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Administrative Sanctions for Operational Violations of Trans Koetaradja Bus at Perum Damri Banda Aceh

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Abstract: The operational readiness of the Trans Bus crew, usually on the punctuality of the bus crew, because they do not follow the existing schedule procedures, this leads to the departure stop and when arriving at the last stop for dropping off passengers. This is subject to administrative sanctions in the form of a Warning Letter (SP). Problem formulation: how are the administrative sanctions for its employees at Perum Damri Banda Aceh?. How is the work safety of the bus crew at Perum Damri Banda Aceh?. Research Objectives: To find out and analyze the administrative sanctions for its employees at Perum Damri Banda Aceh. To find out and analyze the work safety of the bus crew at Perum Damri Banda Aceh. The research method uses a qualitative approach. Data collection techniques are carried out using observation techniques, interviews, documentation studies. The results of the study, minor violation sanctions are given advice for good in the future, previous discipline has not succeeded in changing their behavior. Obey the rules of behavior at work. Demonstrated by doing work in accordance with the position, duties, and responsibilities. Conclusion, the application of administrative sanctions for operational violations of Buses that do not comply with existing rules, apply administrative sanctions because they have to go directly to the field. Lack of awareness of the responsibility of the bus crew towards public service. Efforts made to overcome obstacles in the application of administrative sanctions against operational violations of buses that do not comply with the rules include conducting field inspections to conduct direct inspections or provide verbal warnings.

Keywords: Administrative Sanctions, Operational Violations, Trans Koetaradja Bus.

INTRODUCTION

The quality and reach of transportation services in conditions of limited government funding, including efforts to improve the safety of transportation service users. These indicators can be seen from the inadequate and unachieved levels of reliability, safety, and satisfaction of service users. This is caused by various factors of human behavior, fleet eligibility, technical

conditions of facilities and infrastructure, operational management, and the quality of law enforcement. Meanwhile, for nomadic communities (moving from place to place), the need for transportation cannot be denied. Because they need to move around looking for new livelihoods because the old place is considered no longer able to meet the needs of life. and the reasons that cause humans and goods to move from one place to another can be explained by the following three conditions: Complementarity, the relative attractiveness between two or more destinations, The desire to overcome distance constraints, termed transferability, measured by the time and money needed, and the best technology available to achieve it, and competition between several locations to meet demand and supply.

Researchers have identified nine categories of human behavior that are influenced by transportation, namely: 1. Ability to move (passengers, pedestrians), 2. Activities (e.g. vehicle control, maintenance, social life), Feelings (e.g. comfort, convenience, pleasure), 4. Regulation (e.g. vehicle selection, route selection), 5. Health and safety (e.g. accidents, disability, fatigue), 6. Social interaction (e.g. personal freedom), 7. Motivation (positive or negative consequences), 8. Learning (e.g. operator training, driving education, procurement of goods), and 9. Perception (e.g. mapping impressions, limits of feelings). In relation to transportation services, there are various forms of transportation modes in Indonesia that can be classified as follows: 1. Air, with aircraft facilities and airport infrastructure, 2. Water, with ship facilities and dock or port infrastructure, 3. Land, via highways with bus facilities and terminal infrastructure, and railway facilities with station infrastructure via rail. As the flow of people moving around becomes denser and increasing, bus transportation as urban transportation can be used as an alternative that can be used to support this.

Buses are one of the means of public transportation that has a large transport capacity so that it is more efficient and saves energy when compared to other means of transportation. Regulations on the legal aspects of transportation itself are contained in Law Number 22 of 2009 concerning Traffic and Road Transportation. These laws and regulations are the normative basis for the implementation of bus transportation services in Indonesia which aims in accordance with Article 3 of Law Number 22 of 2009 concerning Traffic and Road Transportation which reads: Traffic and road transportation are organized with the aim of: a. Realizing safe, secure, orderly, smooth, and integrated traffic and road transportation services with other modes of transportation to encourage the national economy, advance public welfare, strengthen national unity and integrity, and be able to uphold the dignity of the nation, b. Realizing traffic ethics and national culture, and c. Realizing law enforcement and legal certainty for the community. The public as users of bus transportation are protected by law as users or consumers of bus transportation services, in accordance with Law Number 8 of 1999 concerning Consumer Protection Article 1 Number 2 which states "Consumers are every person who uses goods and/or services available in the community, both for the benefit of themselves, family, other people or other living things and not for trading". And regarding its protection for consumers is defined in Article 1 Paragraph 1 which states "Consumer Protection is all efforts that guarantee legal certainty to provide protection to consumers". The relationship between users of transportation services as consumers can be seen in Law Number 22 of 2009 concerning Traffic and Road Transportation Article 1 Number 22 which states "service users are individuals or legal entities who use the services of public transportation companies".

Through these two regulations, there is a relationship between consumers and transportation services, users of transportation services in this case are categorized as consumers of transportation services. As consumers, users of services cannot be separated from the aspect of protection, both from losses that may be suffered or occur when using transportation services or traveling with transportation provided by transportation companies. In reality, violations against users of transportation services by bus companies still often occur. According to monitoring carried out by the Consumer Protection and Development Agency

(LP2K) in collaboration with the Directorate General of Land Transportation, Ministry of Transportation, there are still violations of tariffs committed by bus companies that increase tariff prices above the specified price. And there are still violations of neglect of transportation service users. Whereas in Article 10 letters a and c of Law Number 8 of 1999 concerning Consumer Protection which protects the rights and obligations of transportation service users states: "Business actors in offering goods and/or services intended for trading are prohibited from offering, promoting, advertising or making statements that are incorrect or misleading regarding the Price or tariff of a good and/or service, and Conditions, liabilities, guarantees, rights or compensation for a good and/or service".

It is added that now many companies have paid attention to the importance of employee safety in an effort to prevent accidents during work. In addition, companies realize work to comply with safety requirements and instructions and use personal protective equipment. Not all accidents result in human casualties, although every accident brings losses. In general, every accident that occurs has been preceded by a series of events that can be considered as intervening factors. Therefore, many theories have been put forward about the causes of accidents, including, namely Direct causes caused by human actions that are wrong or negligence of humans themselves, indirect causes of factors that occurred before the accident occurred, damage to the engine that was not noticed, damage to the system that was not noticed. Physical inspections and tests are carried out on motor vehicles consisting of public passenger cars, buses, goods cars, special vehicles, trailers, modified three-wheeled motorcycles or motorcycles with houses, and trailers operated on the road. Transportation of people with certain destinations.

Empirical facts in the field show that, mechanics, regarding the operational readiness of the Trans Bus crew, usually on the punctuality of the bus crew, because they do not follow the existing schedule procedures, this leads to the departure stop and when arriving at the last stop for dropping off passengers. This is subject to administrative sanctions in the form of a Warning Letter (SP), if they violate the SP, a second SP is given, if they do not comply with both, they will be followed up on the Third SP, which is to be immediately removed. The inaccuracy of time is also accompanied by the number of trans bus fleets that are still minimal, passengers have to wait in line at the bus stop longer. Real conditions in the field also show that portable bus stops are still not sufficient for trans buses so that people have difficulty accessing / reaching them because they are too far away and this has an impact on inadequate public services. Another phenomenon related to administrative sanctions related to the safety of bus crews, Based on the description above and also previous research on consumer protection and transportation services entitled "Administrative Sanctions Against Operational Violations of Trans Koetaradja Buses at Perum Damri Banda Aceh" so the author is very interested in conducting further research that focuses on the implementation of consumer protection for bus transportation service users before, during and after the implementation of transportation in Banda Aceh City with this background.

THEORITICAL REVIEW

Administrative Sanctions

Sanctions in General Sanctions are important in the legal system in Indonesia. Sanctions are a form of coercion from the state administration or government to state employees to comply with orders, obligations or prohibitions that have been regulated in legislation (Raharja and Dewi, 2013:31). According to Hans Kelsen, sanctions are defined as a coercive reaction of society to human behavior or social facts that disturb society. Every norm system in Hans Kelsen's view always relies on sanctions. The essence of law is the organization of power, and laws that rely on a system of coercion are designed to maintain certain social behavior. In certain conditions, force is used to maintain the law and the tone of an organ of the community

that carries it out. Every norm can be said to be "legal" if there are sanctions, although the norm must be seen in relation to other existing norms (Cahyadi and Manullang, 2012:84). The imposition of sanctions can result in the deprivation of liberty either in the form of imprisonment, confiscation of property, honor or even a person's life in the form of the death penalty, therefore in a state of law the application of legal sanctions is carried out according to the procedures or processes outlined in criminal procedure law or civil procedure law which are intended so that the state in exercising its rights to enforce compliance with the law and still pays attention to the rights of the accused as a citizen (Kusumaatmadja, 2013: 43).

Sanctions can appear in the form of criminalization, the conscious and mature imposition of a punishment by the authorized government agency on the perpetrator who is guilty of violating the rule of law. The authorized government agency, especially the judge, does not only impose sanctions but also imposes actions (*maatregel*) for violations of norms that are committed because of wrongdoing and sometimes also due to negligence (Remmelink, 2013: 7). Sanctions are "an important thing in the legal system in Indonesia. Sanctions are a form of coercion from the state administration or government to state employees to obey orders, obligations or prohibitions that have been regulated in legislation (Raharja and Dewi, 2013: 15)". According to Hans Kelsen, sanctions are defined as a coercive reaction of society to human behavior or social facts that disturb society. Every norm system in Hans Kelsen's view always relies on sanctions. The essence of law is the organization of power, and laws that rely on a system of coercion are designed to maintain certain social behavior. In certain conditions, force is used to maintain the law and the tone of an organ of the community that carries it out. Every norm can be said to be "legal" if there are sanctions, although the norm must be seen in relation to other existing norms (Cahyadi and Manullang, 2012: 84). The imposition of sanctions can result in the deprivation of liberty either in the form of imprisonment, confiscation of property, honor or even a person's life in the form of the death penalty, so in a state of law the application of legal sanctions is carried out according to the procedures or processes outlined in criminal procedure law or civil procedure law which are intended so that the state in exercising its rights to enforce compliance with the law and still pay attention to the rights of the accused as citizens (Kusumaatmadja, 2000: 43).

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Leadership

Hasibuan (2017:171) explains that "leadership style is the way a leader influences the behavior of subordinates that aims to encourage high work enthusiasm, job satisfaction and employee productivity, in order to achieve maximum organizational goals". The following is a definition of leadership put forward by several experts Drath and Palus in Yukl (2015: 3) state that "Leadership is a process of understanding what people do together, so that they understand and want to do it". Meanwhile, according to Sutikno (2014: 16) "Leadership in an organization is directed to influence the people they lead, so that they are willing to act as expected or directed by others who lead them". According to Rivai (2015: 3) stated that Leadership is a behavior with a specific purpose to influence the activities of group members to achieve common goals that are designed to provide individual and organizational benefits, so that in an organization leadership is a very important factor in determining the achievement of goals that have been set by the organization. Katz and Kahn in Priansa (2015: 30) argue that "Leadership

is the gradual increase in influence above mechanical compliance with routine organizational directions."

Based on all the definitions that have been put forward by the experts above, it can be concluded that leadership is the process and behavior of a leader in influencing the behavior and empowering his subordinates to be willing to cooperate in carrying out tasks and responsibilities to achieve company goals. While the function of leadership is directly related to the social situation in group life or each agency which implies that each leader is in and not outside the situation. Operationally, there are five main functions of leadership put forward by Rivai (2015: 34), namely:

1. Instruction function. This function is a one-way communication. The leader as a communicator is the party who determines what, how, when, and where the order is carried out so that decisions can be implemented effectively. Effective leadership requires the ability to move and motivate others to carry out orders.
2. Consultation function. This function is a two-way communication. In the first stage in an effort to make a decision, leaders often need considerations, which require them to consult with the people they lead who are considered to have various information materials needed in making decisions. The consultation is intended to obtain input in the form of feedback to improve and perfect the decisions that have been made and implemented.
3. Participatory Function. In carrying out this function, the leader tries to activate the people he leads, both in participating in decision-making and in implementing it. Participation does not mean being free to do whatever one wants, but is carried out in a controlled and directed manner in the form of cooperation without interfering or taking over the main tasks of others.
4. Delegation Function. This function is carried out by granting the authority to make or determine decisions, either with or without the approval of the leadership.
5. Control function. Control function means that successful or effective leadership. Control function can be realized through guidance, direction, coordination and supervision activities.

Leadership theory according to Sedarmayanti (2016: 274) explains various leadership theories which are divided into three parts, namely: (1) Genetic theory, leadership is brought since humans are born into the world; (2) Social theory, a leader will be able to become a leader because he is created by society; (3) Ecological theory, prospective leaders, more or less have brought talent since birth, but talent alone is not enough to be used as capital to lead, therefore talent must be complemented by education and life experience.

Leadership style is the basis for classifying leadership types. Style means attitude, movement, behavior, good attitude, good gestures, strength, ability to do good. And leadership style is behavior and strategy, as a result of a combination of philosophy, skills, traits, attitudes, which are often applied by a leader when he tries to influence the performance of his subordinates. The following is a definition of leadership style put forward by several experts according to Hasibuan (2016: 170) stating that "Leadership Style is the way a leader influences the behavior of subordinates which aims to encourage work enthusiasm, job satisfaction and employee productivity". Meanwhile, according to Husnan in Basna (2016: 320) states that "Leadership style represents the philosophy, skills, and attitudes of leaders in politics. Leadership style is a pattern of behavior designed to integrate organizational goals with individual goals to achieve certain goals". According to Thoha (2012: 49) states that "Leadership style is a behavioral norm used by someone when the person tries to influence the behavior of others as he sees it".

Based on several definitions above, it can be concluded that leadership style is the ability to influence others, subordinates or groups, the ability to direct the behavior of subordinates or

groups by having special abilities or expertise in the field desired by the group, to achieve organizational or group goals. Types of leadership styles, patterns or leadership styles (leadership style) will greatly influence the effectiveness of the leader. Robbins in Tampi (2014: 6) identifies four types of leadership styles: (1) Charismatic leadership style; (2) Transactional leadership style; (3) Transformational leadership style; and (4) Visionary leadership style. Meanwhile, according to Terry in Suwatno and Priansa (2015: 156) the types of leadership styles are (1) Personal leadership; (2) Non-personal leadership; (3) Authoritarian leadership; (4) Paternal leadership; (5) Democratic leadership; and (6) Indigenous leadership.

Fiedler's Leadership in Robbins (2017: 253) believes that a key factor in leadership success is the individual's basic leadership style. Fiedler assumes that an individual's leadership style is fixed; if a situation requires a leader to be task-oriented and the person in the leadership position is relationship-oriented, either the situation must be modified or the leader must be replaced to achieve optimal effectiveness. Leadership is an important part of an organization or company where the organization is structured on the basis of the division of different functions that must be carried out. The existence of different roles or tasks for each individual in the organization is a determinant of leadership. The existence of various roles and tasks results in the need for regulation and coordination carried out by the leader. The word leader has various meanings. Therefore, a leader is an interactive impact of individual or personal factors with situational factors.

Thus it can be concluded that a leader is a person who has special skills and advantages with or without official appointment can influence the group he leads to make joint efforts towards achieving the goals. An organizational leader can do various ways in influencing or motivating other people or subordinates to take actions that are always directed towards achieving the goals of the organization. This method reflects the attitude and views of the leader towards the people he leads, and is a picture of his leadership style.

RESEARCH METHODS

According to Sugiyono (2017: 2) what is meant by research methods is as follows "Research methods are basically scientific ways to obtain data with certain goals and uses". In this study, the author uses a quantitative method with a descriptive research approach and associative analysis, because there are variables that will be studied and their relationship and the aim is to present a picture of the relationship between the variables studied. The research method used in this study is a quantitative research method with a descriptive approach. According to Sugiyono (2017: 8) quantitative research is: "A research method based on the philosophy of positivism, used to research a certain population or sample, data collection using research instruments, data analysis is quantitative or statistical, with the aim of testing the established hypothesis". Descriptive approach Sugiyono (2017: 35) also explains that "This descriptive research method is carried out to determine the existence of independent variables, either only in one variable or more (stand-alone variables or independent variables) without making comparisons of the variables themselves and looking for relationships with other variables". This descriptive method is a method that aims to find out the nature and deeper relationship between two variables by observing certain aspects more specifically to obtain data that is in accordance with the existing problem with the purpose of the research, where the data is processed, analyzed, and processed further on the basis of theories that have been studied so that the data can be drawn a conclusion. In this study, it was conducted on the Trans Koetaradja Bus at Perum Damri Banda Aceh. The general and specific focus of the research includes, namely: (1) Administrative sanctions for its employees at Perum Damri Banda Aceh; and (2) Work safety of bus crews at Perum Damri Banda Aceh.

In this study, the researcher used the following data collection techniques (1) Interview, which is a question and answer activity where the informant is invited to answer questions

asked by the researcher. To conduct a question and answer session with the informant, the researcher first needs to make an interview guideline and the most important thing is that the items/questions to be asked to the respondent should be clear enough and easy to understand. The interview guideline is carried out with questions to the informant submitted verbally and the informant's answers submitted verbally as well. In this connection, to direct the interview according to the data needed. In this study, direct interviews were conducted with Perum Damri Banda Aceh, the researcher also used a tape recorder and direct recording of the respondent's answers and by recording the interview results. (2) Observation, which is the implementation of direct observation of phenomena related to the focus of the study. According to Faisal (2012: 135) "Observation is directly examining the object of research. This is considered important to be recorded systematically and classified with the aim of strengthening the research". Meanwhile, this observation uses tools such as: tape recorders and video recorders for data collection; and (3) Documentation Study, namely by obtaining data through reviewing and examining the author's notes and documents related to the problems being studied. In this study, data and information searches are conducted through documents. There are 2 types of documents, namely internal documents and external documents. Internal documents are documents obtained from the research setting/place. If the research is conducted in an agency, then the documents are those originating from that agency. Internal documentation belonging to the agency records all events and activities of the agency concerned, so that the documentation cannot be obtained elsewhere. While external documents are documents that can be obtained by researchers from outside the research environment, usually access is open to the public. There is also documentation made by the researchers themselves, such documentation is usually made by researchers as a result of recording interviews or observations in the field. Documents made by the researchers themselves include: field notes; research photos; videos; and sound recordings.

In accordance with the research method, the data analysis technique used in this study uses qualitative techniques. According to Moleong (2012: 248), the process runs by (1) Recording which produces field notes, with that giving a code so that the data source can still be traced; (2) Collecting, selecting, classifying, synthesizing, making a summary and making an index; and (3) Thinking, by making the data category meaningful, searching for and finding patterns and relationships and making general findings. In data analysis it is very important that the data is in accordance with the problems that the researcher is working on. In addition, after the data is collected, analysis will play a very important role in selecting data that is suitable for use.

RESULTS AND DISCUSSION

Light sanctions

Work violation sanctions are punishments imposed by the organization's leadership on employees who violate disciplinary regulations that have been set by the organization's leadership. According to Rivai (2015: 450) there are several levels and types of work violations that generally apply in organizations, namely:

1. Minor violation sanctions, with the following types: verbal warning, written warning, and written statement of dissatisfaction.
2. Sanctions for moderate violations, with the following types: delay in salary increase, salary decrease, delay in promotion.
3. Sanctions for serious violations, with the following types: demotion, dismissal from office, dismissal, dismissal.

Furthermore, according to Heidjrachman and Husnan (2012: 241), several disciplinary actions can be divided into two, namely positive and negative. Positive disciplinary actions are

by giving advice for good in the future. While negative methods include: (1) Giving a verbal warning. (2) Giving a written warning. (3) Removing some of his rights. (4) Being fined. (5) Being temporarily laid off. (6) Being demoted. (7) Being fired. Thus, the implementation of sanctions for violations of work discipline can be in the form of minor, moderate and severe violation sanctions, or can be in the form of verbal warnings, written warnings or even being fired. According to Dharma (2013: 407), sanctions for violations of work due to indisciplinary actions can be carried out in the following ways:

Moderate sanctions

This action is only carried out for very serious violations that have been corrected by previous disciplinary steps. The decision to dismiss is taken by the leadership at a higher level. Basically, the application of sanctions should be regulated by accommodating input from employees with the intention that their participation in the preparation of sanctions to be given will more or less influence and reduce the indiscipline, in addition, the provision of disciplinary sanctions must be oriented towards providing training or coaching, not aimed at punishing employees so that they do not make the same mistakes in the future. Disciplinary barriers are made to regulate the applicable relationship system not only in large or small companies, but also in all organizations that employ many human resources to carry out work. The creation of a disciplinary regulation is intended so that employees can carry out the work according to what is expected. However, the application of work discipline encounters many obstacles in its implementation. According to Saydam (2012: 286), obstacles to employee discipline will be seen in the following work atmosphere: (a) High number of employee absenteeism. (b) Employees are often late to the office or go home earlier than the specified time. (c) Decreased passion and enthusiasm for work. (d) The development of dissatisfaction and shifting of responsibility. (e) Slow completion of work, because employees chat more often than they work.

In general, regarding administration and its formulation, it leads us to the administrative reality that is the government's milestone in carrying out and running its government, as a real form of administrative sanctions and coaching that are applied to Civil Servants, of course the same as the form of action and imposition of administrative penalties on Civil Servants who violate the disciplinary rules that have been in effect in Government Regulation Number 53 of 2010 concerning Civil Servant discipline.

Severe sanctions

The prohibitions imposed on Civil Servants as quoted by Kusdarini (2012: 73-74) include the following: (a) Doing things that can lower the honor or dignity of the state, government, or civil servants. (b) Abusing their authority. (c) Without government permission, becoming an employee or working for a foreign country. (d) Possessing, selling, buying, pawning, renting, or borrowing goods, documents, or valuables belonging to the state illegally. (e) Entering a place that can tarnish the honor or dignity of civil servants except for the interests of the position. (f) Carrying out an action or intentionally not carrying out an action that can result in hindering or complicating one of the parties being served, thereby involving losses for the party being served. (g) Leaking and/or exploiting state secrets that are known because of their position for personal, group or other party interests. (h) Carrying out illegal levies in any form in carrying out their duties for personal, group or other party interests.

Disciplinary punishment for civil servants who commit disciplinary violations is given disciplinary punishment by the authorized official. In order to enforce civil servant discipline, the provisions must be truly implemented seriously by superiors or authorized officials. Enforcement of discipline is thus the obligation of superiors or authorized officials. Superiors or authorized officials in enforcing discipline must be firm regardless of who the person is,

because with such an attitude they can show themselves as true mentors or guides or leaders. Disciplinary punishment is given for no other reason than to improve and educate the civil servants themselves, as well as to facilitate the implementation of official duties properly. Disciplinary punishment can be divided according to level and type, each according to the nature and severity of the violation committed, as well as the consequences caused by the violation committed by the civil servant concerned.

Based on the above, the core of the problem can be drawn, namely the factors that encourage the occurrence of civil servant disciplinary violations according to Hartini (2012: 138) include: Weak supervision of direct superiors, lack of understanding of applicable legislation, lack of coaching/socialization of legislation in the field of employee discipline, Level of awareness of civil servant discipline. Civil servant productivity and work discipline still need to be improved, considering that the public is often hampered in services because officers arrive late, or are not in the office when the public needs services, civil servants are still often found in public places such as markets or supermarkets during working hours.

CONCLUSION

1. Implementation of administrative sanctions against operational violations of the Trans Koetaradja Bus which does not comply with the existing regulations at the Perum DAMRI Banda Aceh branch.
2. Obstacles to implementing administrative sanctions against Trans Kotaradja buses that do not comply with applicable regulations include:
 - a. Obstacles in implementing administrative sanctions because they have to go directly to the field.
 - b. Obstacles due to lack of awareness of bus crew's responsibility towards public services.

Efforts made by Perum DAMRI Banda Aceh branch to overcome obstacles in the application of administrative sanctions against operational violations of Trans Koetaradja buses that do not comply with the rules in the Perum DAMRI Banda Aceh branch environment, include the following:

- a. In connection with the obstacles in implementing administrative sanctions, the DAMRI Banda Aceh branch conducted a field inspection to conduct direct inspections or provide verbal warnings.
- b. Perum DAMRI Banda Aceh branch also provides appeals or socialization to the operational section, especially bus crews, so that they are aware of the provisions or rules and are accompanied by applicable sanctions.

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