

How Can Law and Policy Reform Shape Human Resource Strategies in Indonesian State Universities Post-Law No. 20 of 2023?

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Abstract

Dialectics always arise with the introduction of new policies in laws, and Law No. 20 of 2023 concerning State Civil Servants is no exception. The latest provision in Chapter XIII, Article 65(1), prohibits Personnel Supervisory Officials from appointing Non-Civil Servants to fill civil servant positions, sparking debates on its implications for human resource (HR) management in Indonesian state universities. This study aims to evaluate HR management strategies in state universities, identify obstacles in implementing the law, and propose

solutions to optimize its adoption. The research adopts a qualitative method with an analytical descriptive approach. Data was collected through in-depth interviews with HR managers from several public universities in Central Java, supported by a review of relevant documents. The study reveals that while some universities have begun to adopt the provisions of the law, they still face significant challenges, including a lack of professional training and development, complex bureaucratic processes, and budget constraints. Adjusting organizational structures and enhancing staff competencies remain major hurdles. The novelty of this research lies in its focus on the intersection of legal reform and HR strategies in higher education. The urgency is underscored by the immediate need to address inefficiencies and adapt to the law's mandates. This study contributes by offering actionable recommendations, including increased training and awareness campaigns, simplifying bureaucracy, and expanding budgets for HR development. These insights are essential for policymakers and university administrators to ensure the efficient implementation of Law No. 20 of 2023, ultimately enhancing governance and operational efficiency in Indonesian state universities.

Keywords *Personnel Management, Human Resources, State Universities*

Introduction

The State Civil Apparatus (ASN) is an important component of the Indonesian government system that has the responsibility to achieve state goals and the welfare of the community. To achieve this, ASN is tasked with becoming a civil servant. ASN is the unifier of the nation, which means that it has the main duties and responsibilities to serve the community as well as possible and meet the needs of the community for basic and public services. In addition, ASN is responsible for improving community welfare, economic development, as well as law enforcement and justice. ASN must adhere to the values contained in the ideology of

Pancasila and the 1945 Constitution in carrying out their duties, such as democracy, social justice, and Indonesian government.¹

The State Civil Apparatus (ASN) has a role to protect state sovereignty, enforce the law, and protect human rights. So, ASN must have a system that can regulate the management and governance of ASN. Policies related to the State Civil Apparatus (ASN) have changed several times. In 2023, Law Number 20 of 2023 concerning the State Civil Apparatus replaces Law Number 5 of 2014 concerning the State Civil Apparatus, which promises good work results and service-oriented, accountable, competent, harmonious, and loyal ASN behavior. This law brought a change in the national personnel system, where the personnel arrangement in Indonesia has undergone developments in increasing efficiency, professionalism, and service to the community.² With the stipulation of this law, the development of ASN competencies has again undergone fundamental changes to encourage ASN professionalism and ensure that ASN is competent in accordance with the demands of change.³

This law provides a new and stronger legal framework for the operationalization of honest and professional civil servants that require strengthening supervision and law enforcement. This can create a foundation for the application of meritocracy principles in the selection and placement of ASN. The implementation of the ASN Law provides new challenges with the autonomy model of Human Resources (HR) management in PTN-BH. Human resources do have an important role in an agency to achieve competitive advantage.⁴ Higher education

¹ Rahmi Erwin, Rina Rahma O Angelia, and Andi Desmon, "Transformation of ASN Management After the Stipulation of Law Number 20 of 2023 concerning the State Civil Apparatus," *Encyclopedia of Journal* 5, no. 3 (2023): 200.

² Adilla Rahmatushiva et al., "Analysis of the Structuring of ASN Personnel in Indonesia: The Abolition of Honorary Personnel in Law Number 20 of 2023," *Culture: Journal of Law, Social, and Humanities* 2, no. 6 (2024): 111–18, <https://jurnal.kolibi.org/index.php/kultura/article/view/1533>.

³ Perdhana Ari Sudewo, "Analysis of the Implementation of Integrated Learning through the Development of Learning Culture and Knowledge Management in Government Agencies," *Proceedings of the Widyaaiswara National Scientific Meeting* 1 (2024): 363–72.

⁴ L Paisa, R Gosal, and D Monintja, "Ethics of the Government in Improving the Performance of the State Civil Apparatus," *Executive Journal* 3, no. 3 (2019): 1–10,

human resource management must be able to display the profile of professional lecturers in accordance with the Tri Dharma of Higher Education.⁵ In addition, non-educational personnel, laboratory staff, librarians, and other staff are also needed. The University Performance Index (UPI) describes how lecturers carry out the three responsibilities of higher education, where qualified lecturers not only have a doctorate but also have the ability to innovate, with evidence of outputs such as quality writing, patents or intellectual property rights (IPR).⁶

Strong and healthy Human Resources (HR) will greatly affect the work results and achievements of an organization, both business and non-business. The institution not only maintains the organization, but also produces good performance and competent graduates.⁷ Basically, Human Resources (HR) are those who are responsible for designing and producing goods and services, monitoring quality, and formulating strategies to achieve a goal, where well-performing human resources will play an important role.⁸ So that the success of an organization is highly dependent on the quality of its human resources. However, as the times progress, there are many changes in all aspects of life that have different impacts on society, so quality human resources are needed to deal with these changes.⁹

<https://ejournal.unsrat.ac.id/v3/index.php/jurnaleksektif/article/view/23852%0Ahttps://ejournal.unsrat.ac.id/v3/index.php/jurnaleksektif/article/download/23852/23501>.

- ⁵ Panji Hendraso, "Improving the Quality of Human Resources in Higher Education Towards the VUCA Era: A Phenomenological Study in Private Universities," *Proceedings of the STIAMI Semir* 7, no. 2 (2020): 1–11, <https://doi.org/10.1016/j.jnc.2020.125798%0A>
- ⁶ Mitra Mitra, "The Urgency of Accelerating Higher Education Quality Assurance through Higher Education Accreditation," *Promis Journal* 4, no. 2 (2023): 95–96, <https://doi.org/10.13140/RG.2.2.24170.70087>.
- ⁷ Karla Sasia et al., "Analysis of Human Resource Management in Small-Scale Higher Education (Case Study on an Optometry Academy in Jakarta)," *Equilibrium: An Educational Journal* 11, no. 3 (2023): 280, <https://doi.org/10.26618/equilibrium.v11i3.10670>.
- ⁸ Florbela Monica de Araujo, Desak Ketut Sintaasih, and I Gede Riana, "The Role of Motivation in Mediating the Influence of the Reward System on Employee Performance," *E-Journal of Economics and Business, Udayana University* 8, no. 01 (2019): 213, <https://doi.org/https://doi.org/10.24843/EEB.2019.v08.i01.p0>.
- ⁹ Lutfi Zulkarnain, "Human Resource Management in Islamic Education," *Intelectium* 3, no. 2 (2023): 412, <https://doi.org/10.37010/int.v3i2.1114>.

This research explains a new perspective related to the implementation of Law Number 20 of 2023 concerning State Civil Servants, especially in the context of human resource management at PTN-BH which includes structural adaptation and organizational practices to comply with new regulations, as well as efforts to optimize the potential of civil servants' human resources in the midst of a dynamic PTN-BH environment. This study explores how universities adapt and implement human resource management practices in accordance with the ASN Law, especially State Universities in the Central Java region. The purpose of this study is to fill the gap by providing strategic and operational recommendations in the form of an effective HR management autonomy model in the context of dynamic new regulations.

Based on the above background, the formulation of the problems that will be discussed in this article is related to the impact of Article 65 of the ASN Law on human resource management in PTN-BH in the Central Java Region and the autonomy model of human resource management in PTN-BH Indonesia. This study uses a sampling technique in the form of probability samples, where each member of the population has an equal chance to be selected as a sample.¹⁰ The sample is a representative of human resource managers at PTN-BH in the Central Java region. The sampling method used is *purposive sampling*, with sample selection carried out based on parameters determined by the researcher.¹¹

¹⁰ Deri Firmansyah and Dede, "General Sampling Techniques in Methodology," *Scientific Journal of Holistic Education (JIPH)* 1, no. 2 (2022): 85–114.

¹¹ Sandu Siyoto and M.Ali Sodik, *Basics of Research Methodology* (Yogyakarta: Literasi Media Publishing, 2015).

The Impact of Article 65 of the ASN Law on Human Resource Management in PTN-BH IN Central Java, Indonesia

Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus is contained in Chapter XIII concerning Prohibitions¹², which reads:

- (1) Civil Servant Supervisory Officials are prohibited from appointing non-ASN employees to fill ASN positions.*
- (2) The prohibition as intended in paragraph (91) also applies to other officials in Government Agencies who appoint non-ASN employees.*
- (3) Personnel Management Officials and other officials as referred to in paragraphs (1) and (2) who appoint non-ASN employees to fill ASN positions are subject to sanctions in accordance with the provisions of laws and regulations.*

The prohibition provisions in Article 65 provide several positive things, including being able to maintain the professionalism of ASN who have integrity and accountability in the implementation of public services. This prohibition can prevent the practice of nepotism and corruption, as well as ensure fairness and transparency in personnel management. The implementation of the article also has an impact on the management of Human Resources (HR) in State Universities in Central Java and has significantly changed the HR management policy in State Universities and triggered the implementation of stronger autonomy principles. Therefore, the implementation of this policy requires a strong commitment from the Personnel Supervisory Officer as an effort to enforce new provisions, such as the urgent need for manpower. This leads to the desire to appoint non-civil servants quickly. Limited budget and resources for strict appointment selection, and resistance to changes from interested parties in old practices.

¹² President of the Republic of Indonesia, "Law of the Republic of Indonesia Number 20 of 2023 concerning the State Civil Apparatus," no. 202875 (2023): 1–44, <https://peraturan.bpk.go.id/Details/269470/uu-no-20-tahun-2023>.

Efforts are needed such as increasing the capacity of Human Resources (HR) and strict enforcement of rules against violations. On the other hand, the HR management autonomy model in PTN-BH is an important focus in understanding organizational dynamics and allowing more specific and adaptive policies to local needs. In addition, career management and employee training are important factors in balancing autonomy with compliance with regulations, including Article 65 of Law Number 20 of 2023 concerning State Civil Apparatus by Legal Entity State Universities. Meanwhile, efforts to improve the effectiveness of human resource management are a strategic focus in supporting the quality of higher education in the midst of competition from other sectors which is a challenge to ensure transparency and accountability in human resource management.

The implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus has a significant impact on human resource management policies in State Universities in the Central Java Region, although the implementation of the article has not been fully implemented. This is in accordance with a statement given by Evie Kusumawaty Sardjana from Sebelas Maret University (UNS), who explained that the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus at PTN-BH has a significant impact on HR management policies regarding employee recruitment, promotion, and career development policies. The ban on hiring non-civil servants means that PTN-BH can only appoint qualified transfer employees from outside to meet human resource needs. Therefore, PTN-BH must implement special strategies, such as providing opportunities for other employees to participate in training, further studies to improve HR efficiency, and employee career development.

According to information from Dian Susiani from UNS, there are several challenges faced by PTN-BH with the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus, which affects the recruitment and placement process of employees at PTN-BH. Therefore, PTN-BH must be able to prepare budgets and regulations regarding the internal functional positions of PTN-BH. Therefore, it must be clearly regulated regarding the regulatory apparatus, appointment mechanism and also promotion regulated in regulations and decrees (SK). Agreeing with this, Nety

Hernawati from UNS also stated that the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus affects the organizational structure and distribution of civil servants and non-civil servants in PTN-BH. The existence of this article also changes the recruitment process and placement of civil servants and non-civil servants in PTN-BH. Therefore, it will affect the distribution of employees and policies regarding promotion or career development. Even so, policies regarding career promotion and development continue to run by referring to existing regulatory guidelines.

On the other hand, Retno Purwaningsih, Head of the Human Resources Bureau of Sebelas Maret University (UNS), stated that the impact of the implementation of Article 65 on human resource management in State Universities is still minimal, such as adjustments to the personnel administration system that have not been carried out and a direct impact on HR management decisions has not occurred. However, there are several preventive steps that can be taken to overcome the shortage of manpower due to restrictions on the appointment of non-ASN employees, namely optimizing existing human resources by providing opportunities for dual positions and holding a selection for the transfer of civil servant and non-civil servant security guards to administrative personnel.

In addition, based on information submitted by Abdurokhim from UNDIP, the existence of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus greatly affects human resource management policies at PTN-BH. Therefore, policies that can be applied in maximizing HR efficiency are by appointing contract employees to become permanent employees, appointing professionals as permanent employees, and empowering retired civil servants and non-civil servants by making employee empowerment policies as an award. Furthermore, based on the statement of Heri Yanto, Vice Rector for Planning, General and Human Resources of UNNES and Srianto, Supervisor of Human Resources of UNDIP, who stated that the prohibition on the appointment of employees in accordance with the Article raises concerns about the sustainability of higher education in the future. Therefore, PTN-BH should be given flexibility in recruiting employees to meet the shortage of employees because PTN-BH has autonomy in managing its organization. Basically, the application of the provisions of Article 65 of Law Number 20 of 2023 concerning the Civil

Apparatus. This is contrary to Article 65 paragraph (3) letter e of Law Number 12 of 2012 concerning Higher Education, which states that PTN-BH has the authority to appoint and dismiss its own lecturers and education staff.¹³

Based on the results of interviews conducted with Abdurokhim from UNDIP, Heri Yanto from UNNES and Dian Susiani from UNS, it can be concluded that there are several important points related to the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus and its impact on the management of Human Resources (HR) at PTN-BH, which are as follows:

1. *Influence on HR Management Policy*

As an institution that has autonomy in human resource management, Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus greatly affects human resource management policies at PTN-BH. The implementation of this article requires PTN-BH to follow the provisions regarding employee recruitment, development, performance management, and career development, so it requires transparent and accountable policies. This is due to the limited recruitment of non-civil servants, so PTN-BH must maximize the effectiveness and quality of existing employees to achieve optimal performance.

2. *Changes to the Recruitment Process*

Several PTN-BH have experienced quite significant changes in the employee recruitment process. With the provisions of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus, PTN-BH cannot recruit non-civil servants, so this results in PTN-BH experiencing a shortage of employees. However, on the other hand, there are also PTN-BH that have not changed the employee recruitment process. Based on these problems, PTN-BH must be able to streamline employees, especially in maximizing existing employees and also providing status to contract employees to become permanent employees.

¹³ Ministry of Law and Human Rights, "Law of the Republic of Indonesia Number 12 of 2012 concerning Higher Education" (Law, 2012).

3. *Challenges and Solutions*

a. Challenges in HR Management

HR management is a systematic plan within an organization to ensure the effective and efficient use of human talent.¹⁴ This planning is important to maximize the empowerment of human resources to achieve organizational goals in an organized and directed manner so as to result in the placement of the right employees according to their competencies and abilities.¹⁵

Human resource management is the responsibility of PTN-BH in facing challenges, such as adjustments to regulations, organizational structures, and budgets with the requirements in Article 65. In this position, PTN-BH must have the ability to optimize the number of existing workers and also be able to recruit new workers, such as professionals and freelancers.

b. Solutions for HR Efficiency

To meet its needs, PTN-BH must develop a human resource management policy that can maximize efficiency and effectiveness with several steps, such as outsourcing workloads, recruiting project-based professionals, and optimizing existing employees through position promotion for Civil Servants and non-civil servants, both lecturers and educators.

PTN-BH also needs to provide opportunities for employees to develop themselves and improve their competencies through further training and studies and implement a transparent and accountable system to streamline employees in HR management policies. In addition, good supervision is needed to monitor, evaluate, and support human resources to work effectively and efficiently.

¹⁴ Robert L Mathis, "Human Resource Management" (Salemba four, 2006).

¹⁵ Iin Suartini et al., "Human Resource Planning for Education Personnel at the Indonesian University of Education, Regional Campus," *Education* 5, no. 1 (2022): 18–30.

4. *Employee Impact and Well-being*

a. Positive and Negative Impact

The positive impact of the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus is to provide legal clarity regarding the status of employees, so that there is no more confusion regarding the regulations that must be followed. However, on the other hand, it also has a negative impact where PTN-BH has to provide a larger budget and employees are vulnerable to workload due to the prohibition on appointing non-civil servants to civil servant positions.

The relationship between the availability of workload that must be done and human resources are two things that are interconnected. If it is not interspersed with the provision of allowances in accordance with the workload, it will affect the welfare and motivation of existing civil servants and non-civil servants. On the other hand, this policy encourages PTN-BH to be more independent and efficient in managing its human resources.

b. Employee Wellbeing and Motivation

According to Hasibuan, work motivation is the provision of motivation to create a person's enthusiasm for work so that they want to work together effectively and integrated with all efforts to achieve satisfaction.¹⁶ It can also be said that work motivation is an encouragement that must be possessed by a worker to achieve maximum performance in order to meet the desired needs.¹⁷ Motivation can also be described as energy that awakens the will in oneself.¹⁸ One type of external motivation

¹⁶ Lovina Kartika Fitri and Bambang Santoso, "Motivasi Aparatur Sipil Negara (ASN) Melanjutkan Pendidikan (Studi Kasus Pada ASN Pengadilan Agama Teluk Kuantan)" 2, no. 2 (2024): 333–42.

¹⁷ Syardiansah Syardiansah, Muhammad Rizqi Zati, and Amara Fauzi Tefu, "Pengaruh Motivasi Eksternal, Pengembangan Karir, Kesehatan Dan Keselamatan Kerja Terhadap Kinerja Karyawan," *Jurnal Manajemen Motivasi* 17, no. 2 (2021): 46–55.

¹⁸ Helen Purnama Sari et al., "The Influence of Work Motivation and Leadership Style on The Performance of Educators in Formal Early Childhood Education in

that can affect a worker is extrinsic motivation, which is motivation that can encourage employees to work better by increasing their enthusiasm for their work.¹⁹

One of the factors of extrinsic motivation is the provision of remuneration and benefits.²⁰ The next factor is good working conditions, a sense of pleasure and satisfaction working at work, which is greatly influenced by physical, material, and psychological working conditions. Although there are psychological or *intangible* factors, namely related to the relationship between superiors and other subordinates, there are other factors, namely good supervision to monitor, support, and evaluate Human Resources (HR) to be able to work well and work effectively and efficiently, namely the function of organizational behavior because the long-term goal is to improve and strengthen work skills.²¹

Remuneration is a type of compensation that is financial.²² The provision of remuneration and benefits must be given according to the workload of an employee, so that employees will feel more appreciated.²³ Providing remuneration is the best way to increase employee motivation.²⁴ This is intended as an effort to support the

Rancasari District, Bandung City," *Scientific Journal, Human Resource Management* 6, no. 2 (2023): 418–28.

¹⁹ Aulia Agustin et al., "The Effect of Remuneration with Work Motivation as an Intervening Variable on the Performance of PTN-BH Lecturers (Case Study of Padang State University)," *Journal of Business Economics Informatics* 5, no. 3 (2023): 827, <https://doi.org/https://doi.org/10.37034/infeb.v5i4.663>.

²⁰ Rahmatullah Sidik et.al., "The Influence of Intriguing Motivation and Extrinsic Motivation on the Performance of Employees of PT. Bawana Margantama," *PROCURATO: Journal of Management & Business* 01, no. 1 (2022): 31.

²¹ Agustin, Suhairi, and Putriana, "The Effect of Remuneration with Work Motivation as an Intervening Variable on the Performance of PTN-BH Lecturers (Case Study of Padang State University)." *Op. Cit* 827.

²² Kasmir Kasmir, "Human Resource Management (Theory and Practice)," *Jakarta: Rajawali Press* 72 (2016).

²³ Arum Astari et al., "Compensation and Communication on Employee Performance Mediated by Work More," *EKOMABIS: Journal of Business Management Economics* 3, no. 01 (2022): 31–42.

²⁴ Fanisya Rahmadina Putri and Yudi Nur Supriadi, "The Effect of Compensation, Work Environment, and Organizational Citizenship Behavior (OCB) on

creation of effective work productivity for the organization and has a positive impact on Human Resources (HR) and the organization.²⁵ Good remuneration is remuneration that guarantees fairness among employees in the organization, with discipline in providing fair pay to employees so that they will be more motivated to work.²⁶ Then the remuneration will show the extent to which the organization values the contribution fairly based on the value of the organization.²⁷

The function of this remuneration is to provide encouragement and responsibility to employees to achieve the goals of PTN-BH and increase work productivity and create employee welfare. The welfare of these employees will play an important role in improving the quality of performance and effectiveness of human resources at PTN-BH. Although the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus has not had a significant impact on the welfare and motivation of employees, PTN-BH must still ensure work efficiency so as not to burden existing employees.

Based on this discussion, it can be concluded that the implementation of Article 65 of Law Number 20 of 2023 concerning the State Civil Apparatus, in the management of human resources in state universities has a varying impact depending on the condition and readiness of each institution, although several state universities have experienced certain changes and challenges. Therefore, it is necessary to be serious and ready to face the potential for greater changes in the future.

Employee Job Satisfaction of PT Patra Badak Arun Solusi," *Journal of Motivation Management* 18, no. 1 (2022): 10–22.

²⁵ Didit Darmawan et al., "The Relationship of Remuneration, Retention and Employee Performance," *Journal of Trends Economics and Accounting Research* 1, no. 4 (2021): 129–33, <https://journal.fkpt.org/index.php/jtear/article/view/159/105>.

²⁶ Mathis, Robert L Jackson, and John H, *Human Resource Management*, Book 1 (Jakarta: Salemba Empat, 2000).

²⁷ Michael Armstrong and Stephen Taylor, *Armstrong's Handbook of Human Resource Management Practice* (UK: Kogan Page, 2005).

Human Resource Management Autonomy Model in Legal Entity State Universities (PTN-BH)

PTN-BH is a higher education institution that has autonomy in financial and human resource management and has the highest position in the context of implementing higher education in Indonesia.²⁸ As an institution under government supervision, PTN-BH has a great responsibility in managing its finances and human resources. PTN-BH has the privilege of flexibility in financial management, because it has the freedom to regulate and manage the funds received without depending on the government budget. This allows PTN-BH to be more flexible in allocating funds for academic activities and the development of educational infrastructure, research, and academic program development, as well as obtaining additional sources of income through cooperation with the private sector or other independent businesses.

One of the steps to increase competitiveness that can be taken is to change the status of State Universities from Public Service Agency State Universities (PTN BLU) to PTN-BH. It is hoped that with this change in status, PTN-BH can improve the quality of research and develop the quality of its services. This increase is expected to be recognized by the wider community, both at home and abroad. In addition, PTN-BH is expected to be a driver of change that can improve the welfare of the Indonesian nation and the world.²⁹

The autonomy of educational institutions in Indonesia began with Law No. 9/2009 concerning Educational Legal Entities. The goal is to encourage the independence of state universities, especially in terms of funding. However, this law has drawn criticism from the public who consider it a form of education liberalization. On March 31, 2010, the Constitutional Court (MK) annulled the BPH Law. Nevertheless, the spirit of autonomy is not extinct. In 2012, Law No. 12/2012 on Higher

²⁸ Ryan Surya Pradhana, "Autonomy of Financial Management At State College With Legal Entity," *Journal of Peratun Law* 4, no. 2 (2021): 171–90, <https://doi.org/10.25216/peratun.422021.171-190>.

²⁹ Peny Cahaya Azwari, "Design of a Model for the Transformation of State Islamic Religious Universities into Legal Entity State Universities (PTN-BH) Using the TOPSIS Method Approach," *Journal of Accounting and Finance* 12, no. 1 (2024): 123, <https://doi.org/10.29103/jak.v12i1.15052>.

Education was issued. One of the important points is the granting of autonomy to state universities through the status of PTN-BH and PTN BLU. Both have differences in the degree of autonomy, but have room for more flexible financial movements compared to unitary public universities. PTN-BH and PTN BLU are allowed to generate income through commercial businesses as an alternative to government funding. This makes PTN-BH and PTN BLU a *hybrid organization* that combines service-oriented public aspects with commercial-oriented business entities, which transforms State Universities with Work Units (PTN SATKER) into hybrid organizations (PTN-BH and PTN BLU).³⁰

Another privilege is that PTN-BH has wide autonomy to manage its households independently in the academic and non-academic fields.³¹ The academic field includes management consisting of the determination of operational norms and policies and the implementation of the *Tridharma*, while the non-academic field involves management such as the establishment of operational norms and policies as well as implementation in terms of organization, student finance, manpower and infrastructure.³² However, with the existence of Article 65 of Law Number 20 of 2023 concerning State Civil Servants, this actually makes the autonomy owned by State Universities not as extensive as before the law. Autonomy in the management of Human Resources (HR) is one of the important aspects to achieve quality higher education. Without good human resource management, state universities will have difficulty producing qualified and competitive graduates.³³ HR management is closely related to PTN-BH institutions,

³⁰ Muhammad Iqbal and Dien Triana, "Conceptual Model of Islamic Social Funds as a Source of Funding for Autonomous State Universities in Indonesia," *Tana Mana Journal* 4, no. 2 (2023): 340, <https://ojs.staialfurqan.ac.id/jtm/>.

³¹ Lia Sutini, "Consequences of PTN BH Laws That Do Not Meet Performance Evaluations," *Jurist-Diction* 2, no. 5 (2019): 1765, <https://doi.org/10.20473/jd.v2i5.15242>.

³² Zaky Zhafran King Mada, "Juridical Analysis of Legal Entity State Universities as Bankruptcy Law Subjects," *Journal of Social and Political Sciences (JISIP)* 6, no. 4 (2022): 2488–96, <https://doi.org/10.36312/jisip.v6i4.3840/http>.

³³ Michael Shattock, "Re-Balancing Modern Concepts of University Governance," *Higher Education Quarterly* 56, no. 3 (2002): 235–44.

so it requires rules that accommodate management flexibility, especially in the field of human resources.

Three types of rules are needed, namely rules regarding the clarity of work status, organizational structure/nomenclature of PTN-BH positions, and career paths for all civil servants and non-civil servants at PTN-BH. Employment status in PTN-BH is differentiated between civil servants and non-civil servants, with the management of civil servants regulated in Law Number 5 of 2014 concerning ASN, while non-civil servants are regulated through the Rector's regulation as a form of PTN-BH autonomy.³⁴ PTN-BH needs to organize training and career development to increase the effectiveness and efficiency of HR management, so that it can maximize employee efficiency. Thus, the career development policy here is an effort that must be made by PTN-BH.

The autonomy of educational institutions is the right to regulate themselves and their activities to improve the efficiency and effectiveness of educational administration.³⁵ This makes autonomy in state universities absolute if the government wants to increase the capacity of state universities to compete at the Asian and global levels. One of the autonomy needed in organizing quality higher education is autonomy in the field of employee management or human resources.³⁶

Based on the results of interviews with different sources, there are several significant findings that can be identified related to the HR management autonomy model in PTN-BH. Awang Kurnia Saputra and Abdurrokhim from UNDIP, emphasized that the definition of autonomy in human resource management is the ability of PTN-BH to appoint and finance non-ASN permanent employees independently, because PTN-BH has the authority to make regulations regarding personnel in accordance with its internal needs, thus making PTN-BH have the autonomy to manage human resources independently.

According to Srianto, Sugiyanto, and Evie Kusumawaty Sardjana from Sebelas Maret University (UNS), and Heri Yanto from UNNES,

³⁴ Kartika Widya Utama, "Autonomy of Human Resource Management Ptn-Bh," *Legal Issues* 46, no. 1 (2018): 92, <https://doi.org/10.14710/mmh.46.1.2017.92-99>.

³⁵ Mohamad Mustari, *School Education Administration and Management* (Bandung: S2 Religious Studies Study Program UIN Sunan Gunung Djati Bandung, 2022).

³⁶ Mainly, "Autonomy of Human Resource Management Ptn-Bh." *Ibid.*: 94.

who stated that PTN-BH has flexibility in human resource management, especially in the recruitment of non-ASN employees, employee placement, employee careers to the employee dismissal process. However, challenges such as fewer employees and demands for higher quality are major concerns in its implementation. The positive changes that have occurred, such as increasing the efficiency and effectiveness of human resource management and increasing career development by providing promotion opportunities for civil servants or non-civil servants, as well as providing opportunities for employees to take part in training from programs organized internally and externally by PTN-BH.

Regarding the improvement of the effectiveness of human resource management, according to Dian Susiani from UNS, it is very important to establish a policy of performance evaluation and regular reporting. This performance evaluation is based on the achievement of the Tri Dharma for Lecturers and the filling of *daily notebooks* for Staff employees and the results of the performance evaluation will later be the basis for determining remuneration and punishment. Remuneration should be dynamic and may change each month according to individual performance. This pattern is expected to increase the motivation of employees to report their performance well in order to get decent rewards, while those who do not report their performance well will experience a decrease in remuneration income or get sanctions.

On the other hand, Retno Purwaningsih and Nety Hernawati from UNS, highlighted several special policies adopted by PTN-BH in human resource management, such as maximizing the work of existing civil servants and non-civil servants, including civil servants and non-civil servants to conduct further training and studies, implementing the equality of rights and obligations of non-civil servants with civil servants, evaluating performance and policies compensation, rewards using a remuneration system, and providing benefits based on performance. The application of the autonomy model in human resource management will indirectly have a positive impact on innovation, productivity, transparency, and accountability within PTN-BH.

Abdurrokhim from UNDIP also argued that human resource management at PTN-BH must be carried out by maximizing the efficiency of existing human resources by appointing contract

employees to become permanent employees, appointing professionals as permanent staff, and hiring ordinary daily employees. This is done to empower and optimize the resources available at PTN-BH. Therefore, it is important for PTN-BH to continue to innovate, improve efficiency, and strengthen employee career development in order to face the evolving dynamics in the world of Indonesian higher education.

Based on the problems discussed above, there are several models that may have the potential to fulfill and optimize employees at PTN-BH, namely with an autonomous model of human resource management starting from position analysis, recruitment, placement, HR/career development, *rewards and* punishments, HR assessments to employee dismissal. The following is a table of Human Resources (HR) management models at PTN-BH.

TABLE 1. Human Resource Management Model at PTN-BH

| Stages of the HR Management Model | What PTN can do |
|-----------------------------------|--|
| Position Analysis | Higher Education needs to be compiled Needs Analysis Document Employee Needs Analysis Document for material considerations in recruitment according to employee needs. |
| Recruitment | Applicants who meet the criteria and requirements that have been determined, can participate in the recruitment selection stage. |
| Placement | Employees are placed according to their duties and functions so that programs and activities can be more effective and efficient. |
| HR/Career Development | Employees are given the opportunity to develop their careers such as attending education and training. Employees are also given the opportunity to be promoted and positioned in accordance with applicable regulations. |
| Rewards and Punishments | Rewards and punishments need to be implemented to motivate employees to perform better. |
| HR Assessment | HR assessments need to be carried out as a basis for rewarding employees. In addition, HR assessments are used as a basis for evaluating whether targeted programs and activities can run as planned. |

| Stages of the HR Management Model | What PTN can do |
|-----------------------------------|---|
| Dismissal | Employee dismissal follows applicable regulations at public universities. |

The HR Management Model at PTN-BH outlines a structured process for managing human resources effectively within higher education institutions. The first stage, Position Analysis, involves creating detailed documents to assess the needs of the employees in line with the university's objectives, which informs the recruitment process. In the Recruitment stage, applicants who meet the established criteria are selected, ensuring that the right individuals are hired. Once selected, Placement ensures that employees are assigned roles that align with their functions, contributing to the overall efficiency and effectiveness of programs and activities. The model further promotes HR and Career Development, providing employees with opportunities for training, education, and promotion, in line with institutional regulations.

The model also emphasizes the importance of a balanced system of Rewards and Punishments to motivate employees, fostering better performance. HR Assessment plays a crucial role by evaluating both individual employee performance and the success of organizational programs and activities. Regular assessments ensure that reward decisions are based on merit, helping to align employee output with institutional goals. Finally, the Dismissal stage is carefully regulated, adhering to the laws and regulations governing employee termination in public universities, ensuring that dismissals are fair and just. This comprehensive approach to HR management ensures that PTN-BH can foster a productive and motivated workforce that contributes effectively to the university's goals.

Synchronization of Legal Substance, Legal Structure, and Legal Culture

If referring to Lawrence M. Friedman's theory of the legal system, the legal system is formed from *the legal structure*, *legal substance*, and legal

culture.³⁷ Synchronization between substance, culture, and structure is very important in implementing a policy or legislation. First, substantial synchronization refers to the adjustment of the content or substance of a policy or regulation to be in line with other relevant laws and regulations. This is important to prevent overlap, contradiction, or inconsistency between one regulation and another. Substantial synchronization can ensure that there is harmony and harmonization between various laws and regulations by providing legal certainty in their implementation.

The second is structural synchronization, which is related to the adjustment of policies or regulations to existing organizational and institutional structures. It is important to ensure that the implementation of policies or regulations is supported by proper organizational structures, proper division of tasks, and clear responsibilities, as well as effective coordination mechanisms. This structural synchronization will ensure that there are no obstacles in the implementation of policies or regulations and can facilitate monitoring and evaluation of their implementation.

Finally, cultural synchronization is related to the adjustment of policies or regulations to the values, norms, and culture that prevail in society. Policies or regulations that are not in accordance with the cultural context of the community will tend to face resistance and difficulties in their implementation. This cultural synchronization can ensure that policies or regulations are accepted and obeyed by the community because they are in line with their values and culture.

These three aspects of synchronization are interrelated and important to be carried out comprehensively in the implementation of a policy or legislation. With thorough synchronization, the implementation of policies or regulations can be carried out more effectively, efficiently, and can be accepted by all parties involved.

Conclusion

The implementation of the ban on the appointment of non-civil servants in PTN-BH is a crucial step in maintaining the professionalism

³⁷ Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (New York: Russel Sage, 1975).

and integrity of State Civil Servants (ASN). Compliance with this provision ensures that each ASN position must be filled by an individual who has gone through a rigorous selection and has the appropriate qualifications for the position. In addition, with the implementation of Article 65 of Law No. 20 of 2023 concerning the State Civil Apparatus, PTN-BH will face new challenges related to human resource management and be given the opportunity to improve its efficiency and independence. Therefore, PTN-BH must adjust policies and strategies to the regulations and needs of its own organization. Human resource management at PTN-BH is closely related to their institutional identity, so it requires flexible adjustments to optimize their human resources.

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