
THE IMPLEMENTATION OF AKAD IJARAH ON WORKER WAGE SYSTEM OF BATIK FABRIC PRODUCTION

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ABSTRACT

The study is a qualitative one, it aims to answer the problems statements; whether the forms of work, working time, wages, and labour devoted to the production of batik cloth in Batik Larissa and Batik Feno are in accordance with the Islamic view. The method applied here is to analyse data based on the fact obtained from the field. Meanwhile, interviews and documentations with the related parties; the owner and the labour of Batik Larissa and Batik Feno. The result obtained is the forms of work is in accordance with the existing work contracts in Batik Larissa and Feno. In the initial agreement on terms of working time, it was stated that only the contracted time was set without targeting the amount of work to be done. For the wages, the process in Batik Larissa and Feno are appropriate and equal to the enthusiasm of the workers to work. The wages have been paid daily and piece rates are given when the work has been completed. Furthermore, the workers are not forced to devote their energy excessively, only according to their ability. Based on the result stated above, it is expected for the owners in procedures of paying the workers to be always fosters mutual trust and honesty between the two parties so that it does not cause uncertainty or gharar regarding the wages and does not cause disappointment to workers. And for the wage's procedures, it must always be adjusted to the share of participation, the type of work performed, the volume of work, and the proportion of work.

Keywords: Ijarah of Workers, Batik Larissa, Batik Feno

INTRODUCTION

The Covid-19 pandemic that has been going on for more than 2 years has caused the economy of the people in an area to plummet, significantly impacting the income of micro, small and medium enterprises (MSMEs). Economic entities have to lose income, some even have to close their businesses due to the lack of economic transactions during the Covid-19 pandemic when people's purchasing power has also decreased. The production of batik cloth in Pekalongan cannot be separated from the impact caused by the Covid-19 pandemic, many batik cloth industries have lost income so they have to cut their workforce, and even the batik industry has to temporarily stop production due to the high operational costs that must be borne by batik industry owners. The weakening that occurred in the batik industry also affected the weakening of the economy in Pekalongan City. Indeed, batik is a business that plays an important role in the economic structure. (Muthia, 2021) Ijarah is the use of services for something that has been agreed upon. If the transaction involves workers, then what is used is labor. Thus, to hire a worker, it is necessary to determine the form of work, time, salary and work. Including what must be determined is the energy that the worker must consume, so as not to feel the burden of work beyond his ability. Therefore, the work must be interpreted and accepted by mu'jir and musta'jir so that it is not canceled unilaterally in the future.

In ijarah transactions, mu'jir and musta'jir must clearly know the terms of work based on the form of work, working time, work salary and labor consumed during work. To eliminate ambiguity and uncertainty between the two parties. Most people know that the price of batik cloth is relatively expensive after it becomes cloth or becomes clothing, batik, fabric and researchers relate this phenomenon to the ijarah contract because production workers and entrepreneurs are bound by contracts for the rental of physical services. Batik Larissa and Batik Feno determine labor wages with a daily system, weekly system, and wage system. Daily workers are paid daily without a quota of how many items must be made in a day, the weekly wage system is paid once a week, usually daily and weekly wages for workers to stamp batik, coloring, painting, drawing, sewing until completion. Whereas work wages are

given when a worker has completed his or her work without being limited by a certain time, there is usually a clearly written work-based wage system for batik workers, where the work requires precision and a considerable amount of time. Time to work on complex patterns. But in this case, the workers who make batik and are paid with a piece of cloth do not know exactly how much wage they will receive. In Islam, the provisions on human life in the economic field do not provide a realistic basis for how much wages should be paid to workers to cover their needs. Based on the above background, the authors are interested in conducting research with the title "Implementation of Akad Ijarah on the Wage System for Batik Cloth Production Laborers (Case Study of Batik Larissa and Batik Feno Kampung Batik Pesindon Pekalongan City)".

LITERATURE REVIEW

Working Conditions

An-Nabhani (2001) defines Ijarah as utilizing the services of something that is contracted. If the transaction is related to a worker, then what is utilized is his energy. So that to contract a worker, the form of work, time, wages and energy must be determined. Therefore, the type of work must be explained, so that it is not vague. This is because Ijarah transactions that are vague are invalid. The time must also be specified, such as daily, monthly or yearly. In addition, the wages for the work must also be determined. Ibn Mas'ud said: The Prophet SAW said: *"When one of you hires a laborer, let him know his wages."* Including what must be determined is the energy that must be devoted by workers, so that these workers are not burdened with work that is beyond their capacity. Allah says: *"Allah will not burden a person beyond his ability."* (Q.S. Al Baqarah: 286) The Prophet also said: *"When I have commanded you a command, then fulfill it to the best of your ability."* (H.R. Imam Bukhari and Muslim from Abu Hurairah).

It is therefore permissible to require workers to devote their efforts only within their reasonable capacity. Since this power cannot be limited to a standardized dose, a limit on the number of hours worked in a day is the closest measure to this limit (An-Nabhani, 2001). Therefore, limiting the working time is also an act of limiting the energy to be expended. In addition, the type of work must also be determined, such as digging, lifting or softening objects, forging iron (e.g. making slabs), breaking stones, driving a car or working in a mine. In addition, what also needs to be described is the energy level. Actual work is thus determined by the form, time, salary and energy spent doing it. On that basis, when Shara' empowers the employer, it also identifies the labor, type, time, wage and labor. Meanwhile, the wages that workers receive as compensation for the work they have done belong to them, because of the effort they have put in.

Form of Work

(An-Nabhani, 2001) explains that subcontracting work can sometimes be done for a specific type of work or work described in the agreement. If the Ijarah transaction is made for a specific job or for a specific worker, then it is absolute for the worker concerned that his position cannot be replaced by another. Meanwhile, if the Ijarah transaction takes place for a thing described in the agreement or takes place for a worker who has been described to do a certain job or work that has been described, then in such a case, the worker can do the work himself and also someone else has to take his place. If he is sick or unfit, his position must be replaced by the person who did it.

Working Time

(An-Nabhani, 2001) Some Ijarah transactions require the contracted work to be specified, without specifying the time. There are also those that only mention the time contracted, without mentioning the amount of work. If the Ijarah transaction is completed within a month or a year, neither party can end the transaction, unless the period has expired. If the person hires him for a continuous period, such as hiring a worker with a salary of 20 dinars per month, then the transaction is valid every month, so the worker is obliged to do the work. Worker. In Ijarah transactions, it is also necessary to mention the time. However, there is

no stipulation that the time be the same as the contract, but for example, the contract is in the month of Rajab, even if it is in the month of Muharram, ijarah transactions are always permissible. If time must be specified in the transaction, i.e. the mention of time is something that is urgent to distinguish, then the time must also be limited to a certain time, for example one minute, one hour, one week, one month or one year.

Working Salary

(An-Nabhani, 2001) explains that wages or salaries for ijarah transactions must also be clear, evidence-based, and features that can eliminate any ambiguity. Because the Prophet SAW said: "If one of you hires a worker, he must inform him of his salary (honor). Compensation in the form of ijarah transaction fees can be in cash or noncash. Honor is also allowed in the form of goods or services. Since everything can be valued with a price, it can also be used for compensation, whether in the form of goods or services, on condition that it must be clear. If it is not clear, it is invalid. For example, if a harvest worker is contracted with the wages of the harvest, then the transaction is invalid because it is still unclear. On the other hand, if the person contracts in exchange for 1 Sha' or 1 Mud, then the transaction is valid. In short, wages should be as clear as possible, to avoid ambiguity, because basically all these transactions will cancel the enmity between people. And before starting work there should be an agreement about the salary. So it is makrooh to hire a worker before an agreement has been reached with him about his salary.

The Energy Devoted to Work

(An-Nabhani, 2001) Ijarah transactions are carried out against a worker because of the labor services he provides. Meanwhile, wages are measured according to his services. Although the workload itself is not a standard of salary, it is also not a standard of service. Because otherwise, the salary of a stone crusher is much higher than the salary of an engineer, because the work is more important, although it is the other way around. So, wages are money paid for a service, not money paid for labor (labor). Likewise, wages can fluctuate and change due to different jobs, so wages within a job are the same. Wages will know the difference with the difference in value of services, not the difference in effort. Similarly, the transactions made for both of the above are transactions for the services of the workers, not their labor. These services can be services to many workers doing different jobs or services to workers in one job. So far, effort or labor has never been taken into account in determining wages. It is true that dedication to work is simply the result of hard work, in different forms or types of work by some people, but it is always about service and not just strength, although this strength is always respected. If a person is hired to build (a building), the contract must estimate the time and labor. If the work has been estimated, only the services will be shown, e.g. regarding the visible location, height, specifications, ceiling and building materials, etc. If time has been estimated, then the services will definitely increase as time increases and decrease as time decreases. So the job description and time are the service standards. Indeed, when time is estimated, work will not be performed beyond its reasonable capacity, or forced beyond its reasonable capacity.

METHODS

Type of Research

This type of research is field research, data obtained from field research by observing, observing, recording and collecting various information and data obtained in the environment, analyzing the application of the use of the Ijarah contract to the wages of batik workers. In this research, the author uses a qualitative method, namely collecting data in a natural context with the aim of interpreting the phenomena that occur where the researcher is the main tool for sampling data sources that are collected deliberately and deliberately. the technique is (combined) triangulation, data analysis is inductive and the results of the research emphasize significance rather than generalization (Anggito & Setiawan, 2018). Following up on this approach, the author will provide an overview of the application of the Ijarah contract to the wages of batik cloth workers at Batik Larissa and Batik Feno in the Batik Pesindon village of Pekalongan City.

Time and place of research

This research was conducted in August-November at Batik Larissa and Batik Feno in Batik Pesindon village of Pekalongan city.

Target/Subject of Research

In this study, the informants used by the two industries are 2 (two) key informants and 15 (fifteen) main informants, the key informants are industry owners and the main informants are batik cloth production workers.

Data Collection

Technique The data collection methods are as follows: (1) Interview is a data collection technique through question and answer, one provides questions and the other gives answers. This is used to obtain data directly from the sources, namely the Owner and Workers of Batik Cloth Production; (2) Observation or observation is a data collection technique that is carried out by observing and recording regularly the phenomena that are happening. This is done to find out what the wage system is like for batik cloth production workers; (3) Documentation is a data collection technique by means of written relics, such as archives and including books related to theories, opinions of scholars, arguments and laws related to research. (Margono, 1997)

Data Analysis Technique

The analysis technique that the author uses in this research is that the author first understands the ijarah and ujarah contracts. Then collect data about the wage system for batik cloth production workers including the form of work, working time, work salary and energy devoted while working which is derived from several questions to find out in detail the implementation of the terms of work. So that it can draw a legal status to the facts based on the point of view of the concept of wages in Islam. So from the information about the wage system for batik cloth production workers, conclusions are drawn regarding the Application of Akad Ijarah to the Wage System for Batik Cloth Production Workers at Batik Larissa and Batik Feno Pesindon Batik Village.

RESULTS

In this study, the concept of mu'amalah related to the ijarah labor contract, the researcher uses the rationale of Shaykh Taqiyuddin An-Nabhani because he has a method of exploring the law and ijtiḥad, namely making reality a place of thought not a source for determining the law, subjugating reality to be solved by shara' law and shaping reality in line with Islam, and not making shara' law follow reality, as is often done by contemporary scholars who often pull the texts to adjust to reality, and to please the lust of the rulers. Shaykh Taqiyuddin An-Nabhani does not belong to those who see that his opinion alone is correct while the opinions of others are invalid (wrong), let alone misguided, but he sees his opinion as correct but does not rule out the possibility of being wrong, preferably the opinions of others are wrong but do not rule out being right. This is what makes him listen to many other opinions, study and research them, although he still believes in his opinion. (An-Nabhani, 2011)

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DISCUSSION

Form of Work

Referring to the Concept of Work Conditions based on the form of work (According to Shaykh Taqiyuddin An-Nabhani in the book *An-Nidzam Al-Iqtishad*) In ijarah transactions, the type of work must be explained before working and ijarah transactions carried out for certain jobs, or for certain workers, the law is obligatory for the workers concerned to do their work in an absolute position that cannot be replaced by others. And at the beginning of the contract it is explained what the laborer must do when working. In practice at Larissa batik, it is appropriate because at the beginning of work at Larissa batik there is an agreement between the batik cloth production workers and the owner of Larissa batik that in the terms of work the work may not be replaced by other people including their families if they are unable to attend and in working the workers are not charged with other work other than the work of the initial agreement. In practice at batik feno it is appropriate because in the employment contract at batik feno the owner conveys what tasks the workers must do while working and during work cannot be replaced by others. and workers are not charged with other work other than the work contract submitted.

Working Time

Referring to the Concept of Terms of Employment based on working time (According to Shaykh Taqiyuddin An-Nabhani in the book *An-Nidzam Al-Iqtishad*) Ijarah transactions there are those that mention the work contracted without having to mention the time. There are also those that must mention the contracted time without mentioning the amount of work. There are also those who must mention the time and work. In practice at Batik Larissa, it is appropriate because Batik Larissa mentions the time without mentioning the amount that must be done. Starting work at 08.00 to 16.00 workers come before working hours to prepare the tools and materials needed when working, are given time to rest at 12.00-13.00 and continue working until 16.00 and then tidy up the tools that have been used to work. And in practice at Batik Feno it is appropriate because Batik Feno mentions the time without mentioning the amount of work. Starting work at 08.00 to 16.30 workers come before working hours to prepare the tools and materials needed when working, are given time to rest at 12.00-13.00 and continue working until 16.30 and then tidy up the tools that have been used to work.

Working Wage

Referring to the Concept of Terms of Work based on wage labor (According to Shaykh Taqiyuddin An-Nabhani in the book *An-Nidzam Al-Iqtishad*) In wages must be explained as clearly as possible before work in order to negate uncertainty in wages, and must be given wages immediately when the work has been completed. In practice at Batik Larissa, it is appropriate because the wages are determined at the beginning before work with the following details: (1) Batik Canting Tulis: The wages of the canting tulis laborers are given after the completion of the written batik cloth with a wage of around 50 thousand rupiahs to 350 thousand rupiahs per cloth depending on the complexity of the motif being worked on; (2) Batik Canting Cap: Wages for Batik Canting Cap are given a daily wage with a wage of 70 thousand rupiahs per day, the wage is given directly after the work is completed; (3) Coloring Workers: wages for coloring workers are the same as canting cap workers who are given a daily wage with a wage of 70 thousand rupiahs per day which is given after the work is complete.

In practice at Batik Larissa, it is appropriate because wages are determined at the beginning of the contract before starting work with the following details: (1) Batik Canting Tulis: Canting laborers are given daily wages, the calculation of batik cloth is around 45 thousand rupiahs to 70 thousand rupiahs; (2) Batik Canting Cap: daily wages are given after the work is completed (3) Coloring Laborers: given a daily wage that is given after the work is completed.

The Energy Devoted to Work

An employer may not demand that a worker devote his or her energy to anything other than the work agreed upon, unless it is in accordance with his or her reasonable level of ability. However, measuring the amount of labor is not easy, because it is impossible to measure it with a standardized measure. Therefore, to make it easier to provide a measure that is closer to this limitation, a count of working hours in a day can be used. Thus, this limitation of working hours can be used as a clear measure to determine the amount of energy that must be expended by a worker. In practice at Batik Larissa and Batik Feno, it is appropriate because the work system at Batik Larissa Workers are not targeted in production work, wage calculations are based on working hours not targeting work.

CONCLUSION

That in Batik Larissa, the terms of work based on the form of work in accordance with the *ijarah* transaction work contract are carried out for certain jobs, or for certain workers, the law is obligatory for the workers concerned to do their work absolutely their position cannot be replaced by others. Based on the working time, it only mentions the contracted time without targeting the level of work that must be done. Based on work wages, it is appropriate and equal to the spirit of the laborer to work where the hadith explains that the laborer's wages are immediately given before the results of his sweat dry. Labor wages are given daily and given when the work has been completed. And based on the energy devoted by laborers in accordance with Islamic rules in which workers are not forced to devote excessive energy only according to their energy capabilities without any targets in work. The terms of work are "Mubah or be allowed" because they have fulfilled the terms and conditions of all work provisions agreed upon at the beginning between the business owner and the laborer (laborer) without any coercion and mutual consent. And in Batik Feno, the terms of work based on the form of work in accordance with the work contract *ijarah* transactions are carried out for certain jobs, or for certain workers, the law is obligatory for the workers concerned to do their work absolutely their position cannot be replaced by others. Based on the working time, it only mentions the contracted time without targeting the level of work that must be done. Based on work wages, it is appropriate and equal to the spirit of the laborer to work where the hadith explains that the laborer's wages are immediately given before the results of his sweat dry. Labor wages are given daily and given when the work has been completed. And based on the energy devoted by laborers in accordance with Islamic rules in which workers are not forced to devote excessive energy only according to their energy capabilities without any targets in work. The terms of work are "Mubah or Boleh" because they have fulfilled the terms and conditions of all work provisions agreed upon at the beginning between the business owner and the laborer (laborer) without any coercion and mutual consent.

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