

THE SYSTEM OF PART-TIME JOB SALARY UNDER ISLAMIC ECONOMIC LAW AND THE GOVERNMENT REGULATION: A case study at Maroon Café Banda Aceh, Indonesia

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Abstract

The growth of part-time work systems in the culinary business sector, particularly among micro and small enterprises, has created new challenges in human resource management, especially concerning workload fairness and wage systems. Café Maroon in Banda Aceh is one such business that applies a part-time work scheme for its employees. This study aims to analyze the system of workload determination and the relevance of part-time employee wages at Café Maroon based on the perspective of the *Ijarah 'Ala al-'Amal* contract in fiqh muamalah (Islamic commercial jurisprudence) and Government Regulation (PP) No. 36 of 2021 concerning Wages. This research employs a descriptive qualitative method with a normative and empirical juridical approach. Data were collected through in-depth interviews, direct observation, and documentation involving part-time employees and the management of Café Maroon. The results indicate that the part-time work system at Café Maroon has fulfilled aspects of work agreement and wage payment timing. However, an imbalance remains between the workload and the wages provided. From the perspective of *Ijarah 'Ala al-'Amal*, clarity of work and fairness in compensation have not been fully implemented. Similarly, within the framework of Government Regulation No. 36 of 2021, wage determination has not yet reflected the principle of a decent living as mandated by the regulation. This study recommends the need for fair and proportional adjustments to part-time wage policies, as well as the formulation of written employment contracts as a form of legal protection that aligns with both fiqh muamalah principles and positive law.

Keywords: Islamic Economic Law, *Ijarah 'Ala al-'Amal*, Government Regulation and Part-time,

Abstrak

Penerapan sistem kerja paruh waktu yang semakin luas di industri kuliner, terutama di kalangan usaha mikro dan kecil, menimbulkan tantangan baru dalam manajemen sumber daya manusia, khususnya terkait keadilan beban kerja dan sistem upah. Cafe Maroon di Banda Aceh merupakan salah satu contoh usaha yang menerapkan skema kerja paruh waktu bagi karyawannya. Penelitian ini bertujuan untuk menganalisis sistem penentuan beban kerja dan relevansi upah karyawan paruh waktu di Cafe Maroon berdasarkan perspektif kontrak *Ijarah 'Ala al-'Amal* dalam hukum dagang Islam dan Peraturan Pemerintah Nomor 36 Tahun 2021 tentang Pembayaran Upah. Penelitian ini menggunakan metode deskriptif kualitatif dengan pendekatan hukum normatif dan empiris. Data dikumpulkan melalui wawancara mendalam, observasi langsung, dan dokumentasi terhadap karyawan paruh waktu dan manajemen Cafe Maroon. Hasil penelitian menunjukkan bahwa sistem kerja paruh waktu di Cafe Maroon telah memenuhi aspek perjanjian kerja dan jadwal pembayaran upah; namun, ketidakseimbangan antara beban kerja dan upah yang dibayarkan masih ditemukan. Dari perspektif *Ijarah 'Ala al-'Amal*, kejelasan pekerjaan dan keadilan kompensasi belum sepenuhnya diterapkan. Demikian pula, dalam kerangka Peraturan Pemerintah Nomor 36 Tahun 2021, penetapan upah tidak mencerminkan prinsip standar hidup yang layak sebagaimana diamanatkan oleh peraturan tersebut. Penelitian ini merekomendasikan perlunya penyesuaian kebijakan upah paruh waktu yang adil dan proporsional, serta penyusunan kontrak kerja tertulis sebagai bentuk perlindungan hukum yang sesuai dengan prinsip-prinsip hukum perdagangan Islam (*fiqih muamalah*) dan hukum positif.

Kata kunci: *Ijarah 'Ala al-'Amal*, Hukum Ekonomi Islam, Peraturan Pemerintah, dan Upah

INTRODUCTION

Workers or laborers are part of the workforce who perform their duties in an employment relationship under the direction of an employer. Individuals who work as workers/laborers are obligated to fulfill their responsibilities and comply with the agreed-upon work regulations. In return, workers are entitled to receive wages or other appropriate compensation. Every worker has the right to earn a sufficient income to meet a decent standard of living, in accordance with humanitarian principles, including basic needs such as food, clothing, housing, education, health services, and old-age security for themselves and their families.¹

¹ Arif Bahtra Sukma, *Legal Review of Delayed Wage Payments at CV. Zafira Teknik Based on Government Regulation No. 78 of 2015 on Wage Payment* (Riau: UIN Suska, 2017), 2.

An employment relationship is essentially a bond between an employee or worker and an employer that is formed after an employment agreement has been reached. This agreement signifies a mutual understanding, whereby the employee agrees to perform specific tasks and the employer commits to providing wages in accordance with the terms of the agreement. This employment agreement typically includes essential elements such as the identities of the parties, mutual understanding or agreement, the performance or obligations to be carried out, the form of the agreement (whether oral or written), specific terms and conditions as the content of the agreement, and the objectives to be achieved through the employment relationship.²

An employment contract is the result of an agreement between an employee and an employer that must be carried out in accordance with the agreed-upon terms, without deviating from the contract's content.³ This cooperation is reflected in the reciprocal relationship between employers and employees, both within the employer-employee relationship and between employees, which aims to build and improve the quality of the company. Through this employment relationship, employers can benefit from the results of the work produced by the workforce. At the same time, employees receive compensation in the form of wages as a form of remuneration for their contributions.⁴

A contract has the power to establish an agreement between two or more parties, defining the legal rights and obligations of each party.⁵ Therefore, a legally binding agreement is written in the form of a contract.⁶ "The determination of hourly wages only applies to workers/laborers who work part-time," as stated in Article 15(1) and (2) of Government Regulation No. 36 of 2021. Workers or employees and employers reach an agreement

² R. Soebakti and R. Tjitrisadibio, *Civil Code Article 1313 (Burgelijk Wetboek)* (Jakarta: Pradya Paramita, 2016), 8.

³ Chairul Fahmi, *Hukum dan Fenomena Sosial* (Aceh Justice Resource Centre, 2015), Banda Aceh, //ruangbaca-fsh.ar-raniry.ac.id%2Findex.php%3Fp%3Dshow_detail%26id%3D3123%26keywords%3D.

⁴ Adrian Sutedi, *Labor Law* (Jakarta: Sinar Grafika, 2019), 14.

⁵ Chairul Fahmi, "The Impact of Regulation on Islamic Financial Institutions Toward the Monopolistic Practices in the Banking Industrial in Aceh, Indonesia," *Jurnal Ilmiah Peuradeun* 11, no. 2 (2023): 2, <https://doi.org/10.26811/peuradeun.v11i2.923>.

⁶ Huala Adol, *Fundamentals of International Contract Law* (Bandung: Refika Aditama, 2016), 15.

regarding the payment of hourly wages.⁷ Therefore, the granting of such rights must be based on the principle of fairness encompassing all industrial sectors, particularly employers, to ensure that the provisions of laws and regulations truly fulfil workers' welfare.

The development of the culinary sector in Banda Aceh has shown rapid growth, marked by the proliferation of cafes, restaurants, and other modern food businesses. To support efficient business operations, many business operators, including Cafe Maroon, have implemented a part-time or flexible work system, particularly for students and young workers. This system provides flexibility for both employers and employees.⁸ Cafe Maroon, also known as Maroon Cake and Pastry Coffee, is a popular cake and coffee shop in Banda Aceh. Located at Jalan Teuku Moh. Daud Beureueh No. 153, Lampriet area, Kuta Alam district, Banda Aceh city. This café is known as a favorite spot to enjoy cakes, pastries, and various coffees, such as red velvet cake and Nutella bomboloni, as well as a relaxed gathering place in the afternoon. Part-time workers who have an agreement with the employer are entitled to a wage system based on units of time, as regulated in Government Regulation No. 36 of 2021 on Wages. The Islamic legal framework regarding employment and wages is based on the Ijarah 'ala al-'Amal contract, which states that one person may hire another to perform work in exchange for a predetermined compensation. This principle requires clarity regarding the type of work, duration of employment, and the value of compensation received by the worker, ensuring that no party is disadvantaged.⁹

Based on interviews with part-time employees at Cafe Maroon, it was found that the work system is divided into two schemes, namely full-time and part-time work. Part-time employees work 5 hours per day, while full-time employees work 8 hours per day. Tasks are assigned based on work divisions, such as waiters, kitchen, and grand kitchen, with a weekly rotation system in place. Part-time workers receive a daily wage of Rp 30,000, or approximately Rp 900,000 per month. Furthermore, from the interviews, it was found that the work system at Cafe Maroon is undergoing managerial changes, one of which is the implementation of a sales target system. If targets are met, employees

⁷ Article 15(1) and (2) of Government Regulation No. 36 of 2021

⁸ Dian Ekawati and Karyoto Karyoto, "The Implementation of the Wage System for Domestic Workers (PRT): A Legal Review of Article 2 Paragraph 2 of Government Regulation No. 36 of 2021," *Mizan: Journal of Law* 13, no. 2 (2025): 79-89.

⁹ Musyaffa Rafiqie and Erfan Habibi, "The Concept of Ijarah 'ala al-'Amal in Determining Ujrah," *Aghnina: Journal of Islamic Economic Law* 1, no. 1 (2024).

receive bonuses; if not, only their basic salary is paid.¹⁰ Additionally, part-time workloads are rotated weekly, particularly in the kitchen, such as preparing ingredients. While this system provides an equitable experience, it also involves varying levels of difficulty.¹¹ In practice, *Ijarah* not only regulates working hours but also the weight of the work. Heavier workloads require higher wages (*ujrah*) to align with the principle of *adl* (justice).¹²

In their research, Rafiqie and Habibi explain that the *Ijarah 'Ala Al-'Amal* contract is a form of service or work contract, which, under Islamic law, emphasizes clarity, fairness, and mutual agreement in determining wages (*ujrah*). This concept is highly relevant in the context of modern employment, including for *part-time* workers in sectors such as cafes and restaurants. The authors emphasize that, in practice, this contract requires the type of work and the value of compensation to be specified in detail and agreed upon by both parties before the work commences. If the workload increases or changes, then an adjustment to the wage must be made as a form of protection for the worker and to uphold the principle of fairness in the contract. In the context of Café Maroon, this principle is vital to ensure that the working relationship between management and *part-time* employees remains aligned with Sharia values. This also serves as a reminder that the daily or hourly wage system must still consider the actual workload and complexity of the tasks performed.¹³

Research on work systems and wages has been extensively conducted, with a particular focus on minimum wage regulations, the rights of permanent workers, and formal labor standards. However, few studies have specifically examined *part-time* work systems in the small-scale culinary sector, such as cafes, especially in the context of implementing workloads proportional to wage values. Furthermore, few studies have examined this issue from two perspectives simultaneously: Indonesian positive law (Government Regulation No. 36 of 2021) and Islamic legal principles, particularly the *Ijarah*

¹⁰ Direct interview with Fitriani Mulkan, *part-time* employee at Café Maroon, Lampriet, Kuta Alam District, Banda Aceh, June 10, 2025.

¹¹ Indah Widya Ningrum, *Legal Analysis of the Delay in Payment of Part-Time Workers' Wages (Case Study of Papaci Coffee, Ngaliyan Square)* (Undergraduate Thesis, State Islamic University Walisongo, 2022).

¹² Willy Ninda Azhari, Bismi Khalidin, and Faisal Fauzan, "Analysis of Wage Determination for Chili Farmers in Lhoong Aceh Besar from the Perspective of *Ijarah 'Ala Al-'Amal*," *Al-Mudharabah: Journal of Islamic Economics and Business* 3, no. 1 (2022): 42-55.

¹³ Musyaffa Rafiqie and Erfan Habibi, "The Concept of *Ijarah 'Ala Al-'Amal* in Determining *Ujrah*," *Aghniya: Journal of Islamic Economic Law* 1, no. 1 (2024): 210-225, <https://ejournal.uin-suka.ac.id/syariah/aghniya/article/view/4990>.

'*Ala al-'Amal* contract. Therefore, this study aims to fill this gap in the literature by linking the practice of *part-time* work within the system in the field with applicable legal and Sharia standards, thereby offering a more comprehensive and equitable understanding.

Based on the above background, the author is interested in further examining the "System for Determining part-time Workload and Its Relevance to Employee Wages at Cafe Maroon in Banda Aceh City According to the Concept of *Ijarah Ala Al-Amal* and Government Regulation No. 36 of 2021." Thus, this article questions the extent of the relevance between workloads and the wages paid, as well as how an ideal work system model can be formulated to not only meet formal legal aspects but also reflect Islamic values of justice and be practically applied in the small and medium-scale culinary business sector in Banda Aceh.

RESEARCH METHOD

The type of research used in this study is qualitative descriptive, intending to systematically describe the conditions of workloads and wage systems, as well as assess their compliance with positive law and Sharia norms.¹⁴ This study combines an empirical framework with a normative legal framework.¹⁵ This study applies a normative legal method to analyze relevant legal standards, with a focus on wage provisions in Government Regulation No. 36 of 2021 and sharia principles outlined in the *Ijarah 'Ala al-'Amal contract*. Meanwhile, an empirical approach is used to examine the reality of practices in the field, namely the work system and wage payment for *part-time* employees at Cafe Maroon in Banda Aceh City.

The research location was determined purposively, namely Cafe Maroon in Lampriet, Kuta Alam District, Banda Aceh City, which was selected because it has characteristics that are in line with the research topic, namely the implementation of a part-time work system that is considered relevant for analysis based on sharia principles and Indonesian wage law. Research informants were selected using purposive sampling, based on the consideration that they had direct experience and in-depth knowledge of the *part-time* work system and wages at the cafe. The number of informants was

¹⁴ I. M. Jaya, *Quantitative and Qualitative Research Methods* (Yogyakarta: Anak Hebat Indonesia, 2020), 20.

¹⁵ Muhammad Siddiq Armia, *PENENTUAN METODE & PENDEKATAN PENELITIAN HUKUM*, ed. Chairul Fahmi (Lembaga Kajian Konstitusi Indonesia, 2022).

adjusted according to data requirements until data saturation was achieved, i.e., when the information obtained no longer showed significant variation or new findings.¹⁶ Primary data was obtained through in-depth interviews with three *part-time* employees and the operational manager of Cafe Maroon. In contrast, secondary data was collected from legal documents, scientific literature, journals, and relevant articles. Data collection techniques included direct observation, documentation, and structured interviews.

After the data was collected, a qualitative analysis process was conducted by classifying the data based on central themes such as workload, form of employment relationship, wages, and principles of fairness. This analysis was then compared with the provisions of Government Regulation No. 36 of 2021 and the values in the concept of *ijarah 'ala al-'amal*, enabling conclusions to be drawn regarding the extent to which practices in the field reflect compliance with positive law and sharia. Data validity is strengthened through triangulation of sources, which involves comparing interview results, observations, and legal documents to ensure the accuracy and consistency of information.¹⁷

RESULTS AND DISCUSSION

A. The System for Determining Workload and Wages for *Part-Time* Employees According to Government Regulation No. 36 of 2021 at Cafe Maroon

As part of Law No. 11 of 2020 on Job Creation, Government Regulation No. 36 of 2021 on Wages establishes general standards for wage systems, including employee rights and company obligations. Article 5(1) of this regulation emphasizes the importance of wage policies in realizing workers' or laborers' rights to a decent standard of living.¹⁸ This provision serves as the basis for evaluating whether the workload determination and wage system for *part-time* employees at Cafe Maroon aligns with the principles of fairness as mandated by the government.¹⁹

¹⁶ Lexy J. Moleong, *Qualitative Research Methodology* (Bandung: Remaja Rosdakarya, 2021), 6

¹⁷ Sugiyono, *Qualitative, Quantitative, and R&D Research Methods* (Bandung: Alfabeta, 2021), 124.

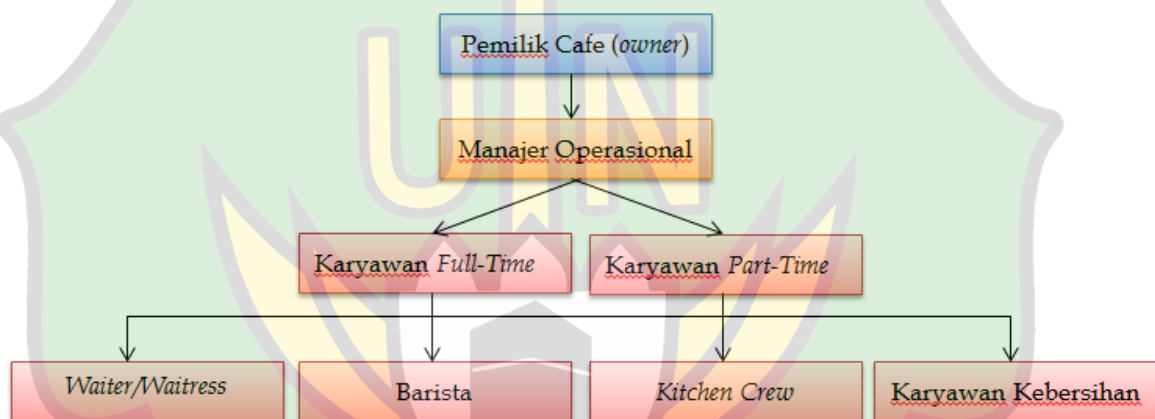
¹⁸ Article 5(1) of Government Regulation No. 36 of 2021 on Wage Setting.

¹⁹ Aceh Provincial Government, "Governor of Aceh's Decision on the Minimum Wage for 2025," <https://jdih.acehprov.go.id> (accessed July 2, 2025).

1. Determination of Workload for Part-Time Employees at Cafe Maroon

Cafe Maroon implements a part-time work schedule based on daily shifts of 5 hours, typically in the afternoon to evening hours, adjusted to peak visitor patterns. In practice, this work schedule includes service tasks (waiter/waitress), menu preparation (barista), and kitchen activities (kitchen crew) with a weekly rotating schedule to ensure that each employee gains diverse experience. This rotating schedule also enables the even and efficient distribution of workloads. The scheduling is managed by the operations manager, taking into account the availability of employees, most of whom are *part-time* students (with 5–7 part-time employees).²⁰ The following is the organizational structure of Cafe Maroon:

Organizational Structure of Cafe Maroon



Based on the above diagram, the organizational structure of Cafe Maroon is quite efficient yet straightforward, aligning with the scale of a micro- to medium-sized business. Within the organizational structure, the Cafe owner serves as the highest decision-maker, followed by the operations manager, who is responsible for ensuring the smooth operation of daily activities, including scheduling employee work shifts, procuring raw materials, and overseeing service and food quality. Under the manager, there are two main categories of staff: full-time and part-time employees. Each category is further divided into several positions, including waiters/waitresses, baristas, kitchen

²⁰ Interview with Muhammad Haycal, Operations Manager of Café Maroon, Lampriet, Kuta Alam District, Banda Aceh City, June 10, 2025

crew, and cleaning staff. In the kitchen, a rotation system is implemented, allowing each staff member to gain experience on various production lines.²¹

Legally, Government Regulation No. 36 of 2021, specifically Article 16, stipulates that part-time workers are entitled to hourly wages determined by mutual agreement between the employer and the worker, with a minimum calculation based on the legal formula: Hourly wage = Monthly wage ÷ 126. This formula may only be revised if there is a significant change in the number of working hours.²² With a daily workload of 5 hours, Cafe Maroon proportionally sets daily wages based on the hourly rate according to the formula mentioned earlier, although the mechanism for revising the rate has not yet been explicitly included in the Cafe's SOP.

Operationally, Cafe Maroon's workload system is relatively transparent and prioritizes fairness, as follows:

1. Schedules and task assignments are managed by the operational manager, with shifts and job positions documented, ensuring employees receive a precise estimate of their daily workload.
2. Weekly rotating schedules serve as a strategy to avoid repetitive workloads, maintain employee engagement in various types of tasks, and enhance diverse skills.
3. Incentive bonuses: The implementation of mid-term bonuses as rewards for achieving targets incorporates moral and Sharia principles into the compensation practice.

Based on the above, it can be concluded that the part-time employee workload system at Cafe Maroon is designed to be flexible and efficient, adapting to daily operational needs, especially during peak hours in the afternoon and evening. Task distribution is rotated weekly, covering roles such as waiter, barista, and kitchen crew, allowing all employees to gain diverse work experience and avoid monotony. The functional yet straightforward organizational structure enables operational managers to schedule work and distribute tasks effectively. Overall, the implementation of part-time workloads at Café Maroon reflects the values of fairness and transparency, both in terms of operational aspects and employee treatment,

²¹ Interview with Klaundra, *Part-time* Employee at Café Maroon, Lampriet, Kuta Alam District, Banda Aceh City, June 10, 2025.

²² Article 16(1) and (3) of Government Regulation No. 36 of 2021 on Wages

while providing opportunities for learning and performance recognition through the rotation system and incentives in place.

2. Setting Part-Time Employee Wages at Café Maroon

The determination of part-time employee wages at Café Maroon is based on a work agreement that considers working hours, workload, and the company's financial situation. *Part-time* employees work for 5 hours per day, and their wages are calculated based on the established hourly wage scheme. An agreement between the employer and the employee is required for the payment of hourly wages by Article 16(1) and (2) of Government Regulation No. 36 of 2021. This compensation structure applies exclusively to part-time workers. At Cafe Maroon, *part-time* workers work approximately 5 hours per day with a daily wage of Rp 30,000. When calculated monthly (assuming 30 working days), the total part-time salary amounts to approximately Rp 900,000 per month. Meanwhile, according to the Governor of Aceh's Decision, the Minimum Wage for the City (UMK) of Banda Aceh for 2025 is set at Rp 3,898,856 per month.²³

Under Article 23(2) of Government Regulation No. 36 of 2021, employers may pay workers based on units of time, units of output, or other forms agreed upon by both parties.²⁴ Legally, the part-time work system implemented at Cafe Maroon is permitted as long as there is an agreement between the worker and the employer. However, Article 26(1) states that: "Wages based on units of time shall be determined proportionally under working hours."²⁵ This means that if a full-time worker works 8 hours and receives the minimum wage (UMK), then a part-time worker who works 5 hours should also receive a comparable wage. Part-time workers should receive at least 5/8 of the UMK.

In terms of employment protection, Article 55 paragraph (1) stipulates that: "Wages must be paid by employers on dates agreed upon between employers and their employees."⁵ Cafe Maroon has implemented this, as part-time employees receive daily wages as agreed and do not experience late payments. Additionally, the existence of a bonus scheme awarded when sales targets are met demonstrates a positive form of additional incentive within their work system. In general, the part-time work system at Cafe Maroon has

²³ Tri Retno Isnaningsih, Acting Director General of Industrial Relations at the Ministry of Manpower: Hourly wages are only applicable for *part-time workers*; "hourly wage types" are regulated in Article 16(1) and (2) of Government Regulation No. 36 of 2021

²⁴ Article 23(2) of Government Regulation No. 36 of 2021 on Wages

²⁵ Article 26(1) of Government Regulation No. 36 of 2021 on Wages

met the basic requirements of Government Regulation No. 36 of 2021, particularly regarding wage agreements and payment schedules. However, the aspect of proportionality between working hours and wage value remains a point for consideration to ensure that wages truly reflect the principle of “a decent standard of living” as intended by the regulation.

In practice, Cafe Maroon's wage system demonstrates several implementation advantages, namely:

- a) Transparency in wage rates, as *part-time* employees know the hourly wage rate, which is determined based on a pre-established formula.
- b) Regular payments, wages are paid daily based on the number of hours worked the previous day, ensuring certainty of receipt.
- c) Incentive bonuses, which enhance motivation and recognize extra work.
- d) Flexibility in negotiation: If employees request additional shifts, managers and owners discuss the rates to ensure fairness.

However, several improvements are needed in the determination of part-time employee wages, as follows:

1. Documentation of wage agreements: To date, adjustments to daily wages or bonuses are still made informally. To enhance legal certainty, these adjustment clauses should be included in the *part-time* employment contract.
2. Overtime evaluation: If employees work beyond 5 hours or perform tasks outside their shift (such as inventory preparation), there should be provisions for overtime pay or additional compensation by Government Regulation No. 36 of 2021 and the principles of *ijarah*.
3. Review of the hourly formula: Although the 126 formula has been implemented, the Cafe should review it if the median part-time working hours change to ensure it remains consistent with the principles of fairness and the provisions of the Regulation.

Based on the above, it can be concluded that the part-time wage system at Cafe Maroon follows the basic principles outlined in Government Regulation No. 36 of 2021, particularly Article 16 and Article 23(2), which allow wages to be paid based on units of time provided there is an agreement between the employer and the worker. In practice, Café Maroon pays a daily wage of Rp 30,000 for a 5-hour work shift, which amounts to approximately Rp 900,000 per month. This amount is significantly below the 2025 Minimum

Wage (UMK) for Banda Aceh, which is Rp 3,898,856. Referring to Article 26(1) on proportional wages, part-time workers working 5 hours (out of the standard 8 hours) should receive at least 5/8 of the UMK, which is approximately Rp 2,436,785. This highlights a disparity between working hours and wages received, despite the technical implementation of the hourly wage system.

However, Cafe Maroon has demonstrated good faith by prioritizing principles of fairness and moral incentives, including through regular and transparent wage payments, bonuses when targets are met, and flexibility in negotiating rates. From a Sharia perspective, these practices demonstrate an awareness of the principles of *al-'adl* (justice) and *al-ihsan* (appreciation for effort). From an administrative standpoint, the current wage system is not fully supported by formal contracts that explicitly outline provisions for wage adjustments, overtime, and bonuses. This is to ensure legal certainty and protection for workers in the future. Therefore, improvements in the form of Standard Operating Procedures (SOPs) and legally binding, as well as religiously valid, written employment contracts need to be implemented promptly. Overall, the part-time wage determination system at Café Maroon has adopted the national legal framework and Sharia values, making this practice a positive and worthy model. However, aspects of proportionality and formal legality still need to be improved so that the wage system truly reflects the principle of a decent livelihood as mandated by regulations and the values of justice in Islam.²⁶

B. Workload and Wage Determination System from the Perspective of Ijarah 'Ala Al-'Amal at Café Maroon

Etymologically, the term *ijarah* originates from the Arabic word *al-ajru*, meaning "reward" or "compensation." In the context of Indonesian, this word can be interpreted as compensation or wages. The term *al-ajru* is generally used to refer to the payment of wages to someone in return for work that has been completed. Meanwhile, terminologically, *ijârah* refers to a form of contract or agreement on the use of something that is permitted, whether in the form of certain goods or services, with compensation in the form of an

²⁶ Chairul Fahmi, "Transformasi Filsafat Dalam Penerapan Syariat Islam (Analisis Kritis Terhadap Penerapan Syariat Islam Di Aceh)," *Al-Manahij: Jurnal Kajian Hukum Islam* 6, no. 2 (1970), <https://doi.org/10.24090/mnh.v6i2.596>.

agreed payment. The *ijârah* contract is part of muamalah practices that play an essential role in fulfilling human needs.²⁷

In this discussion, *ijarah* is understood as a contract involving the exchange of benefits in return for a specific compensation. In the study of muamalah fiqh, the term for the party providing the service or renting is called *mu'âjir*, while the party renting is called *musta'jir*. The object being rented is called *ma'jûr*, while the compensation given for the service or benefit is called *ujrah* (wage or salary). When the *ijârah* contract is made, the *musta'jir* obtains the right to the benefit of the rented object. At the same time, the *mu'âjir* is entitled to receive payment as compensation, because this contract functions as a valid form of exchange in Islam.²⁸

In the study of muamalah fiqh, the discussion of *ijârah* is divided into two types, namely *ijârah 'ala al-'amâl* and *ijârah al-manfa'ah*. *Ijârah al-manfa'ah* refers to a lease agreement for the benefit of an object, such as renting a house, where only the right to use or benefit from the object is transferred. At the same time, ownership remains with the original owner. In return, the tenant is obligated to pay a certain amount of rent. Meanwhile, *ijârah 'ala al-'amal* is a lease agreement for a specific form of work or service in exchange for compensation in the form of wages, such as hiring a tailor or employing someone in a company.²⁹

Based on what we have learned so far, it seems that the *ijarah 'ala al-'amal* contract is a way for employers and workers to agree on a set of terms and conditions regarding the payment of wages for services rendered, to ensure compliance with legal requirements.

In the part-time work system implemented at Cafe Maroon, work is divided based on the duration of working hours and the type of tasks assigned, including kitchen crew, servers, and baristas. *Part-time* workers generally work for 5 hours per day and receive a daily wage of Rp 30,000. However, this system raises questions about whether the salary is commensurate with the actual workload and the principle of fairness in the

²⁷ Muhammad Hidayat, *Introduction to Islamic Economics* (Jakarta: Zikrul Hakim, 2010), 327.

²⁸ Nasroen Harun, *Fiqh Muamalah* (Jakarta: Gaya Medika Pratama, 2007), 228.

²⁹ Wahbah Al-Zuhaili, *Islamic Jurisprudence and Its Evidence* (Damascus: Dar al-Fajr al-Mua'sshim, 2005), 83

Ijarah 'Ala al-'Amal contract. From the perspective of Islamic jurisprudence,³⁰ *Ijarah 'Ala al-'Amal* is a contract for the rental of someone's services or labor in a specific job with wages agreed upon at the beginning of the contract. Key elements of this contract include clarity regarding the type of work, duration of work, and the value of wages or *ujrah* paid. If any of these elements are unclear or unfair, the contract is deemed invalid under Islamic law.³¹

From an Islamic legal perspective, the *ijarah 'ala al-'amal* contract requires clarity in three main aspects: the description of the work (*amah*), the duration of the job, and the agreed-upon compensation (*ujrah*) at the beginning of the contract. This principle emphasizes that if the workload increases (e.g., additional tasks or more complex work), the *ujrah* must be adjusted to maintain fairness (*'adl*). In practice, Cafe Maroon has established a bonus system based on sales targets as a form of recognition for the increased workload and contribution, even though the formal contract does not explicitly include a clause on adjusting the workload in the *part-time* contract. Furthermore, kitchen duties, such as preparing spice mixtures and preparing various menu items, involve high physical and mental intensity. If there is a heavier workload in a given workweek, a Sharia-compliant approach is necessary to ensure that wages are not fixed but include elements of flexible compensation. This aligns with the findings of Sharia economics experts, who suggest that the *Ijarah bil-Amal* contract requires compensation (*ajrul mustli*) commensurate with changes in the quality or quantity of work.³²

From an Islamic legal perspective, wage rates must also adhere to the principles of the *Ijarah 'ala al-'Amal* contract, which includes mutual agreement on the duration, type of work, and compensation (*ujrah*) from the outset of the contract. If the workload or nature of the tasks increases, the compensation value must be adjusted, reflecting the principle of justice (*'adl*) in Islamic law.³³ Cafe Maroon has implemented an incentive system in the form of bonuses when daily sales targets are met. Although these bonuses have not been

³⁰ Chairul Fahmi, "KONSEP IJMAK MENURUT FAZLUR RAHMAN DAN PEMBAHARUAN HUKUM ISLAM," *Jurnal Ilmiah Islam Futura* 11, no. 1 (2017): 35–49, <https://doi.org/10.22373/JIIF.V11I1.59>.

³¹ Jaih Mubarak, *Fiqh Mu'amalah Maliyyah: Akad Ijarah wa Ju'alah* (Bandung: Simbiosis Rekatama Media, 2018), 45–46.

³² Musyaffa Rafiqie and Erfan Habibi, "The Concept of Ijarah 'Ala Al-'Amal in Determining Ujrah," *Aghniya: Journal of Islamic Economic Law* 1, no. 1 (2024): 210–225, <https://ejournal.uin-suka.ac.id/syariah/aghniya/article/view/4990>.

³³ Abdul Azim Bin Muhammad Azhar, *Determining the Time in the Ijarah bi al-'Amal Contract According to the Shafi'i School* (undergraduate thesis, UIN Ar-Raniry, 2022), 35–39.

formalized in a contract, the application of the bonus reflects their commitment to providing additional compensation, in line with the principles of *ijarah*.³⁴

In the study at Cafe Maroon, although working hours were agreed upon (5 hours/day), variations in workload between departments led to disparities. For example, kitchen staff performed physically demanding tasks, such as preparing raw materials and cooking, compared to servers who primarily served customers. Therefore, the principle of justice in *Ijarah* requires that heavier workloads be compensated with higher wages or, at the very least, a rotation scheme and adequate bonuses. The alignment between workload and wages must also consider the principles of *ta'awun* (mutual assistance) and *'adl* (justice). In Islam, it is not permissible to exploit labor without providing equivalent compensation. Therefore, the practice of giving bonuses at Cafe Maroon when sales targets are met can be seen as a way to implement the values of fairness and work motivation. However, these bonuses should not replace the obligation to provide fair wages; instead, they should serve as additional incentives.³⁵

According to Jaih Mubarak, one of the valid conditions in an *Ijarah 'Ala al-'Amal* contract is the certainty of the wage value and mutual agreement between both parties. In practice at Cafe Maroon, the wage system already meets the aspect of agreement; however, the wage rate of Rp 30,000 per day for 5 hours of work, when compared to the Banda Aceh Minimum Wage Standard (UMK) of Rp 3,898,856 per month, is still below the standard when calculated proportionally.

To achieve an ideal balance between workload and wages in *Ijarah 'Ala al-'Amal*, the following should be considered:

1. A review of the wage system, with *wage* calculations taking into account actual workloads rather than just working hours.
2. Fair rotation of workloads to ensure all employees experience balanced workloads.

³⁴ Chairul Fahmi et al., "MODEL OF LEGAL DISPUTE RESOLUTION FOR BUSINESS CONTRACT DEFAULT," *JURISTA: Jurnal Hukum Dan Keadilan* 7, no. 2 (2023): 242–63, <https://doi.org/10.22373/JURISTA.V7I2.228>.

³⁵ Ida Friatna, Jalilah, and Tajul Muna Raya Guna, "Occupational Risk Liability in Firefighting Employees in the Perspective of *Ijarah 'Ala al-Amāl* Contract," *Al-Mudharabah: Journal of Islamic Economics and Finance* 4, no. 2 (2023): 187–188.

3. Documentation of Ijarah contracts, including written agreements specifying the *wage* rate, type of work, and bonus schemes to align with Sharia principles.
4. Strengthening the principles of consent and fairness, both parties must reach an agreement voluntarily, without pressure, and with transparency of information.

Based on the above description, it can be concluded that the part-time work system at Cafe Maroon has fulfilled the basic elements of the *Ijarah 'Ala al-'Amal* contract, such as the agreement on the duration of work, type of tasks, and wages. However, the salary of Rp 30,000 per day for 5 hours of work is still not commensurate with the actual workload, especially for kitchen staff who have heavier responsibilities. In Islam, justice demands that compensation be commensurate with the level of work performed. The bonus given when targets are met is a positive step, but there still needs to be an evaluation of wages to make them more proportional to the work done. Additionally, management should establish written employment contracts and implement fair work rotation. This way, the work system not only complies with the law but also reflects the principle of justice in Islamic law.

C. Legal Implications of the Implementation of Government Regulation No. 36 of 2021 and the Concept of Ijarah 'Ala Al-'Amal at Cafe Maroon

The *part-time* work practices implemented by Cafe Maroon have legal and ethical implications within the context of both Islamic law and Indonesian positive law. Both legal systems fundamentally regulate the principle of justice in employment relationships, encompassing issues related to workload distribution, wage agreements, and the protection of workers' rights.

1. Implications from the Perspective of Government Regulation (GR No. 36 of 2021)

According to Government Regulation No. 36 of 2021 on Wage Payment, *part-time* work is permitted provided it meets the principles of mutual agreement, proportionality of working hours, and the principle of a decent standard of living. Article 5(1) states that wage policies must ensure a decent standard of living for workers.³⁶ In practice, although Cafe Maroon pays wages by the agreement, the daily compensation of Rp 30,000 for a 5-hour

³⁶ Article 5(1) of Government Regulation No. 36 of 2021 on Wages

workday remains far below the proportion of the UMK for Banda Aceh City. This may lead to social inequality and non-compliance with the principle of fairness as stipulated in Article 26(1) of Government Regulation No. 36 of 2021, which governs wages based on units of time.³⁷

Additionally, the provisions of Article 55 regarding payment timing have been adequately implemented by Cafe Maroon, with payments made daily and without delays. However, from a normative perspective, a written employment agreement is still required to ensure legal protection for both parties by Law No. 13 of 2003 as amended by the Job Creation Law, Article 54.³⁸

2. Implications from an Islamic Law Perspective (*Akad Ijarah 'Ala al-'Amal*)

In Islamic law, *part-time* work is classified as an *Ijarah 'Ala al-'Amal* contract, which is a lease of labor services for specific work over a certain period in exchange for an agreed-upon compensation (*ujrah*) at the outset. The fundamental principles of this contract are:³⁹

- a) Mutual consent between the parties (*tarádhin*)
- b) Clarity of the subject matter of the contract (*al-ma'qud 'alayh*)
- c) Fair and proportional compensation (*'adl wa musawah*)
- d) No exploitation (*gharar and zulm*)

Cafe Maroon has fulfilled some of these principles, such as the initial agreement between management and workers regarding working hours and daily wages. However, in terms of clarity regarding the workload and fairness of compensation, there remains an imbalance between the tasks performed and the compensation received. This could lead to elements of injustice (*zulm*) if not reviewed proportionally, especially for workers who bear heavy workloads in the kitchen.⁴⁰ In Islam, the wage system is viewed not only from the perspective of agreement but also the perspective of *maslahah* (the common good) and the objectives of Islamic law (*maqashid al-shari'ah*), which include the protection of workers' lives and property. Therefore, employers

³⁷ Ibid., Article 26(1).

³⁸ Law No. 13 of 2003 on Labor, Article 54

³⁹ Jaih Mubarak, *Islamic Commercial Law: Contracts of Ijarah and Ju'alah*, (Bandung: Simbiosis Rekatama Media, 2018), 47

⁴⁰ Musyaffa Rafiqie and Erfan Habibi, "The Concept of *Ijarah 'Ala Al-'Amal* in Determining *Ujrah*," *Aghniya: Journal of Islamic Economic Law* 1, no. 1 (2024): 210-225, <https://ejournal.uin-suka.ac.id/syariah/aghniya/article/view/4990>.

are obligated to provide *wages* commensurate with the effort and risks that workers face. Thus, if Cafe Maroon wishes to comply with Sharia principles, it is necessary to evaluate the bonus system, work rotation, and the alignment between work volume and wage amounts.

3. Convergence of Sharia Economic Law and Positive Law

Both Sharia economic law and Indonesian positive law essentially share the same objective in terms of labor relations, namely emphasizing the importance of principles of justice, mutual agreement between workers and employers, and the protection of workers' rights, so that exploitation or inequality detrimental to one party does not occur.⁴¹ In the context of part-time work at Cafe Maroon, these two legal systems can serve as complementary guidelines, providing moral foundations from a religious perspective and legal frameworks from the state's regulatory perspective for evaluating and formulating managerial policies, particularly regarding work distribution and the determination of proportional wages. By integrating the principles of the *Ijarah 'Ala al-'Amāl* contract under Islamic law with the provisions of Government Regulation of the Republic of Indonesia No. 36 of 2021 on Wages, harmony in part-time employment relationships can be achieved more comprehensively through various steps, including:

- a) Drafting a detailed and transparent part-time employment contract that specifies the duration of work, the workload to be performed, and the amount of wages (*ujrah*) to be received by employees is a crucial first step in creating fair and mutually beneficial employment relationships. This employment contract must be drafted in writing and mutually agreed upon by both parties, namely management and workers, to avoid misunderstandings or disputes in the future. The agreement should specify the agreed-upon working hours, the type and volume of work for which the part-time employee is responsible, and the amount of wages paid, taking into account their contribution and the agreed-upon working hours. In this way, the rights and obligations of each party are clear, ensuring that the employment relationship complies with both Sharia principles and positive legal provisions, thereby

⁴¹ Chairul Fahmi et al., "The State's Business Upon Indigenous Land in Indonesia: A Legacy from Dutch Colonial Regime to Modern Indonesian State," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (2024): 1566–96, <https://doi.org/10.22373/sjhk.v8i3.19992>.

fulfilling the elements of fairness, legal certainty, and professional ethics.

- b) Reviewing the wages paid to part-time employees to ensure they are in line with local wage standards and commensurate with the actual workload they undertake is crucial for maintaining fairness and balance in the employment relationship. Wages that are inconsistent with the volume of work or lower than regional standards can lead to dissatisfaction, reduce work motivation, and even conflict with the principles of justice in Islamic law or the provisions of Government Regulation No. 36 of 2021 on Wage Determination. Therefore, Cafe Maroon's management needs to conduct regular evaluations of the wage system in place, taking into account factors such as working hours, type of work, level of difficulty, and productivity achieved by part-time employees. These adjustments are not only a form of compliance with government regulations but also a concrete manifestation of the implementation of Sharia values that emphasize the importance of providing fair wages and not exploiting workers.
- c) Establishing a bonus system as an additional incentive given outside of basic wages is an appropriate strategy as long as it is not used as a substitute or excuse to reduce the employer's obligation to provide fair and compliant wages. Bonuses should be viewed as a form of recognition for exceptional performance, discipline, or additional contributions from part-time employees, rather than as primary compensation for the routine work they perform regularly. In the context of Sharia law, wages or *ujrah* are the right of workers that must be paid fairly and proportionally following the initial agreement. Therefore, if bonuses are used as a substitute for basic wages, such practices may be considered unfair and potentially detrimental to workers. Hence, Cafe Maroon management must ensure that bonuses are truly supplementary and do not obscure the primary obligation to pay basic wages on time and in a manner that is fair and decent, as mandated by both positive law and Islamic teachings that emphasize the protection of workers' rights.
- d) Implementing a work rotation system that is carried out proportionally and non-discriminatorily is one form of fair and inclusive human resource management, especially in part-time work environments like Cafe Maroon. A healthy work rotation system enables every part-time

employee to have equal opportunities to perform various tasks or shifts, thereby preventing disparities in workload among employees. From the perspective of Islamic economic law, the principle of justice (*al-'adl*) must be reflected in the balanced distribution of tasks that does not harm any party. In contrast, in positive law, the principle of non-discrimination is a crucial element in labor protection. Therefore, management needs to establish a work rotation system that considers previous work duration, individual capacity, and actual on-the-ground conditions to create a healthy, fair, and harmonious work environment. This practice can also prevent jealousy among employees and support the achievement of optimal productivity together.

Based on the above explanation, the author concludes that integrating Islamic economic law with positive law is essential to create a fair and humane work system, particularly for part-time employees at Cafe Maroon. In practice, part-time employees often lack clarity regarding their workload and wages, although both the concept of *Ijarah 'Ala al-'Amal* and government regulations, such as Government Regulation No. 36 of 2021, clearly state that fairness and transparency are of utmost importance. Therefore, by implementing clear employment contracts, adjusting wages according to actual workloads, and providing fair bonuses and work rotations, Cafe Maroon is not only compliant with the law but also upholds Islamic values that emphasize balance, honesty, and responsibility. This ensures that employees feel valued, motivated to work, and ultimately support the business's overall progress.

CONCLUSION

Based on the research findings on the workload determination system and *part-time* wage setting at Cafe Maroon, it can be concluded that from the perspective of the *Ijarah 'Ala al-'Amal* contract, the work practices implemented have partially met the sharia requirements, such as the existence of a work agreement, clarity of working hours, and the provision of wages. However, there are still some areas that need improvement, particularly regarding fairness in wage determination, which is not yet fully proportional to actual workloads. In the concept of *Ijarah*, disparities between workloads and compensation (*ujrah*) are not permitted as they can lead to elements of injustice (*zulm*). Therefore, the *part-time* work system needs to be aligned with the principles of clarity, fairness, and balance as taught in Islamic Sharia to ensure

that the employment relationship is not only valid under contract but also benefits both parties.

From the perspective of positive law, as stipulated in Government Regulation No. 36 of 2021 concerning Wages, the part-time work system at Cafe Maroon generally complies with the basic requirements, such as work agreements and the timely payment of wages. However, analysis indicates inconsistencies in the proportionality between working hours and wage value, which should be adjusted based on a fair calculation of the minimum wage. The provisions in the relevant articles of the Government Regulation require employers to provide wages that reflect a decent standard of living for humanity. Therefore, to ensure alignment between work practices and national regulations, Cafe Maroon is advised to adjust its wage system to be more proportional and fair, by the provisions of the law and the spirit of labor protection. For further research, it is recommended to conduct a comparative study on several cafes or similar businesses to gain a broader perspective. Additionally, additional research is needed on the effectiveness of written employment contracts in protecting the legal and Sharia rights of *part-time* workers.

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