

APPLICATION OF CAREER PATTERN FOR PRISON GUARD IN OBTAINING STRUCTURAL POSITIONS IN THE MINISTRY OF LAW AND HUMAN RIGHTS IN THE PERSPECTIVE OF LAW NUMBER 5 OF 2014 CONCERNING STATE CIVIL APPARATUS

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Abstract

The Ministry of Law and Human Rights currently does not have the latest career pattern guidelines that refer to Law Number 5 of 2014 concerning State Civil Apparatus, because in the field there are still many technical obstacles that have not been regulated in the current career pattern guidelines. This research aims to obtain an overview of empirical data and facts related to the implementation of career patterns for Civil Servants within the Ministry of Law and Human Rights. Research methods are categorized as evaluation research which is descriptive analysis with qualitative and quantitative approaches. The types of data sources consist of primary data and secondary data. Data collection methods use questionnaires and data analysis methods using frequency tabulation. From the results of the discussion it was concluded that basically the Ministry of Law and Human Rights had implemented career pattern guidelines as mandated by Permenkumham Number. M.3819.KP.04.15/2006 concerning Career Patterns in the Department of Law and Human Rights and Government Regulation Number 35 of 2011 concerning Guidelines for Preparing Career Patterns for Civil Servants, in its implementation in the field the career system development within the Ministry of Law and Human Rights has taken into account elements - elements as mandated by these regulations which include formal education, job training, age, length of service, rank/class, position level, job experience, job performance assessment and job competency. However, there are still things that need to be improved, because until now the Ministry of Law and Human Rights does not have the latest career pattern guidelines which refer to Law Number 5 of 2014 concerning State Civil Apparatus, because in the field there are still many technical obstacles that have not been regulated in the career pattern guidelines. That exists now.

Keywords: The Ministry Of Law and Human Rights, Civil Servant, Career Pattern, Structural Positions.

INTRODUCTION

Background

State Civil Aparatus have a role in realizing the implementation of government duties and national development. The implementation of national development is depends on the ability of The State Apparatus. Therefore, The State Civil Apparatus should have good quality to be able to carry out their duties professionally, fairly, responsible, accurately, and correctly.

In Law number of 5 year 2014 Concern on Civil Aparatus State (UUASN) development of career State Civil Aparatus conducted based on qualifications, competence, performance assessment, and the needs of government agencies and carried out by considering integrity and morality. These competencies include :

- 1) Technical competence as measured by the level and specialization of education, functional technical training, and technical work experience.
- 2) Managerial competencies as measured by level of education, structural or management training, and leadership experience, and
- 3) Socio – cultural competence measrued by work experience related to plural societies in terms of religion, ethnicity, and culture so that they have national insight.

Integrity is measured by indicators of honesty, compliance with the provisions of laws and regulations, ability to work together, and devotion to the community, nation and state. Morality is measured by the application and practice of the religious, cultural, and social ethical values. Every civil servant has the same rights and opportunities in developing competencies, through education and training, seminars, courses. The training and its implementation are evaluated by the authorized official and used as one of the bases for appointment and career development¹.

Government Regulation No.13 of 2002 concerning the Appointment State Civil Aparatus in Structural Positions in Article 12 states that to ensure certainty in the direction of career development, a basic career pattern of State Civil Aparatus as intended. Each government agency is obliged to develop a career pattern for civil servant specifically according to their needs based on the national career pattern. To ensure the alignment of the potential of civil servants with the needs of organizing government and development tasks, a nationally integrated civil servant career pattern is prepared. The provision can be interpreted that although career patterns are prepared by each agency, both the central government (ministries, non – ministries and other state institution) provincial and district/ city governments, but must be integrated nationally. If career development refers to employees, namely efforts to improve employee careers, then career patterns are blueprints or guidelines for possible career paths that will be passed by the State Civil Aparatus.

Based on data from the National Civil Service Agency (BKN) as of December 2022, the number of civil servants in Indonesia is 4,451,098 people, men totaling 2,269,093 people, women 2,182,005 people with criteria for General Functional Positions 1,721,719 people, certain Functional Positions 2,300,350 people, Structural Positions 476,574 people. Meanwhile, the number of civil servants who will enter the retirement age limit from 2023 to 2028 is 752,271 people with details of Structural 85,829 people, Specific Functional 409,800, and General Functional 256,642 people.

The problems of State Civil Aparatus in Indonesia still revolves around low professionalism, inadequate welfare levels, distribution and composition that are not ideal, placement in positions that are not in accordance with competence, work assessments that are not yet objective, promotions that are not based on work performance, work culture and low morale, application of disciplinary regulations that are not implemented consistently and consequently and other internal civil servant issues².

The Ministry of Law and Human Rights (Kemenkumham) as a government agency that has the main tasks and functions, organizing government affairs in the field of law and human rights to assist the President in organizing state governance³. In its implementation, Kemenkumham certainly needs to be supported by a professional Human Resources management system so as to enable the organization to move agile and innovative, because it is supported by the commitment and professionalism of its employees. With the hope of carrying out the task well as the motto *Kemenkumham PASTI* (Professional, Accountable, Synergy, Transparent, Innovative). In order to realize the figure of State Civil Aparatus as mentioned, it requires the support of an organizational system that can attract the best prospective employees to join the Ministry of Law and Human Rights. One that allows the growth of employee commitment optimally is the employee management organizational system device, namely the State Civil Aparatus career pattern. A career pattern is a State Civil Aparatus development pattern that describes a career development path that shows the relationship and harmony between position, rank, education and training, competence, and the tenure of a State Civil Aparatus from the first appointment in a particular position until retirement⁴. The purpose of this basic career pattern is to provide guidelines for Central and Regional Civil Service Officers to develop civil servant career patterns within their respective agencies⁵.

The problem is how the career pattern is made, determined and implemented whether it is in accordance with the expectations for creating professional, accountable and quality civil servants, indeed the employee problems faced by most state institutions and ministries are on average the same around career patterns that are not transparent and not measurable, felt by some employees to be unfair⁶, there are employees whose careers are very fast, there are also employees whose careers can be said to be running in place.

Kemenkumham as an institution that has: 11 Esslon 1 Units, 33 Regional Offices, 269 Correctional Institutions, 162 State Detention Centers, 59 Branch Detention Centers, 33 LPKA, 4 LPAS, 63 State Confiscated Property Storage Centers 71 Correctional Centers, 5 State Curator's Offices and the Hall of Inheritance, 1 Pengayoman Hospital, 125 Immigration Offices, 13 Immigration Detention Centers, 19 RI Representatives Abroad, 79 Cross Border Posts, 130 Immigration Checkpoints, 1 Data and Information Center, 1 Correctional Science Polytechnic, and 1 Immigration Polytechnic, with 3.741 Central employees, and 43,529 Regional employees, 1,244 types of Structural Positions, 263 types of General Functional Positions (JFU) and 48 types of Specific Functional Positions (JFT)⁷. When viewed from the large number of employees and compared to the available positions, it is not comparable, so that a civil servant must have expertise and skills

according to his field of work to be able to compete objectively in occupying positions as the future career development of civil servants.

Arrangements regarding career patterns in the Ministry of Law and Human Rights have been regulated in *Permenkumham* Regulation No. M.3819.KP.04.15/2006 concerning Career Patterns for State Civil Aparatus of the Ministry of Law and Human Rights in 2006. But in its implementation the regulation still leaves problems including:

1. It has not been able to provide a clear picture of how the career system will be built in the Ministry of Law and Human Rights.
2. The substance of the existing career pattern guidelines regulates more about job requirements.
3. The mechanism of position/career movement (vertical, horizontal, condition zig zag) has not been regulated in detail.
4. As a Ministry with a large organizational structure and number of employees, the pattern of employee career mobility should be broader, this does not appear to be regulated.
5. The basic career pattern of Kemenkumham civil servants has not yet provided a map of career journeys from CPNS to retirement according to rank, position, education, age and length of service.
6. Scoring (assessment) of civil servants who will be appointed as structural officials is not yet based on elements: rank, education (diploma), DUK, and other relevant elements.

A good career pattern and implemented in the right way will actually function as a guideline for employee career paths and also function as a tool to motivate employees to work. A good career pattern will provide certainty to employees about the implementation of their duties which will determine their future in the organization. Certainty such as promotions in positions, sanctions against violations as a result of their work will encourage employees to always work optimally. Therefore, a clear career pattern is needed to improve employee performance which will lead to the overall performance of the Ministry.

Study Questions

Based on the background of the above problems, the main questions in this study are:

1. How is the concept of Obtaining Structural Positions at the Ministry of Law and Human Rights in the Perspective of Law Number 5 of 2014 concerning State Civil Apparatus?
2. How is the effectiveness of the Application of Career Patterns for Prison Officers in Obtaining Structural Positions at the Ministry of Law and Human Rights?

Purpose

This study aims to obtain an overview of data and empirical facts related to the implementation of State Civil Aparatus career patterns within the Ministry of Law and Human Rights whether it is in accordance with Permenkumham Number:

M.3819.KP.04.15/2006 concerning the Career Pattern of Civil Servants of the Ministry of Law and Human Rights in 2006 and the Regulation of the Head of the State Personnel Agency concerning Guidelines for the Preparation of Civil Servant Career Patterns. It is hoped that it can ensure objectivity in the development of Civil Servants based on the work performance system and a career system that is emphasized on the work performance system.

RESEARCH METHOD

Form

In accordance with the purpose of the study, the form of this study is categorized as an evaluation study. Because this study will present data and information accurately and objectively related to the career patterns of civil servants in the Ministry of Law and Human Rights, based on established criteria. The accuracy and objectivity of the information obtained is then expected to illustrate the value or success rate of a program (career pattern) that has been running.

Characteristic

This study is descriptive analysis that aims to describe the actual situation of civil servant career patterns within the Ministry of Law and Human Rights.

Approach

The approach that used in this Study is a quantitative approach and is supported by a qualitative approach. The quantitative approach is used to handle data that is useful for measuring the level of tendency of respondent's answers related to the subject matter. While the qualitative approach is used qualitative approach is used on the basis of maximizing all information related to the subject matter in order to obtain in-depth and comprehensive evaluation results.

Types and Sources of Data

The data to be collected consists of primary data (field research) obtained from empirical data in the form of qualitative data and quantitative data collected from each data subject, in this case the respondents / study units consist of structural officials both at the center and in the regions. While secondary data can be obtained from literature searches (library research) and data from other related agencies (Bureau of Personnel, BKN and Kemenpan).

Data Collection Method

Data collection using a questionnaire contains a list of questions in writing addressed to the subject / closed respondent (structured) and open (unstructured). Meanwhile, those selected as samples in this study were structural officials, JFT, and JFU who were in the Regional Office and UPT under the Regional Office.

Data Analysis Method

The data collected will be sorted into two types of data, namely quantitative data and qualitative data. Quantitative data obtained from structured closed questions, the data is used to measure the level of tendency of the respondents' answers using a frequency table with the formula:

$$\frac{\text{Frekuensi}}{\text{Jumlah Frekuensi}} \times 100\% = \text{Presentase}$$

Then qualitative data is obtained from field observations, direct interviews with informants and respondents using interview guidelines. Qualitative data is also obtained from questionnaires using open-ended questions, it is useful to collect and utilize all information/data related to the implementation of career patterns that have been running so far as well as the obstacles faced in its implementation within the Ministry of Law and Human Rights.

DISCUSSION

Implementation of the Career System within the Ministry of Law and Human Rights

The rules regarding the Guidelines for State Civil Aparatus Career Patterns in the Ministry of Law and Human Rights are regulated in the Minister of Law and Human Rights Regulation Number M.3819. KP.04.15. *Tahun* 2006 concerning Career Patterns for Civil Servants of the Ministry of Law and Human Rights, which refers to Law Number 43 of 1999 concerning amendments to Law Number 8 of 1974 concerning Civil Service Principles.

In order to realize the career path of State Civil Aparatus (PNS) within the Ministry of Law and Human Rights, there are 5 (five) elements that are very decisive, namely:

1. Employee Procurement and Appointment Element;
2. Element of Employee Promotion;
3. Education and Training Element;
4. Employee Assignment Element;
5. Dismissal Element.

The five elements have an important role and are interrelated with each other which is a number of career development, so that it can provide enthusiasm or motivation for each employee to always improve professionalism and can be a reference for authorized officials in the framework of appointment, transfer, and dismissal of civil servants within the Ministry of Law and Human Rights.

Field data analysis

The data in this study were obtained from Central Unit, Regional Office and UPT, which amounted to N = 209 respondents

1. Formal Education

Each level of position must be determined by the level and qualifications of the formal education level, so that it can support the organization. From the respondents' responses to the level of formal education of employees, based on the data, it can be seen that most respondents answered that the determination of employee careers at the Ministry of Law and Human Rights had taken into account the formal education level of most employees (73.21%), according to most respondents, the provision of positions was also adjusted to the level of education (58.85%), although there were still a small number (39.71%) who considered that the level of education of employees was still not in accordance with the position, in the sense that it was not linear with the position held. Then the respondents considered that positions should be given based on their abilities and expertise because, in the view of respondents, employees who have high formal education but are not in line with their abilities, should not need to be given positions (87.08%). In the sense that employees who have a high level of education do not guarantee that they can work well.

2. Education and Training

Education and training (diklat) is an effort to develop apparatus resources, especially to improve professionalism related to administrative skills and management skills (leadership). To improve the quality of abilities related to work ability, thinking and skills, education and training are needed⁸. Education is an activity effort to improve a person's general knowledge, including the theory to decide issues related to goal achievement activities. Meanwhile, training is an activity to improve work ability through practical knowledge and its application in efforts to achieve goals.⁹ Job training must be followed by a civil servant who is appointed in a position to improve skills and expertise in the field of his duties.

In the context of employee development as an effort to improve quality, such as: skills, knowledge, expertise and employee character are carried out through education and training. Education and training provided to employees must be in accordance with the requirements needed, so that the improvement of employee quality will be truly fulfilled. At the Ministry of Law and Human Rights, the signing shows that most of the training attended by employees, especially in-service training, according to most respondents, has been taken into consideration by the leadership in determining the career of¹⁰ employees (52.15%), although there are still some (46.4%) who judge otherwise.

Expertise or ability official in the environment Ministry of Law and Human Rights in carry out tasks are mostly most respondents assessed already in line with (51.67%) and the remaining (46.89) respondents' answers, assessing that the expertise of officials is not in line with the needs of the organization at the Ministry of Law and Human Rights. This means that, overall, the Ministry of Law and Human Rights has been relatively good at placing employees, but improvements must still be made in terms of expertise and ability to carry out tasks in order to create employees who have reliable professionalism in carrying out their duties.

Ability is one of the elements in maturity related to knowledge or skills that can be obtained from education, training and experience¹¹. The ability to carry out tasks, especially officials at the Ministry of Law and Human Rights, according to most respondents (78.47) assessed that the ability of officials at the Ministry of Law and Human Rights has increased according to the needs of the tasks mandated by the organization. Then the participation of employees in training carried out by the Ministry of Law and Human Rights according to most respondents (69.23%) has been in accordance with the needs of the organization and assignments or in terms of the right man on the right place (73.56%) while according to some respondents (50.72) there is still a tendency to send training participants not from the field that requires it. But overall the respondents assessed (90.43%) that the training conducted by the Ministry of Law and Human Rights could clearly make employees more skilled in carrying out their duties, and was in accordance with the demands of bureaucratic reform (81.34%).

3. Age

Age is related to formal education and tenure in the career development of a civil servant. A person's career is also influenced by age, that each individual at a certain age level has a role that must be carried out in accordance with the stages of development. The relationship between individual age and stage of career development has a role in career maturity that must be carried out in accordance with the stages of development¹².

Based on the data obtained, it can be seen that 54.07% of respondents answered Yes while (43.54%) of respondents answered No. This means that the current Ministry of Law and Human Rights has considered the age factor in career determination, indeed, if we look at some theories that old age does not necessarily indicate maturity in action and behavior. Mature age is not synonymous with old, and vice versa old age also does not always mean mature. Likewise, a civil servant who has an old age does not mean that he automatically has the ability in his field of work, not necessarily when compared to civil servants who are younger. Whereas in the progress of an institution what is needed is an employee who has maturity in action and has high competence.

4. Working Period

Working period is the period of time a person has worked for an organization, institution and so on. A person's tenure in the organization needs to be known because tenure is an indicator of the tendency of workers to carry out activities. For example, for work productivity, the longer a person works, the higher his productivity will be because he is

more experienced and has good skills in completing the tasks entrusted to him¹³ Working period can also be interpreted as work experience, namely the length of time a person works in an agency or organization which is calculated from the first time he works, the longer a person works, the more experienced employees will be considered¹⁴.

At the Ministry of Law and Human Rights, a person's tenure in a certain position is something that should be taken into consideration because it will be related to one's career in the future, if an official is hampered by the promotion process, of course it will have an impact on the careers of other employees below him and in the end the regeneration of positions does not run optimally.

Based on the data obtained in the field, it shows that in the Kemenkumham environment, most respondents (56.46%) think that the tenure has been taken into consideration by the leadership in determining positions, while (43.54%) respondents stated that it is better, the tenure has not been a reference for occupying a position, because the respondents think that a long tenure is not necessarily able to work well (86.12%), According to Stephen P. Robins (2006, 46) Ability (ability) is an individual's capacity to carry out various tasks in a particular job. The entire ability of an individual is essentially composed of two sets of factors, namely intellectual ability and physical ability¹⁵.

Meanwhile, according to Mc Shane and Glinow in Buyung (2007: 37) ability the natural aptitudes and learned capabilities required to successfully complete a task. Intelligence is the natural aptitude that helps employees learn certain tasks faster and perform them better¹⁶.

So the overall value means that an employee cannot be assessed only because of the length of service, but it will be more objective if the assessment is based on abilities and expertise based on the education possessed, without excluding certain people who are given certain talents by God. So it will be more objective in the assessment if the leader in giving the position considers the ability of the employee concerned.

5. Rank

The rank/person of a civil servant is related to the position occupied and/or the formal education possessed. If a person's career system in the organization is going well, it can be seen from the harmony between the rank and position he has. If the rank and position are not in line, it means that there is a problem with the career of a civil servant or it could be that the career system in the organization is not going well. Respondents' opinions about rank are related to career determination are:

Based on the data, it shows that according to most respondents (71.15%), they think that rank has become a consideration for the leadership to determine career advancement. Determine the career direction of an employee within the Ministry of Law and Human Rights. While (28.85%) respondents felt the opposite. This means that leaders in this Ministry have considered the rank component in accordance with BKN Regulation Number 35 of 2011 concerning Guidelines for the Preparation of State Civil Aparatus Career Patterns.

The definition of rank in PP 7/1977 concerning Civil Servant Salary Regulations states that what is meant by rank is a position that shows the level of a civil servant in a series of civil service arrangements. Meanwhile, Drs.D.S Widodo in his book Principles of Civil Service Administration suggests that rank is a person's position in a series of all levels of civil service¹⁷. Meanwhile, the definition of promotion according to experts, promotion is something that is generally coveted by each employee (Manullang, 1997) ¹⁸. So it can be concluded that the definition of promotion is a motivation or encouragement for civil servants to further increase their dedication in carrying out their duties. There is also a promotion which is an award given for the service of the civil servant concerned to the state. Promotion is usually based on ability, seniority, examinations, interviews, a combination of several of these factors.

In Republic of Indonesia Law Number 8 of 1974 on the Principles of Civil Service, the appointment of civil servants in something position is carried out by pay attention to the rank level assigned to the position. The obligations that have been carried out by an employee are the main consideration for the employee to obtain awards from the leadership, which include promotion coaching without ignoring the existing formation. The obligations of an employee generally include elements of loyalty, work performance, responsibility, obedience, honesty, cooperation, initiative and leadership:

The purpose of promotion for employees is

- a. To provide encouragement or work enthusiasm for employees in carrying out activities or office work.
- b. To give appreciation for the services of employees to the agency
- c. To provide opportunities for employees to develop a better career.

6. Position Experience

Experience can bring out the potential in a person, people who are experienced in working have better work abilities than people who have just entered the world of work, because these people have learned from the problems that arise in the world of work. With work experience, there has been a process of adding knowledge and skills and attitudes to a person. This can support self-development through existing changes. If a person already has good work experience, he can be promoted to a position, so that the job experience gained makes him able to complete tasks in a new position, with a new position. It is hoped that he will be more capable and skillful and able to carry out his job duties.

In line with this, according to the law (law of exercise), it is stated that in the law of exercise or the law of disuse (the law of use) it is stated that the relationship between stimulus and response will become stronger or closer if it is often used (use) or often trained (exercise) and will decrease, even disappear altogether if it is rarely used or never at all¹⁹. The opinions of the respondents regarding job experience are related to career determination:

Experience in the Ministry of Law and Human Rights is something that is very much considered, because the average official who is in the central agency as well as those in the vertical units in the regions is the result of promotions and mutations after being placed in certain areas and certain positions in this ministry.

Experience in this context is not related to the level of seniority of an employee, although this is still being debated. Rather, it is more about the variety of positions that an employee has held in the organization. Some observations suggest that in promoting an employee, the leadership does not only consider experience, but there is a kind of appreciation of his service to the institution. Based on the data we obtained from most respondents (78.95%), it is considered that work experience has been taken into consideration by the leadership in this ministry in determining careers, and according to respondents (93.78%) employees who have experience in certain fields should be given positions in accordance with their experience. expertise because according to respondents (89.00%) one of the success factors is the work experience possessed by an employee, then if an employee is experienced in a certain field according to respondents (73.68%), he should be rolled to a new place so that he gets new experience and expertise so that in the future the official masters his new duties (for example for candidates for Regional Heads).

7. Assessment of Work Achievement

Civil servant work performance appraisal is a systematic assessment process carried out by appraisal officials on employee work targets and civil servant work behavior. Work achievement is the result of work achieved by each civil servant in an organizational unit in accordance with employee work targets and work behavior. Employee Work Target, hereinafter abbreviated as SKP, is a work plan and target to be achieved by a civil servant.²⁰

The assessment of civil servants' work performance aims to ensure the objectivity of civil servant development which is carried out based on a work performance system and a career system which focuses on the work performance system. Work performance assessment is carried out for a civil servant who will or is occupying a position. Civil servant work performance assessment is carried out based on the principles of Objective, Measurable; Accountable; Participatory; and Transparent²¹ as for the benefits that can be obtained from work performance assessment are:

- a. To determine career development or promotion
- b. To determine training
- c. To determine payroll standards
- d. To determine employee transfer or transfer
- e. Increase employee productivity and responsibility
- f. Increase employee motivation
- g. Avoid favoritism
- h. Measuring the success of one's leadership

Work performance appraisal is carried out systematically with an emphasis on the level of achievement of employee work targets or the level of achievement of work results that have been prepared and agreed upon between Civil Servants and Appraisal Officers. Based on the data, it shows that according to the views of some respondents (53.59%) experienced employees should be given the opportunity to be promoted to other places because according to the views of respondents (47.37%) promotion must consider employee performance. From the overall value of employee performance appraisal at the Ministry of Law and Human Rights, respondents (50.72%) considered that structural officials at the Ministry of Law and Human Rights were able to elaborate leadership policies effectively, quickly and accurately.

8. Position Competency

According to Regulation Head Agency Civil Service Number 7 of 2013 About Guidelines for the Preparation of Standard Managerial Competency Standards for State Civil Servants, competence is characteristics managerial Competence is Soft Competence which includes aspects of knowledge, skills, and attitudes according to the duties and / or functions of the position. State Civil Aparatus Managerial Competency Standards, hereinafter referred to as Managerial Competency Standards, are the minimum managerial competency requirements that must be possessed by a civil servant. in carrying out the duties of the position. A position is a position that shows the duties, responsibilities, authorities and rights of a civil servant in a work unit of a state organization. Every position in an organizational unit must have a position competency standard.

Based on the data, it shows that career opportunities at the Ministry of Law and Human Rights according to the responses of respondents have taken into account the abilities of employees (56.94%), according to most respondents (69.86%), the provision of positions is based on organizational needs, it can be seen that there are rarely vacant positions in the regions. The composition of existing positions according to most respondents (65.07%) is in accordance with the development of the organization. According to respondents (59.81%) all employees in this ministry have the same career opportunities and most employees have the opportunity to compete fairly, because employees consider that positions are awards for work achievements (47.85%), while employee career development according to most respondents has received attention from superiors (53.59%) and not gifts from superiors (56.46%). In order to ensure objectivity in the development of civil servants based on the career system and work performance system, according to respondents, the Rank Order List (DUK) is a requirement in determining careers at the Ministry of Law and Human Rights (54.00%). Then the competence of positions in the Ministry of Law and Human Rights according to most respondents (67.46%) has been taken into consideration in determining the career of employees at the Ministry of Law and Human Rights.

According to most respondents (67.46%) in employee performance appraisals, in order for job competence to be taken into consideration in determining careers at the Ministry of Law and Human Rights, the competence of prospective officials must be tested (89.9%). While by (54.00%) respondents wanted that in order to be able to occupy structural positions, prospective officials should undergo a medical test, to occupy these structural positions a civil servant needs to go through an assessment test (67.46%) and the results should be announced (published) (89.96%), while in the implementation of the assessment test that has been carried out so far according to the answers (46.89%) the respondents have been satisfied. Then according to most respondents to occupy positions it is also necessary to consider taking a fit and proper test (93.30%) and according to respondents the results must be announced (77.51%).

For more transparency, respondents (65.55%) hoped that the Ministry of Law and Human Rights would implement an open bidding and the results would be announced, then according to most respondents (89.00%) employees who received punishment should not only be transferred but actually removed from their positions, then according to most respondents (83.73%) for granting pension extensions given on the basis of merit. For employees with immigration and correctional backgrounds, according to most respondents (64.42%), it is possible to have a career outside the field because the respondents reasoned that for career development it is not impossible for these employees to have more competence than internal / general employees as long as they meet the competencies and are capable. Competence is formed due to experience / learning process to increase knowledge and work experience, and it is not impossible that this is obtained from other work units.

Obstacles Faced in the Implementation of Career Patterns at the Ministry of Law and Human Rights

Career patterns must prioritize work achievements. Achievement is an accumulation of experience, education and environment. However, good achievement is certainly a strong effort from within a person, even though due to limited education, experience and support from coworkers. The influence of achievement in determining career paths will be very clear if the indicators or standards for occupying certain positions are dominantly based on achievement.

But often the regulations are good enough but at the level of implementation there are still often obstacles, such as the implementation of career patterns in the Ministry of Law and Human Rights such as weaknesses in implementation:

Formal Education

In determining careers, the level of formal education of employees has not been fully considered by respondents (24, 88%), while there were 49 respondents who revealed that there was still a dichotomy of technical and non-technical educational backgrounds in the scope of Correctional and Immigration duties.

Education and training

The delivery of training participants is still not in accordance with the field that requires it based on the respondent's answer of (50, 72%), then the opportunity to take part in training for certain regions in Indonesia has not been fully accommodated, this has an impact on the lack of opportunities for promotion and the lack of expertise of technical officers in the regions, because according to the Human Resources Development Agency (BPSDM) the costs for calling training participants for the eastern region have mostly not been accommodated.

Age

According to some respondents (43.54%), age is not a consideration in determining the career of a civil servant in the Ministry of Law and Human Rights, but is assessed by performance and achievement in completing the work.

Period of service

The length of service is one of the components in evaluating career patterns and this of course can be used as a basis for determining one's career in the organization, according to (43.54%) respondents the Ministry of Law and Human Rights has not considered the length of service in determining the position of an employee. Then according to 14 respondents we interviewed stated that until now there is no career pattern rule to be guided, there are no job competency standards and performance and position assessments that can be used as a basis for determining careers.

Rank

Rank for a civil servant is a certainty, which of course is related to the length of service, but that does not mean that automatically someone who has a high rank will get a better career, because there are other components that must also be considered such as work performance. According to respondents (28.85%) think that the Ministry of Law and Human Rights has not considered rank in determining employee careers. While there are as many as 33 respondents stated that, in the regions (Regional Office) there are too many employees who have class III (three) this of course makes a problem in coaching, because there are staff whose rank is higher than their superiors so that their staff are difficult to get promoted. It seems that this has not been regulated proportionally, because according to 18 respondents, they feel that rank does not affect an employee in getting a position (career path).

Position experience

Position experience of a State Civil Aparatus is a certainty, but whether that experience can have implications for performance can be seen from speed and accuracy in completing work. According to respondents (20.57%), work experience has not been taken into consideration in career determination. A total of 20 respondents we interviewed stated that in this ministry there is no regeneration of prepared candidates for officials.

Work performance assessment

Work performance appraisal is more defined as a record of the results of work achieved by a person as success in carrying out the tasks assigned to him based on skills, experience, and seriousness and time over a certain period of time. According to the opinion of respondents (52.15%) that promotions within the Ministry of Law and Human Rights have not considered work performance assessments.

Position Competency

The notion of competence refers to the ability of people to fulfill the requirements of their current or future roles. Thus, competence is not only related to current performance. Competencies can also be used to predict future performance because competencies are sustainable characteristics that generally do not disappear. Competence should be used to refer to the area of work in which a person is competent. Competence should be used to refer to the dimensions of behavior that underlie competent performance.²² Job competence can be interpreted as the ability of an employee in a particular field of work, according to the respondent's opinion, in terms of job competence, it has become a concern at the Ministry of Law and Human Rights, the respondent's answer was (56, 41%), but it still has to be considered as well other components in career determination include the provision of positions, the capacity of the number of positions must be in accordance with the development of the organization, equal career opportunities and get the opportunity to compete fairly.

Other obstacles can be seen from the unregulated career patterns of civil servants in this Ministry, responses from most respondents (89.96%) that the competency tests organized by the Ministry of Law and Human Rights (assessment test, fit and proper test, computer assessment test) the results are not published, thus arousing suspicion among employees, then until now this Ministry is still using the old career pattern guidelines, and this should be of more concern to the leadership to immediately complete the making of new career guidelines that refer to Law No.5 of 2014 concerning State Civil Apparatus (ASN).

CLOSING

Conclusion

Based on the data obtained through this study in the five samples mentioned above, it can be concluded that the Ministry of Law and Human Rights in implementing the employee career system has paid attention to the elements as mandated by the Regulation of the Minister of Law and Human Rights Number M.3819.KP.04.15. *Tahun* 2006 concerning Career Patterns of Civil Servants of the Ministry of Law and Human Rights and Regulation of the Head of BKN in 2011 concerning Guidelines for the Preparation of Civil Servant Career Patterns which include formal education, position training, age, years of service, rank / class space, position level, job experience, work performance assessment, and position competence, but in its implementation there is still something to be improved, because until now the Ministry of Law and Human Rights has

not yet implemented the career system has the latest career pattern guidelines that refer to Law No. 5/2014 on State Civil Aparatus.

Obstacles in structuring the civil servant career system within the Ministry of Law and Human Rights include career determination that has not fully considered expertise and abilities, there are still training participants who are not in accordance with the fields of work that require them, training opportunities for certain regions in Indonesia have not been fully accommodated, promotions within the Ministry of Law and Human Rights have not fully considered work performance assessments. The competency test organized by the Ministry of Law and Human Rights the results have not been announced, so the participants do not know the results / scores obtained, and until now there are no latest rules related to the development of career patterns to be guided.

Suggestion

1. The Ministry of Law and Human Rights, needs to immediately develop career pattern guidelines in accordance with Law Number 5 of 2014 concerning State Civil Apparatus.
2. The Career Pattern Guidelines should contain the following matters:
 - a) Contain a pattern of career paths, which is the direction of a person's progress in their field of work. The path the career path is made complete by containing the names of positions that can and may be occupied by an employee and the requirements to be able to occupy the position. The pattern created will be a picture and guide for employees and organizations to know in which direction they can advance in their careers if they are willing and able.
 - b) Contain job families that are compatible, have similarities, and are correlated in their functions and duties. This is important so that the direction of repositioning (promotion and mutation) of civil servants is clearer and civil servants themselves can conduct a self-assessment of their future career development. In addition, the running of the organization will be more optimal and effective.
 - c) Contains and regulates about recruitment, education and training, mutation and promotion patterns, retirement and dismissal.
3. There needs to be a time limit related to the minimum and maximum tour of duty/area (suggested 3-5 years) an official occupies in one position, or one region.
4. Especially for positions in the Correctional Environment and Immigration which are unique in their fields of work there is a need for fast-track (accelerated career path), which is more equitable, which is related to the same career span as other positions outside the field (positions in Immigration and Corrections start from Echelon V).
5. In order to be clear and measurable in the assessment, the tests carried out to employees should be more quantitative and to further ensure objectivity in the assessment, fit and profer tests, assessment tests, and computer assisted tests (CAT) should be announced and there should be a follow-up of the test results.

6. Improve the quality and quantity of training and technical skills, especially those related to expertise that leads to structural positions and functional positions, this is to provide stimulation for employees to choose their career path.
7. Implementation of technical and structural training is carried out based on the needs of the organization up to the Union. Technical Implementation Unit (UPT) in all Offices Regional Offices to support the smooth running of implementation of tasks, especially in UPT located in the Indonesian part of Eastern Indonesia and in other remote areas.
8. Human Resources Development Agency to build a database development of training for employees of the Ministry of Law and Human Rights so that the implementation of training is right on target, and builds professional, accountable, synergistic, transparent, and innovative human resources.

Footnotes:

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