighted the program's coverage gap for informal sector workers who constitute approximately 58% of Indonesia's 140 million-strong labor force (BPS, 2023) and called for policy innovations to extend JKP's protective reach.

Wijayati and Sinaga (2024) provided the most empirically grounded prior study, examining JKP implementation in Jakarta Province. Their findings revealed that 77% of potential beneficiaries had never received information about the program, and 55.8% were unaware of its benefits. The study identified socialization inadequacy and administrative complexity as principal implementation barriers. These findings are particularly significant given that Jakarta as the national capital with the densest institutional capacity arguably represents a best-case scenario for JKP implementation; regional branches may face even greater challenges. More recently, Faisal (2025) identified persistent administrative obstacles in the claim submission and benefit disbursement processes, using a normative approach focused on the applicable regulatory framework.

Shabrina (2025) established the constitutional foundations of JKP, demonstrating that the program has strong legal grounding as an expression of the state's duty under Article 34(2) of the 1945 Constitution to provide social security for all citizens. This constitutional anchoring is significant for the present study, as it establishes JKP implementation as not merely a policy priority but a constitutional obligation.

Santoso and Pati (2024) introduced a comparative perspective by examining European unemployment insurance models, particularly wage subsidy schemes employed during the COVID-19 pandemic. Their analysis suggests that Indonesia's JKP could be strengthened by incorporating more flexible, crisis-responsive elements from European models, particularly in benefit calculation and eligibility criteria observations that resonate with the regulatory changes enacted through Ministerial Regulation No. 2 of 2025.

Regulatory Changes: Ministerial Regulation No. 15 of 2021 vs. Ministerial Regulation No. 2 of 2025

The enactment of Ministerial Regulation No. 2 of 2025 represents a significant regulatory evolution in JKP implementation, reflecting the government's response to three years of operational experience (2022–2024). Table 1 presents a comparative matrix of the principal changes introduced by the new regulation.

Table 1. Comparative Matrix of Key Changes: Ministerial Regulation No. 15/2021 vs. Ministerial Regulation No. 2/2025

Regulatory Aspect	Ministerial Regulation No. 15/2021	Ministerial Regulation No. 2/2025
Cash Benefit Rate	45% of wage (months 1–3); 25% of wage (months 4–6); max. 6 months	60% of wage, flat rate; max. 6 months
Contribution Eligibility	Min. 12 months within 24 months AND min. 6 consecutive months before termination	Min. 12 months within 24 calendar months before termination (consecutive requirement removed)
Claim Window	3 months from date of employment termination	6 months from date of employment termination
Contribution Rate	0.46% of reported wage (0.22% government, 0.14% JKK recomposition, 0.10% JKM recomposition)	0.36% of reported wage (0.22% government, 0.14% JKK recomposition)
Benefit Forfeiture	Failure to submit claim within 3 months of termination	Failure to submit claim within 6 months of termination

Source: Ministerial Regulation No. 15/2021; Ministerial Regulation No. 2/2025

The transition from a tiered to a flat benefit rate represents the most operationally significant change. Under the previous regime, the 45%/25% tiered structure created a sharp benefit reduction after the third month, potentially undermining the income replacement function of JKP precisely when job search periods tend to extend. The new flat 60% rate provides more predictable and consistent support throughout the benefit period, aligning more closely with the income replacement principles articulated in ILO Social Security Convention No. 102.

The extension of the claim window from three to six months similarly addresses a documented implementation failure. Wijayati and Sinaga (2024) found that many eligible workers failed to claim benefits within the three-month window due to inadequate awareness of the deadline, administrative complexity, or the assumption that their claim would be automatically processed. Doubling the window substantially reduces this forfeiture risk while maintaining the incentive for timely re-employment.

THEORETICAL FRAMEWORK

This study integrates two theoretical frameworks. First, Edwards III's (1980) Implementation Theory provides the primary analytical lens, conceptualizing implementation effectiveness as a function of four interacting variables: communication (clarity and consistency of policy communication to implementers and target populations), resources (human, financial, and informational resources available to implementing agencies), disposition (attitudes and commitment of frontline implementers toward the policy), and bureaucratic structure (standard operating procedures and institutional arrangements). These four variables are applied to assess JKP implementation at the Kediri branch.

Second, Legal Change Theory, synthesized from Roscoe Pound's sociological jurisprudence and Friedrich Karl von Savigny's historical school, informs the analysis of the regulatory transition from Ministerial Regulation No. 15/2021 to Ministerial Regulation No. 2/2025. Pound's conception of law as an instrument for purposive social change supports understanding the regulatory revision as a top-down response to implementation deficiencies (Pound, 2017). Savigny's emphasis on the organic relationship between law and social conditions contextualizes the regulatory change as a bottom-up response to observed gaps between legal norms and social practice (Meder, 2023). The interaction of these two perspectives illuminates how regulatory change in JKP is simultaneously driven by institutional will and social necessity.

RESEARCH METHODOLOGY

Research Design and Approach

This study employs a juridical-empirical approach, integrating normative legal analysis with empirical field research. The normative dimension examines the regulatory framework governing JKP implementation principally Law No. 11 of 2020, Government Regulation No. 37 of 2021 (as amended by PP No. 6 of 2025), Ministerial Regulation No. 15 of 2021, and Ministerial Regulation No. 2 of 2025 assessing both their substantive content and their internal coherence within the Indonesian regulatory hierarchy. The empirical dimension investigates actual implementation practices at the Kediri branch level, identifying congruences and divergences between normative prescriptions and operational realities.

Research Site and Participant Selection

The research was conducted at the BPJS Ketenagakerjaan Kediri Branch Office in East Java Province. Kediri represents a relevant research site for several reasons: it is an industrially and commercially significant city in East Java, hosting manufacturing, agribusiness, and trade sectors that collectively employ substantial numbers of formal sector workers covered by JKP. East Java is one of the provinces with the highest industrial layoff rates in Indonesia, making the study of JKP implementation there particularly policy-relevant.

Research participants were selected through purposive sampling. Key informants included: (1) branch management officials of BPJS Ketenagakerjaan Kediri responsible for JKP program administration; (2) frontline service officers handling JKP claims; (3) Insured members of BPJS Ketenagakerjaan; and (4) employer representatives from companies registered at the branch. In-depth semi-structured interviews were conducted with informants to elicit detailed perspectives on implementation processes, challenges, and regulatory transitions.

Data Collection and Analysis

Primary data were collected through in-depth interviews and direct observation of JKP service delivery processes at the Kediri branch. Secondary data were derived from BPJS Ketenagakerjaan institutional documents,

including internal claim processing reports, socialization activity records, and official correspondences related to the Ministerial Regulation No. 2 of 2025 transition. Data were analyzed using qualitative content analysis, with findings organized thematically around the dimensions of Edwards III's implementation framework. Triangulation was achieved by cross-checking interview data against documentary evidence and direct observation findings to ensure analytical validity.

FINDINGS AND ANALYSIS

JKP Implementation at BPJS Ketenagakerjaan Kediri Branch

The implementation of JKP at the Kediri Branch encompasses five operational stages: (1) employer notification of employment termination to BPJS Ketenagakerjaan; (2) eligible worker self-registration and claim initiation through the SIAPkerja portal or physical branch visit; (3) eligibility verification and document assessment by branch officers; (4) monthly cash benefit disbursement; and (5) access facilitation to labor market information (through the SIAPkerja web platform) and job training referrals. Each of these stages presents distinct implementation challenges.

Regarding communication, the branch has conducted periodic JKP socialization activities targeting registered employers and workers. However, findings indicate that these efforts remain insufficient in reach and depth. Consistent with Wijayati and Sinaga's (2024) findings in Jakarta, a significant proportion of workers who experienced employment termination at Kediri-registered companies were unaware of their JKP entitlement. Field observations and interview data suggest that socialization activities are predominantly conducted through employer channels, leaving workers particularly those at smaller enterprises with limited direct access to program information. The SIAPkerja digital platform, while functional, has not been adequately promoted as the primary interface for JKP access.

On the resource dimension, Based on the interview findings, the Head of the BPJS Ketenagakerjaan Kediri Branch Office stated that the existing human resources are well prepared to implement the policy changes introduced under Ministerial Regulation No. 2 of 2025. All officers have received internal briefings and training regarding the regulatory amendments, enabling them to provide services in accordance with the latest regulatory provisions.

The disposition of branch-level implementers is generally positive, with officers expressing commitment to the program's welfare objectives. The interview results with the Head of the BPJS Ketenagakerjaan Kediri Branch Office indicate that all officers are committed to delivering services that are prompt, accurate, and in accordance with the applicable regulations. This commitment is reflected in the principles of providing the right service to the right beneficiary, ensuring the right benefits, and delivering them in a timely manner throughout every stage of the claims process, including claims under the Job Loss Guarantee (JKP) program. Every eligible claim submission is processed in compliance with the prevailing regulations to ensure that participants receive their entitled benefits without unnecessary delay.

The bureaucratic structure dimension reveals coordination challenges coordination among BPJS Ketenagakerjaan, the Ministry of Manpower, the Regional Manpower Office, and employers has been effectively established. Such coordination is carried out through coordination meetings, industrial relations forums, joint socialization activities, and regular communication during the verification process of participants' employment termination status. In addition, the Customer Service Officer explained that coordination with the Regional Manpower Office is conducted through the Ministry of Manpower's Freshservice web platform to resolve various issues that arise during the Job Loss Guarantee (JKP) claim submission process.

Implementation Barriers JKP Program Ministerial Regulation No. 2 of 2025

The study identifies three primary categories of implementation barriers at the BPJS Ketenagakerjaan Kediri Branch.

The primary barrier identified was The dissemination of information concerning the Job Loss Guarantee (JKP) program and the regulatory changes governing its implementation remains uneven, despite BPJS

Ketenagakerjaan's continuous socialization efforts through multiple communication platforms and media channels

The second barrier relates to The lack of consistent integration of the SIAPkerja platform has hindered the timely submission of Job Loss Guarantee (JKP) claims by participants The third barrier concerns identified was the delay in employers' reporting of employment termination to the Regional Manpower Office. This condition prolongs the participant verification process, as BPJS Ketenagakerjaan must wait for the supporting documents required to process Job Loss Guarantee (JKP) claims.

The third barrier concerns delays in reporting employment termination create the risk that Job Loss Guarantee (JKP) claims may lapse, despite the extension of the claim submission period under Ministerial Regulation No. 2 of 2025 from three months to six months after the date of employment termination.

Synthesis: Regulatory Change and Implementation Effectiveness

Table 2 presents a synthesized assessment of JKP implementation performance at the BPJS Ketenagakerjaan Kediri Branch across the four dimensions of Edwards III's implementation framework, incorporating the impact of the regulatory transition to Ministerial Regulation No. 2 of 2025.

DISCUSSION

JKP Implementation in Comparative Context

The implementation challenges identified at BPJS Ketenagakerjaan Kediri are not idiosyncratic to that branch but reflect systemic patterns documented across Indonesian social security implementation research. The awareness deficit identified in this study mirrors findings from BPJS Kesehatan implementation research (Susanti et al., 2022; Saleh & Umiyati, 2020), suggesting a structural challenge in the Indonesian social security communication architecture one that cannot be resolved through program-specific interventions alone. A more fundamental reassessment of the national social security literacy strategy appears warranted.

The administrative complexity barrier identified in JKP claim, The digital-first orientation of SIAPkerja, while efficient for tech-savvy urban formal workers, risks replicating these transaction costs for more vulnerable populations older workers, lower-educated workers, and those experiencing adversarial terminations.

From a comparative regional perspective, JKP's core architecture cash transfers, labor market information, and training aligns with best practices in unemployment insurance design. However, the benefit replacement rate of 60%, while improved from the previous tiered structure, remains below ILO Recommendation No. 176's guidance of at least two-thirds of previous earnings. Santoso and Pati (2024) advocate for a progressive improvement toward this benchmark as Indonesia's JKP program matures.

Policy Recommendations

Based on the research findings and the analytical frameworks applied, this study proposes the following policy recommendations for improving JKP implementation:

1. BPJS Ketenagakerjaan Kediri Branch Office should continue to optimize the socialization of the Job Loss Guarantee (JKP) program for both workers and employers.
2. BPJS Ketenagakerjaan should strengthen its educational efforts regarding the regulatory changes introduced under Ministerial Regulation No. 2 of 2025. Educational materials should focus on the increased cash benefits, the extension of the claim submission period, and the use of digital services, such as the JMO application and the SIAPkerja platform.
3. The integration of digital service systems among the JMO application, the SIAPkerja platform, and the administrative systems used by employers should be further strengthened

4. The Government, as the regulator, should conduct continuous evaluations of the implementation of Ministerial Regulation No. 2 of 2025 to ensure that its objectives are effectively achieved and that the regulation remains responsive to the evolving needs of workers and employers.

Contribution to Legal Knowledge

This study makes three distinct contributions to the legal scholarship on JKP and Indonesian social security law. First, it provides the first empirical analysis of JKP implementation under the new Ministerial Regulation No. 2 of 2025 regulatory framework, establishing a documented baseline against which future implementation assessments can be benchmarked. Second, it applies Edwards III's implementation theory widely used in public policy but underutilized in Indonesian legal research as a structured analytical tool for evaluating social security law implementation, demonstrating the value of interdisciplinary frameworks in legal scholarship. Third, by synthesizing Pound's and Savigny's legal change theories to analyze the Ministerial Regulation No. 15/2021 to Ministerial Regulation No. 2/2025 transition, it contributes to theorizing regulatory change in the Indonesian labor law context a dimension largely absent from existing JKP scholarship.

CONCLUSION

This study has examined the implementation of Indonesia's Job Loss Guarantee (JKP) program at the BPJS Ketenagakerjaan Kediri Branch through the analytical perspective of Ministerial Regulation No. 2 of 2025. The research findings indicate that JKP implementation at the Kediri branch is generally functional in its cash benefit disbursement dimension but faces persistent barriers that constrain the program's reach, accessibility, and comprehensive benefit delivery.

Three principal barriers characterize JKP implementation at the Kediri branch: (1) The dissemination of information concerning the Job Loss Guarantee (JKP) program and the regulatory changes governing its implementation remains uneven, despite BPJS Ketenagakerjaan's continuous socialization efforts through multiple communication platforms and media channels; (2) The lack of consistent integration of the SIAPkerja platform has hindered the timely submission of Job Loss Guarantee (JKP) claims by participants; and (3) Delays in reporting employment termination create the risk that Job Loss Guarantee (JKP) claims may lapse, despite the extension of the claim submission period under Ministerial Regulation No. 2 of 2025 from three months to six months after the date of employment termination.

The transition to Ministerial Regulation No. 2 of 2025 represents a substantively positive regulatory development: the increased flat 60% benefit rate, extended six-month claim window, and simplified contribution eligibility requirements each address documented implementation failures under the prior regulatory regime. Analyzed through Pound's sociological jurisprudence and Savigny's historical jurisprudence, this regulatory change reflects the ideal interaction of purposive legal intervention and organic social feedback in law's evolution.

The four policy recommendations proposed in this study The BPJS Ketenagakerjaan Kediri Branch Office should continue to optimize the socialization of the Job Loss Guarantee (JKP) program for both workers and employers; BPJS Ketenagakerjaan should strengthen its educational efforts regarding the regulatory changes introduced under Ministerial Regulation No. 2 of 2025 Educational materials should focus on the increased cash benefits, the extension of the claim submission period, and the use of digital services, such as the JMO application and the SIAPkerja platform; The integration of digital service systems among the JMO application, the SIAPkerja platform, and the administrative systems used by employers should be further strengthened; The Government, as the regulator, should conduct continuous evaluations of the implementation of Ministerial Regulation No. 2 of 2025 to ensure that its objectives are effectively achieved and that the regulation remains responsive to the evolving needs of workers and employers.

Ultimately, the JKP program embodies Indonesia's constitutional commitment under Article 28H to guarantee every citizen's right to social security. The effectiveness of its implementation not merely the quality of its regulatory design is the measure against which the state's fulfillment of that commitment must be judged. This

study hopes to contribute, however modestly, to the ongoing academic and policy effort to close the gap between JKP's normative promise and its lived reality for Indonesian workers.

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