



## Implementation of Supervision and Evaluation by the Directorate of Shipping and Marine Affairs to the Siuppak Owner Company

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Received : September 15, 2023

Revised : October 1, 2023

Accepted : October 2, 2023

Online : October 5, 2023

### Abstract

The Ministry of Shipping and Marine Affairs (DITKAPEL) is part of the Directorate General of Sea Transportation of the Ministry of Transportation, which manages the distribution of Indonesian ships and crews. The large number of Indonesian Workers (TKI) who work as Crew Officers (ABK) is the object of violations and problems, especially from the company. To do so, the government must increase supervision and protection for them by monitoring the company that owns SIUPPAK. SIUPPAK is the permit for the company to recruit and place the crew on board. For this reason, the objective of the study is to find out the forms of violations committed by the SIUPPAK owner company and the sanctions given to companies holding SIUPPAK for abuse of authority committed. The research method used in this study is a descriptive qualitative method by describing completely and systematically the supervision and evaluation carried out by DITKAPEL on companies that own SIUPPAK. The data sources used are primary and secondary data sources obtained through interviews, observations, documentation, and literature studies. The results showed that there were a number of companies that owned SIUPPAK that committed violations. These companies received sanctions in the form of Warning Letter 1, Warning Letter 2, Warning Letter 3, and Company Inactivity. Supervision and evaluation by DITKAPEL on the company that owns SIUPPAK is carried out periodically, called the Annual Audit. The annual audit carried out is in accordance with the established standards, and the DITKAPEL follows up on cases of violations wisely and firmly in accordance with existing regulations.

**Keywords:** *Supervision; Evaluation; DITKAPEL; Company Owner SIUPPAK*

### INTRODUCTION

Indonesia has the largest number of Indonesian Migrant Workers (TKI) that is Ship Crews (ABK) abroad. However, the recruitment and placement of crew members on foreign ships often encounter problems. With so many Indonesian crew members working overseas, the government's task of controlling and protecting them is becoming more difficult. These problems include non-payment of wages, physical and psychological violence, and discrepancies between working hours and work contracts. The case of torture of two crew members from North Sumatra and West Nusa Tenggara by the Chinese fishing boat LU QIAN YUA YU 901 has been in the spotlight. The Ministry of Manpower ((*MENTERIPERHUBUNGAN REPUBLIK INDONESIA*, n.d.)) states that similar cases often occur, including violations of investment licenses for crew members. TKI ABK also plays a role as a source of currency for transfers through remittances and helps reduce unemployment in Indonesia. Because of the important role of TKI ABK, the authorities must protect them from threats from other countries.

Maritime safety involves manning and seaworthiness of the ship. The government needs to carry out continuous supervision and guidance through the Directorate General of Sea Transportation. This supervision must ensure the ship and its crew have certificates to support shipping safety. Many ships in Indonesia are still not certified, which contributes to cases of violations. This certification is important as proof that the ship meets the requirements.

The monitoring should also be done for the SIUPPAK owner companies. They must also

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comply with regulations in order to create safe and comfortable shipping operations. There are a number of violations by the company to the crew. According to (Pratiwi & Kunci, 2022), many of them did not give the salary to the crew based on the commitment. There were other violations such as the incomplete document and the unassisted personal injuries. Since the importance of SIUPPAK owner company, this study aims to determine the type of violations committed by the company and the sanctions given to companies SIUPPAK owner company for abusing the authority.

## **LITERATURE REVIEW**

### **Supervision**

The study of (Setyarini, 2016) expressed that supervision or monitoring is the work of determining standard performance for making plans, arranging system information, comparing performance actual with established standards, identification, measurement, and irregularities, as well as taking corrective action to ensure that the whole power source used with practical as well as efficient.

Supervision can be defined as a control process for all activity organizations To ensure that the whole work is held in accordance with plans that have set compiled guidelines and instructions for the participation process in activity (Pratiwi & Kunci, 2022). On the other side, (Esti Anggraeni, 2020) defines employment supervision as the evaluation to organize or establish its purpose as an organizational order that can carry out the job in a sufficient manner and with achievable goals. Meanwhile, an employee of a company determines the supervision of the performance in that company (Hannang, 2020). However, supervision is important to the quality of employees. It proves to enrich the performance of employee ((Al- Saffar & Obeidat, 2020; Wåhlin-Jacobsen, 2020)

### **Evaluation**

According to (Hartono & Setiawardani, 2017), evaluation is an active process whose primary goal is to identify opportunities for improvement. Appraisals are the fairest way to give rewards to employees. In this study, performance appraisal is discussed because it relates to the research topic. Meanwhile, according to (Arnold et al., 2018), performance evaluation is an evaluative opinion about a person's character, behaviour, or achievement as a basis for decision-making and personal development plans. In addition, performance evaluation can also be interpreted as a method and process that assesses the performance of individual or organizational tasks against predetermined performance standards or goals ((Melati et al., 2021; Putri Kentjana & Nainggolan, 2018).

These definitions concluded that performance appraisal is an activity assessing the performance of personnel/companies/organizations, which is carried out periodically for improvement. Performance evaluation system set effective and functional requires several requirements that benefit the organization and the people who work in the organization. These requirements include relevance, reliability, sensitivity, acceptability, practicality and non-infringement.

Performance evaluation must be carried out objectively according to the scientific performance evaluation theory. The lack of objectivity in performance evaluation causes problems with labor market relations. Performance evaluations should not be based on the likes or dislikes of reviewers. Performance appraisal considered relevant in this study is the assessment carried out by DITKAPEL on the performance of companies owning SIUPPAK. The goal is to collect data or information and identify issues to consider when comparing performance with previously achieved goals.

## **Violation**

According to the Big Indonesian Dictionary (KBBI), a violation is an act that is unpleasant or a crime that is lighter than a crime. (Moeljanto, 2021) defines a violation as an act against the law or the law governing it. This definition is by the definition of (Nursiyami, 2021) regarding disobedience, namely actions that are generally recognized as crimes. In the study, the intended violation is deed deviance committed by the company owner of SIUPPAK above applicable conditions. According to data acquired from the Protection Agency Worker Indonesian Migrants (BP2MI) in 2018-2020, there are many types of complaints by ABK above violations committed by the companies SIUPPAK owners include the unpaid wages, the crew's died, personal injuries and document detention.

## **RESEARCH METHOD**

This research used qualitative methods to investigate the types of violations committed by the company and the sanctions given to companies SIUPPAK owner company for abusing the authority. Primary data is interpreted as information collected from respondents through observation, interview and documentation. The data received from the observation and documentation in the Ditkapel websites and office. To strengthen this, the interviews were conducted with two auditors and the head of the sub-directorate of marine affairs. Meanwhile, the secondary data is obtained from books, notes, articles and others. The information obtained from the secondary data does not need to be reprocessed (Sujarweni, 2014). In this study, secondary data was collected from external books, journal articles and other literature researched via the Internet related to the thesis problem or topic discussed.

Qualitative descriptive data analysis method by analyzing the data obtained from interviews, field notes, and research documentation. The following data analysis techniques are used: Data reduction is used to select and focus on data simplification, abstraction and transformation of raw data from field notes, and data presentation is used for analysis. It is a form of structured information that can be used as a servant drawing conclusions and taking action. The triangulation is conducted by comparing the data from the documents and website with the interviews. The last step is drawing a conclusion. At this stage, conclusions are drawn from all the information obtained as a result of the research. Making or checking inferences is an attempt to find or understand the meaning, regularity, pattern, explanation, causal flow or statement.

## **FINDINGS AND DISCUSSION**

The results of observations made by researchers show that monitoring and evaluation activities carried out by DITKAPEL aim to provide information about the causes and effects of a particular condition. In this case, DITKAPEL conducts supervision and evaluation of companies holding SIUPPAK on a regular basis with a period of time for monitoring and evaluation once a year or what is known as an annual audit.

SIUPPAK owner companies are required to submit a verification audit to DITKAPEL in advance. After receiving the submission, DITKAPEL prepares an annual audit plan, such as appointing an auditor and determining the date and time of the audit, which is then followed up with the issuance of an assignment letter. The number of appointed auditors is at least two people with a one-day audit period and a three-month *closing period*.

It is difficult to hold the evaluation without any obstacles. It is in line with (Luar Negeri di Kantor Kesehatan Pelabuhan Kelas Padang et al., 2019), who say that there is an obstacle in implementing Regulations in the form of Law No. 1 of 1962 about the ship evaluation in Padang Class II Port. The workforce is still not of sufficient quality/qualification, the number of facilities and equipment, especially in employment opportunities, is still lacking, and activities have not been

implemented.

The other obstacle is because of the limitation of the staff. The number of companies is more than the capacity of the staff. The result is supported by (Kusnanto, 2011). The program continues with existing staff, but the number and qualifications of personnel are limited.

Based on the results of interviews with the auditor and head of the sub-coordinate of marine affairs and research conducted by researchers, there are several types of violations committed by companies holding SIUPPAK, among others. The first is the company is late or does not give an annual report regarding crew members who have departed and crew members who have disembarked the boat. It follows by not submitting the annual verification audit of Ditkapel.

Another violation that occurs is asking seafarers for a certain amount of money in the process of recruiting and placing crew members on boat as well as cut their payment. Giving the incorrect information related to the job description. Seafarers also feel aggrieved because they were not explained their duties, responsibilities, rights and obligations. Above all, the company is not responsible for all the activities carried out by the sailors and for returning the remains from the vessel.

If the companies holding the SIUPPAK are proven to have committed a violation, they will be subject to sanctions according to the level of the violation. Sanctions are given in the form of Warning Letter 1, Warning Letter 2, Warning Letter 3, and Company Deactivation. DITKAPEL will give the company an Inactive/Inactive status if it does not heed Warning Letter 1, Warning Letter 2, and Warning Letter 3 until the specified time limit for following up on the Warning Letter. Companies that have been declared inactive by DITKAPEL cannot obtain SIUPPAK ownership certificates that have an impact on delays in operational processes and companies unable to carry out *crewing activities*.

Documentation conducted by researchers during land practice is the activity to give proof that the researcher is truly do the research activity. It is proven with existing results documentation like a letter made and issued by DITKAPEL and the company-related SIUPPAK owner with topic study including assignments letter, annual audit submission letter, SIUPPAK sample, annual verification annual letter, audit *plan*, attendance list, results findings report, and examples letter warning 1.

Besides it, as proof, the researcher interviewed to get the required information during research, then the researcher documented activity via Zoom meetings and on the sport. Researchers also succeeded in documenting activity moment observation, annual audit activities, and activities guidance technique followed researcher moment practice land at the DITKAPEL office.

## **CONCLUSIONS**

The number of violations done by the SIUPPAK owner companies, such as not making the semester report, not submitting an annual audit, requesting money from the seafarer, giving incorrect information related to work, cutting the seafarer's wage, and not giving the responsible answer about the activities on board. There are sanctions given to the SIUPPAK owner company above by giving warning letter 1, warning letter 2, warning letter 3, and off company.

Monitoring and evaluation is the method used by DITKAPEL to monitor and evaluate the performance of SIUPPAK companies' owners. Monitoring and evaluation are done every year or called with annual audits. The auditors assigned by DITKAPEL are at least two people with audit time for not more than one day. Advice is given by the researcher to the company proven to do a violation and get a warning letter, preferably a quick follow-up letter warning by giving confirmation and fixing mistakes that have been done so that no impact emerges. Meanwhile, to DITKAPEL, it is better to improve the strategy carried out related monitoring and evaluation activity to the companies' owner of SIUPPAK.

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