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ISLAMIC LAW REVIEW OF WAGE PAYMENT PRACTICES AT PT.  
PUNDI AGRO MAKMUR, SUBAH DISTRICT

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ABSTRAK

Penelitian ini membahas praktik pembayaran upah di PT. Pundi Agro Makmur Kecamatan Subah, dengan fokus pada dua metode pembayaran: transfer bank dan pembayaran tunai (cash). Penelitian ini menggunakan pendekatan kualitatif dengan metode field research (penelitian lapangan) dan pendekatan sosiologis empiris, mengumpulkan data melalui observasi, wawancara, dan dokumentasi. Hasil penelitian menunjukkan bahwa pembayaran upah melalui transfer bank lebih efisien dan tidak ada pemotongan, karena perusahaan hanya perlu memberikan data penerima upah dan nomor rekening karyawan. Sebaliknya, pembayaran tunai memerlukan pembulatan atau pemotongan nominal karena kesulitan dalam memperoleh uang pecahan di bawah Rp. 1.000. Namun, perusahaan tidak memberi informasi kepada karyawan terkait pemotongan tersebut, dan hasil pemotongan diserahkan kembali kepada perusahaan melalui KTU. Dari perspektif hukum Islam, pembayaran upah melalui transfer bank diperbolehkan karena tidak melanggar syariat. Namun, pembayaran tunai yang melibatkan pemotongan tanpa pemberitahuan kepada karyawan dianggap tidak sesuai dengan ketentuan syariat Islam. Kesimpulannya, praktik pembayaran upah di PT. Pundi Agro Makmur perlu penyesuaian, terutama pada metode pembayaran tunai agar sesuai dengan prinsip-prinsip syariat Islam.

**Kata kunci:** Hukum Islam; Praktik Pembayaran Upah; PT. Pundi Agro Makmur

ABSTRACT

*This study discusses wage payment practices at PT. Pundi Agro Makmur, Subah District, focusing on two payment methods: bank transfer and cash payment. This study uses a qualitative approach with field research methods and an empirical sociological approach, collecting data through observation, interviews, and documentation. The results of the study indicate that wage payments via bank transfer are more efficient and there are no deductions, because the company only needs to provide wage recipient data and employee account numbers. In contrast, cash payments require rounding or deductions due to the difficulty in obtaining denominations below Rp. 1,000. However, the company does not provide information to employees regarding the deductions, and the results of the deductions are returned to the company through the KTU. From an Islamic law perspective, wage payments via bank transfer are permitted because they do not violate sharia. However, cash payments involving deductions without notification to employees are considered inconsistent with Islamic law. In conclusion, wage payment practices at PT. Pundi Agro Makmur need adjustments, especially in the cash payment method to comply with the principles of Islamic law.*

**Keywords:** Islamic Law; Wage Payment Practices; PT. Pundi Agro Makmur

A. INTRODUCTION

Humans are social creatures who cannot live alone, therefore they must live in society, in carrying out any social interactions, of course there will be a relationship between one human and another. In essence, the form of social interaction can be in the form of helping each other, and working together, which gives rise to rights and obligations, so that a rule called muamalah

law emerges (Ahmad Azhar, 2004). Muamalah is the rule of Allah SWT that regulates the relationship between one human and another to obtain physical needs in a good way. One of the acts of muamalah is industrial cooperation and wage payment cooperation. Wages play a very important role, because they are able to provide welfare for employees (Jafri, 2008; Mas'adi, 2002). If wages are not given by employers to their employees, then the employees will not be able to live well and prosperously. Because employees work solely to get wages that are generated to meet daily living needs. The ongoing work agreement requires willingness between employers and employees (Tasmara, 1995).

According to the perspective of Islamic Law, the amount of wages is related to the basic right to live decently. Likewise with a company (Mariana, 2016; Melasari & Sujana, 2018), employers must provide wages, at least to cover basic needs including food, clothing, shelter and other needs (Aryuni, 2013). Wages must be managed well, in order to help the company retain employees, increase productivity and help realize the goals that the company wants to achieve (Hanggraeni, 2012).

For wage payments, it is usually done based on an employment agreement. Because with the existence of an employment agreement, it will create an employment relationship between the employer and the employee, which contains the rights and obligations of the parties. The rights of one party will become an obligation for the other party. The obligation as an employer is to provide decent wages and in accordance with the provisions of the employment agreement (*Mengenal Sistem Pembayaran Dengan QR Code*, 2019; Nugroho, 2017). Determination of wages for employees must be done based on justice, so that the Islamic view on employee rights to receive wages can be realized, as explained in the Qur'an, namely:

وَلَا تَبْخَسُوا النَّاسَ أَشْيَاءَهُمْ وَلَا تَعْتُوا فِي الْأَرْضِ مُسْتَبِدِينَ ۗ

Translation: "And do not harm people in their rights and do not be rampant on earth by causing corruption". (QS. Asy-Syu'ara: 26 / 183). (Ministry of Religion of the Republic of Indonesia: 2002: 374).

The verse reinforces the importance of wages, especially for workers, not giving wages to people for what they have done is an act of injustice because it does not appreciate every effort and work for workers who have provided benefits. In the industrial relations cooperation system, it has been regulated in Law Number 13 of 2003 concerning Manpower where there is a wage payment system that involves two parties, namely the first party as a service provider who is generally referred to as an employee. Then the second party is the party that provides the work which is often referred to as a superior or entrepreneur. This is intended as a mutually beneficial cooperation effort in terms of increasing the standard of living together, both for entrepreneurs and their employees (Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan, 2003).

In addition to Law Number 13 of 2003 concerning Manpower, the preparation of the wage structure and scale has been regulated in the Decree of the Minister of Manpower and Transmigration (Kepmenakertrans) Number 49/Men/IV/2004 concerning the Wage Structure and Scale. Although it has been regulated at the ministerial decree level, it has not been implemented. Article 1 of Kepmenakertrans No. 49/Men/IV/2004 states that the wage structure is the arrangement of wage levels (from the lowest to the highest or vice versa from the highest

to the lowest). Meanwhile, the wage scale is the range of nominal wage values according to job groups.

Based on the Decree of the Governor of West Kalimantan No. 1379/DISAKERTRANS/2019 concerning the Regency Minimum Wage and Sectoral Minimum Wage of Sambas Regency are as follows: Regency Minimum Wage per month of IDR 2,377,000, Sectoral/Sub-Sectoral Minimum Wage: Palm Oil Plantations Including the CPO Industry per month of IDR. 2,458,000,- Rubber and Rubber Goods Industry per month of Rp. 2,458,000,-.

PT. Pundi Agro Makmur is a company engaged in oil palm plantations located in Sabung Sanggau Village, Sapak Hulu Village, and Madak Village, Subah District, Sambas Regency. The company currently has 157 employees consisting of 138 men and 19 women. In which the company pays its employees' wages using a daily wage calculation system, which will be paid monthly, precisely at the end of each month, through 2 payment methods, namely cash and transfer. Both wage payment methods have advantages and disadvantages, if the wage payment uses the cash payment method, the money that will be received by the employee will not be in accordance with the financial report data that has been submitted because it is difficult to find Rp. 1,000,- bills.

The results of an interview with one of the staff working in the payroll department on May 24, 2021 at 09.27 WIB at the Estate office of PT. Pundi Agro Makmur. He stated that there were 157 employees consisting of 69 people still receiving wages in cash and the remaining 88 people receiving wages by transfer. The method of paying wages by transfer, employees will receive full wages according to the financial report, while if employees receive wages in cash, employees will not receive wages according to those reported in the finance department because it is difficult to find money in denominations below Rp. 1,000, -. As happened to one of the employees who should have received wages of Rp. 1,344,420, - but because it was difficult to find money below Rp. 1,000, - the amount of salary that the employee would receive was Rp. 1,344,000, - so there was a difference of Rp. 420, - between what was reported and what was received by the employee. (Masrudin, Interview, May 24, 2021)

The next interview was conducted with other employees who work at the company on May 26, 2021 at 16.32 WIB. The results of the interview, he explained that the wages he received were still using the cash system which should be Rp. 3,025,750, - but because it was difficult to find money under Rp. 1,000, - the amount of salary that would be received by the employee was Rp. 3,025,000, - so there was a difference of Rp. 750, - between what was reported and what was received by the employee.

Based on this, the employee objected because the wages received did not match the amount of wages reported by the wages staff. So, basically in this case, the principle of agreement between employers and workers has been ignored. Because there is no agreement that explains this to employees, especially those who receive wages in cash. (Nahak, Interview, May 31, 2021).

Based on the above, it is possible that the staff did it on purpose or the person concerned thought that the workers did not have a problem with it considering the amount of money was small. However, if this is done repeatedly, workers feel that their rights are not given as they should be. Workers feel unwilling. In fact, in Islam, transactions that are carried out must fulfill the element of willingness for both parties. And what will the remaining unpaid employee wages be used for because it is difficult to find money in denominations below Rp. 1000, -?

Therefore, the researcher is interested in the problems that have been raised above, in a scientific work entitled Review of Islamic Law on Wage Payment Practices at PT. Pundi Agro Makmur, Subah District.

## B. METHOD

This research is a qualitative research, namely a field research conducted by collecting data according to events in the field through interviews with the relevant parties, namely company leaders and workers. The primary data source obtained by this researcher is an interview with informants, the secondary data source is through a literature review such as books related to the research object, journals, newspapers, and theses that examine similar things.

## C. RESULTS AND DISCUSSION

### Wage Payment Practices at PT. Pundi Agro Makmur, Subah District

Wage Payment Practices at PT. Pundi Agro Makmur, Subah District PT. Pundi Agro Makmur is a limited liability company located in Madak Village, Subah District, Sambas Regency which is engaged in oil palm plantations. This company has been established since 2013 and has a business license of 2,113 Ha. This company has 157 employees who are paid their wages every month. For the calculation of wage payments at PT. Pundi Agro Makmur refers to the Decree of the Governor of West Kalimantan No. 1379 / DISAKERTRANS / 2019 concerning the Regency Minimum Wage and Sectoral Minimum Wage of Sambas Regency, as follows:

- a. Regency Minimum Wage per month of IDR 2,377,000, -
- b. Sectoral / Sub-Sectoral Minimum Wage:
  - 1) Palm Oil Plantations Including the CPO Industry per month of IDR 2,458,000, -
  - 2) Rubber and Rubber Goods Industry per month of IDR 2,458,000, -

Based on the information above, the wages of PT. Pundi Agro Makmur are located in point 2 letter a, which is Rp. 2,458,000,-/month which is then converted into Rp. 98,320,-/day. Namely by dividing Rp. 2,458,000 by the length of work in one month of 25 working days. So the amount of wages in one working day is obtained.

In making wage payments, PT. Pundi Agro Makmur applies two methods, namely the bank transfer system and the cash payment system. Payment of wages in these two ways, in practice, is the same as wage payments in general, namely wages will be paid when work is finished, usually after the book closing is complete. Net wages will be paid by bank transfer without any deductions or rounding. In its implementation, the company already has data on the list of employee wages which will then be submitted to the bank to make the transfer, it looks easier and less troublesome. Wages paid in cash must first be deducted or rounded, considering that the company has difficulty finding money in denominations below Rp. 1000,-. When the company has finished closing the books, the next thing to do is wait for the money transfer from the head office. Then the KTU is in charge of taking the cash to the bank. Once the cash has been taken and collected, it is continued by the payroll staff who are in charge of breaking down the currency value and will be contributed to the employees. This is where the problem lies, the company, especially the payroll staff, does not provide information to employees that there will be deductions due to rounding for employees who still receive wages in cash. And the results of the deductions or rounding will be handed back to the company

through the KTU. This makes employees feel burdened and disadvantaged because the deductions made by the company without notification to employees will only benefit the company, and cause losses to employees.

### Review of Islamic Law on Wage Payment Practices at PT. Pundi Agro Makmur, Subah District

In fulfilling the needs of life, humans need help from other humans, one of which is in working together, which gives rise to rights and obligations. Cooperation is very important in building an Islamic economy. In general, cooperation is carried out by two or more people in running a business to achieve common goals. (Basyir, 2004: 11). Islam has given freedom to humans in terms of transactions to regulate them according to their interests, on condition that they do not violate provisions that can harm themselves or others. Payment of wages at PT. Pundi Agro Makmur is done in two ways, namely by transfer and cash. Payments that are permitted in Islam must meet the pillars and conditions of *ujrah*, namely as follows:

#### Pillars of *ujrah*

Pillars are the elements that form something that is realized, because of the elements that form it. For example, a house is formed because of the elements that form it, namely the foundation, pillars, floor, walls, roof and so on. In the Islamic concept, the elements that form it are called pillars (Ghazaly, 2010).

The following are the pillars of payment or determination of *ujrah* (wages): 1) *Aqid* (the person who makes the contract) Is the person who makes the contract to determine the payment of wages. The person who provides wages is called *Mu'ajjir* and the person who receives wages for work that has been completed is called *Musta'jir*. (Anwar, 2007: 95) Contract at PT. Pundi Agro Makmur regarding wage payments is made between the company and the workers, which means that in the contract for determining *ujrah* (wages) one of the pillars has been fulfilled, namely the presence of an *aqid* (the person making the contract). 2) *Sighat* is a statement of will, consisting of consent and *qabul*. Can be done through speech, messengers and writing, gestures, secretly. This is the same as the *ijab qabul* in buying and selling, only the *ijab* and *qabul* in *Ijarah* must include the period or time given.

Look at PT. Pundi Agro Makmur is done by mentioning the type of work done, the working period, the nominal wage that will be received by the worker, in the nominal wage, the company does not fully explain how the wage payment system will be received by the worker (Khoeh, 2013; Tapparan, 2017). So that the *sighat* that is done is not fully fulfilled. Wages are compensation or recompense given to workers for services that have been provided. With the condition that the wages are clear in amount and by agreement of both parties because the payment of wages is not legally valid with wages that are not yet known (Primadila & Asmara, 2022).

The conditions for *ujrah* (wages) are as follows: 1) Willingness of the parties. The parties consisting of the employer and employee wish to express their willingness to determine the form and amount of *ujrah* (wages) which is expressed in the form of an agreement when carrying out the contract before work begins. If one of them is unwilling or forced, then it is feared that the contract will be invalid (Mas'adi, 2002).

At PT. Pundi Agro Makmur, the contract for payment of *ujrah* (wages) is carried out by determining the form and amount of wages, in this case initially both parties were happy (willing), however, when they had carried out the work, PT. Pundi Agro Makmur creates two payment systems, namely cash and transfer. In wage payments by transfer, workers will receive their wages in full through their bank accounts, whereas in cash wage payments, workers' wages will be subject to deductions or rounding up due to the difficulty of finding small change, but the company does not inform employees that there will be deductions or rounding up. thus causing the loss of workers' willingness in receiving *ujrah* (wages). The *ujrah* requirement regarding the willingness of both parties is not applied to the *ujrah* (wages) payment system at PT. Pundi Agro Makmur.

In Islamic law, contracts are divided into two, namely:

- a. Tabarru Contract, which is a contract that aims to help with willingness solely because of expecting the pleasure and reward of Allah SWT, not at all seeking profit.
- b. Tijari Contract, which is a contract that aims to seek and obtain profit where all the pillars and conditions have been met (Shomad, 2010).

Based on the explanation above, it can be concluded that the payment of wages made by PT. Pundi Agro Makmur to employees by transfer is valid. That means that payment of wages made by transfer is permitted because it has fulfilled the pillars and conditions that are justified in Islamic law. In contrast to payment of wages in cash. Payment of wages in cash is not in accordance with Islamic law. Because the company does not provide information to employees regarding the deduction of wages even though the value is small. This is based on the word of Allah SWT in QS An-Nisa verse 29, which reads:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ ۚ وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۚ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

Translation: "O you who believe, do not consume each other's wealth in a false way, except by means of commerce that is carried out with mutual consent between you. And do not kill yourselves; Indeed, Allah is Most Merciful to you." (QS. An-Nisa: 4 / 29).

The verse above explains that Muslims are ordered to seek sustenance obtained in a halal way, not in a false way, and they must also work willingly so that it does not harm both parties.

#### D. CONCLUSION

Bank transfers and cash payments. Wages that are paid via bank transfers are deposited directly into the employees' accounts without any deductions or rounding. This is in contrast to cash payments, where deductions or rounding are necessary. The reason for this is the company's difficulty in providing denominations below Rp. 1000,-. However, the company, particularly the payroll staff, did not inform employees that there would be deductions due to rounding for those who still receive their wages in cash. Any deducted or rounded amounts are then returned to the company through the KTU. In accordance with Islamic law, the practice of transferring wages at PT. Pundi Agro Makmur in the Sambas District is permissible. This is because transferring wages does not violate the provisions of Islamic law. Conversely, the cash wage payment system at PT. Pundi Agro Makmur does not align with Islamic law, as the company makes deductions or rounding without informing employees. Consequently, the

wages to be paid and the wages received by employees do not match. When assessed based on a decent standard, encompassing adequate food, clothing, and shelter, PT. Pundi Agro Makmur can be considered decent. This is because the employees' basic needs are met through the wages they receive during their employment with the company.

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