

Implementation of Regional Regulation No. 3 of 2017 Concerning Disability Groups in Hotels Around Labuan Bajo

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Abstract

This study analyzes the tourism industry and the implementation of Regional Regulation (PERDA) No. 3 of 2017 concerning Disability Groups in Labuan Bajo, East Nusa Tenggara. Data collection methods include interviews, observations, and documentation, with primary data from interviews and secondary data from written references. The data includes qualitative information about obstacles in the implementation of PERDA and quantitative data on tourism statistics. The purposive sampling technique is used to select informants from various clusters, including the government and the hospitality industry. Data validation is carried out through triangulation of sources and techniques, while data analysis follows the Miles & Huberman method, which consists of data reduction, data presentation, and conclusion drawn. The results show that the West Manggarai local government has launched an awareness program to highlight the importance of employing workers from disability groups. These programs involve mass media, seminars, and workshops, as well as education and training for employers on hiring and supporting workers with disabilities. The implementation of PERDA No. 3 of 2017 concerning Disability Groups includes the development of disability-friendly job portals and internship programs. However, challenges remain, including infrastructure limitations, social stigma, and a lack of experts and training. Although one hotel employs workers with disabilities through an internship program, there are still many obstacles that need to be overcome to achieve optimal inclusion of workers with disabilities in the hospitality industry. Collaborative efforts from the government, the hospitality industry, and the wider community are needed to address these challenges.

Keywords: Disability, Employee, Inclusive, Hotel

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1. Introduction

The tourism industry has various forms of tourism, such as tourism. The ratification of Law Number 8 of 2016 concerning Persons with Disabilities is a momentum for a paradigm change in public policy which initially used a charity-based approach to rights-based (Nursyamsi, Arifianti, Aziz & Marutama, 2015). The disability law replaces Law Number 4 of 1997 concerning Persons with Disabilities which still uses the term disability to describe people who have physical, intellectual, mental, and/or sensory limitations who have perpetuated the stigma against people with disabilities.

Prior to the issuance of the Disability Law, Indonesia had first ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2011. This Convention is the main reference for efforts to fulfill the human rights of persons with disabilities who are vulnerable to discrimination based on their limitations (Convention on the Rights of Persons with Disabilities, Article 4). One of the rights guaranteed in the CRPD and the Disability Law is the right of persons with disabilities to work, including the right to freely choose work and be accepted in the labor market. Furthermore, the implementation of the right of persons with disabilities to work can be carried out by the state through the following four standards (Human Rights Council):



1. Non-Diskriminasi: orang dengan disabilitas berhak untuk bekerja secara setara like everyone else.
2. Accessibility: accessibility includes identifying and removing barriers for people with disabilities to do their work
3. Decent accommodation: the state must ensure decent accommodation is provided to all individuals
4. Positive measures: The state can adopt positive measures to increase employment opportunities for people with disabilities.
5. The above standards are regulated and guaranteed by the state in the Disability Law.

One of the efforts to eliminate discrimination against people with disabilities is to provide diverse jobs, one of which is through the hospitality industry which is part of the tourism industry. The Disability Law states that people with disabilities have the right to become tourism workers and be involved in tourism development.

Research conducted by the Institute for Economic and Social Research, Faculty of Economics and Business, University of Indonesia (LPEM FEB UI), the participation rate of the labor force of persons with disabilities is much lower when compared to non-persons with disabilities, namely 56.72% and 70.40% (International Labor Organization, 2017). The West Manggarai Regency Social Service recorded that the number of people with disabilities in West Manggarai Regency until 2017 reached 1994 people. However, there is no more detailed data on the number of workers with disabilities in the tourism sector.

In 2017, the Regional Government of West Manggarai Regency issued Regional Regulation No. 3 concerning the Protection and Fulfillment of the Rights of Persons with Disabilities. This Regional Regulation also generally regulates four standards of state responsibility in fulfilling the right to work of persons with disabilities as stated in articles 10-14. However, there has been no study that further examines the implementation of the regional regulations. Labuan Bajo as a super priority tourism destination that certainly requires a lot of manpower. This need is an opportunity to empower more people with disabilities, especially people with physical disabilities, who live around Labuan Bajo and need work.

The need for manpower in the tourism sector that fulfills the right to inclusiveness for every community of West Manggarai Regency. The availability of job training for people with disabilities is a sustainable tourism destination in Labuan Bajo, so it needs to be evaluated through research related to the implementation of existing regulations. Based on this, the formulation of the problem in this study is how to implement Regional Regulation No. 3 of 2017 concerning the right to work in a star-rated hotel in Labuan Bajo? and What are the obstacles in the implementation of Regional Regulation No. 3 of 2017 concerning the right to work at a star hotel in Labuan Bajo?

2. Method

This research was conducted in Labuan Bajo City, East Nusa Tenggara, with a focus on the tourism industry and the implementation of the Employment Regulation for groups with disabilities. Data collection methods include interviews, observations, and documentation. The data source consists of primary data through interviews with government agencies and hotels, as well as secondary data from written references. The research data includes qualitative data on obstacles to the implementation of PERDA and quantitative data on tourist statistics. The sampling technique uses purposive sampling with informants from various clusters, including the government and the hospitality industry. Data validation is carried out through triangulation of sources and techniques. The data analysis follows the Miles & Huberman method with the stages of data reduction, data presentation and conclusion drawn. Concept of this research can be seen in the picture below.

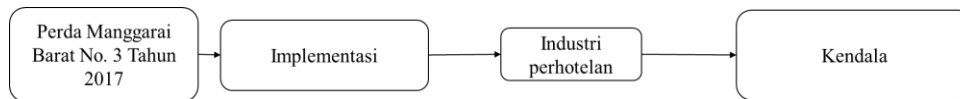


Figure 1. Research framework

Source: Documentation, 2024

Results and Discussion

1. Implementation of Regional Regulation No. 3 of 2017 concerning Disability Groups in Hotels in Labuan Bajo.

The implementation of regulations made by the regions will certainly be carried out by all main stakeholders. The following are the results of interviews with a number of representatives from the industry related to the implementation of Regional Regulation No. 3 of 2017 concerning Disability Groups in Star Hotels in Labuan Bajo. In Article 11 paragraph 2, Regional Apparatus Organizations are required to socialize the right to work for people with disabilities, provide information systems, and expand employment opportunities. The efforts of stakeholders to implement can be seen through socialization efforts, efforts to improve information systems and job training which are described as follows:

a. Socialization

The local government has issued several socialization programs to raise awareness about the importance of absorbing labor from disability groups. The government hopes to conduct a broader and intensive awareness campaign on the importance of inclusion of workers with disabilities, as the general public's awareness of the rights and abilities of persons with disabilities is still low.

The socialization carried out often does not reach all levels of society, especially in remote areas. The government continues to strive to maximize socialization carried out through mass media, seminars, and workshops involving various stakeholders. Additionally, it can provide education and training to employers on how to hire and support workers with disabilities. This includes information on the benefits of hiring people with disabilities and practical guidance for creating an inclusive work environment. However, this effort still faces various challenges, especially in terms of acceptance and implementation in the field, so that the implementation of Regional Regulation No. 3 of 2017 concerning Disability Groups cannot be said to be optimal. This is also in line with the results of an interview with INF1*, he said that:

"In principle, we are one, supporting the provision of jobs for people with disabilities. We as business actors in the hotel industry understand and try to implement all regional and national regulations to support sustainability, we are very open. So indeed, there will be rules and regulations, everything internally will be adjusted. We are for the rules of all We follow all Maybe close to 100%"

From the above statement, it can be concluded that hotel industry business actors show a high commitment to providing jobs for people with disabilities. They are committed to complying with and implementing regulations that support inclusion and sustainability, both at the local and national levels. This is also in line with the statement of INF2 which stated that:

"I think all the hospitality industry certainly forms regulations that are derived from government regulations, in this case Regional Regulation No. 3 of 2017 concerning Disability Groups in Star Hotels in Labuan Bajo. Absorbing workers with disabilities is not impossible, it's just that we certainly have to consider several things so as not to disrupt hotel operations."

The implementation of labor with a presentation of 2% from the Government and 1% from the private sector is a hope in equalizing job opportunities. Equal job opportunities for government and private agencies must be able to be implemented by various parties. This is a trigger for other parties to facilitate job opportunities as needed. This was conveyed by INF 3, which also as one of the hotel's GMs that:

"We from the industry also hope that the government will also give an example, this is what it means, by regulation the government must absorb 2% of the disabled workforce, industry or the private sector is only 1%, based on this, of course the government needs to provide an example of the workforce that has been absorbed before directing industry or the private sector to do so"

This is an industry in the implementation of labor rights. The need for absorption requires an integrated system between the government, the private sector and disability groups in terms of understanding, skills and job opportunities. Groups with disabilities must be equipped with work skills related to the needs of the hotel. This was also emphasized by INF3 that:

"Prospective workers must be equipped with competencies that are tailored to the needs of the hotel, such as the ability to clean as a public area attendant, computerization skills for the hotel back-office administration, and the ability to communicate via telephone. If prospective workers with disabilities are equipped with these competencies, of course, they will provide the same opportunity in finding a job".

Based on the results of interviews with informants related to the understanding of Regional Regulation No. 3 of 2017, all informants from the hotel industry sector have understood the existence of Regional Regulations for Workers with Disabilities which are derived from the National Regulations and then applied to the regulations of each hotel industry which directs the absorption of workers with disabilities in the hospitality industry. Socialization carried out by local governments still needs to be improved, and the successful implementation of disability inclusion policies requires continuous support from the government, including providing concrete examples in the absorption of disabled workers.

b. Information Systems

Local governments play a crucial role in implementing Regional Regulation No. 3 of 2017 concerning Workers with Disabilities, especially through the provision of an integrated and accessible information system. This effort aims to ensure that people with disabilities have equal access to employment opportunities, thereby reducing discrimination and increasing inclusion in the workplace. Local governments are responsible for developing disability-friendly job portals, databases of workers with disabilities, and information on training and education programs. This system must be designed with accessibility principles in mind, including the use of screen readers and other adaptive technologies to make it easier for people with disabilities to access information.

An effective information system must ensure that the technology used is disability-friendly. This includes inclusive design for websites and mobile apps, as well as the provision of technology tools that can help people with disabilities access information more easily. Local governments must be active in socializing and educating about the available information systems.

Awareness campaigns and training on the use of technology are essential to ensure that people with disabilities and employers understand how to make optimal use of these systems. Cooperation with the private sector and non-governmental institutions is urgently needed to ensure the successful implementation of information systems. This collaboration can include including disability-friendly job openings in information systems and providing training and mentoring to people with disabilities. The provision of information about employment

opportunities and specific job potential for workers with disabilities is important in its implementation as revealed by INF1 that:

"So the government in this case inevitably has to take two roles there, the first as a regulator and the second as a supplier, so what must be done, yes, that's it. Now between suppliers and demand, customers, because we need here as users, this is between the media and users, this is what is prepared, provisioned, and so on. The database was made first so that the criteria for the workforce in general are well recorded, yes, the gender. But again, as I said earlier, one of the explanations of the Database does not exist yet. From industry partners they have also not gotten, maybe they have not gotten information. Maybe we also don't know, maybe there is already a program or data on the need fund, but for the position, the extent is not known, the information is more or less like that".

Industries and disability groups need access to information related to vacancy information for workers with disabilities, information on training to improve competence and information related to the availability of Human Resources from workers with disabilities, so that it can be used as a basis for opening recruitment or a source of information for all parties.

"Information related to the needs of industrial competencies, appropriate job vacancies both from the industry side and disability groups, training activities must be available, so that training programs can involve various parties, including academics. This is important so that links & matches are created between industry, government, disability groups and academics and other related parties"

Groups with disabilities who will work will later be retrained in the workplace according to their roles such as HK attendants in Public Area. This was emphasized INF4, which also work as Hotel GM which already has 1 employee of the disability group obtained through a collaboration program with the West Manggarai Regency Directorate of Transmigration.

"We have 1 employee as a result of the cooperation program with the Directorate of Transmigration. However, because we were confused about which position to take, we finally practiced and tried to place it in a public area. Their abilities are trained directly by their colleagues, this will certainly be better if prospective workers are equipped with a little ability so that when we are in the industry we just have to adjust to the existing procedures"

c. Expansion of employment opportunities through training programs

The government shows its commitment to improving the standard of living for people with disabilities by establishing a Disability Service Unit (ULD) which is an important step in implementing this policy. ULD aims to break the chain of discrimination and poverty that is often experienced by people with disabilities due to structural poverty. Commissioner of the National Commission on Disability of the Republic of Indonesia, Eka Prastama Widiyanta, emphasized the importance of establishing ULD to bridge access to work for people with disabilities. ULD is expected to encourage change in the opportunity to access more quality, humane, fair, and equitable development. Although there are only 14 provinces, 13 districts, and 12 cities that have ULD Decrees, Eka stated that Manggarai has a strong basis to form ULD, with the existence of the Regional Regulation on Equality and Empowerment of Persons with Disabilities Number 6 of 2015 and the coordination that has been carried out. To support this program, the Government has started several skills training programs for people with disabilities to improve their abilities in the world of work.

The existence of this training program is also expected by the hotel industry. This is evidenced based on the informant's responses in the interview. This was explained in detail by INF3 which stated that "

"In addition, it is hoped that the government will prepare training for prospective workers with disabilities so that they are ready to enter the world of work. In the hotel industry, if you don't have the basic understanding and ability as a hotelier, it will be difficult to run hotel operations, we ourselves cannot focus on training workers while running hotel operations, so it is hoped that prospective workers with disabilities or normal ones already understand, so that when it is time to work, it is only necessary to add hotel product knowledge. The important thing is also that the government must accompany NGOs, I think many NGOs are willing to be dedicated to developing people with disabilities. In our district, the community will trust the government more, if NGOs go their own way, they will be hesitant because there is no element of the government or local government. This will certainly complicate our common vision. Collaboration, training, and needs analysis are certainly important related to the absorption of disabled workers in hotels."

Based on the results of the interview above, it can be concluded that to increase the absorption of workers with disabilities in the hospitality industry, the government needs to prepare adequate training for prospective workers with disabilities, so that they are ready to enter the world of work with basic understanding and skills as hoteliers.

Initial debriefing is important because the hotel cannot focus on training new workers while running operations. In addition, the government must assist NGOs that are committed to developing people with disabilities, because public trust is higher if there is government involvement. Collaboration, training, and needs analysis are key in realizing this shared vision. Supporting this, INF1 stated that the hospitality industry needs to design programs that include intensive training for individuals with disabilities and provide start-up capital. Collaboration between government, academia, and industry is essential to ensure the necessary capabilities are measurable and met.

The program should not only focus on financial support, but also on the provision of practical skills and social attitudes. Training should cover aspects such as the use of technology and organizational skills. Effective collaboration will allow for a smoother transition for individuals with disabilities into the workforce. These training programs should be designed in such a way that when the workforce is ready, the industry can adjust to budget and human resource needs quickly and efficiently. The industry's confidence in the readiness of this workforce is the key to success for effective program implementation.

Training can also help workers to be more confident when they have to go directly into the industrial world, besides that it also helps the hotel industry in determining positions for workers with disabilities. This is due to the establishment of standards for the type of disability in each hotel that is adjusted to the hotel facilities. The possibility of such absorption must consider the type of disability and place the workforce according to their limitations so as not to interfere with hotel operations.

2. Obstacles to the Implementation of Regional Regulation No. 3 of 2017

The results of the study (Kulkarni, 2020) found that people with disabilities face difficulties in getting a job. This is associated with the results of this study that there are obstacles in the implementation of Regional Regulation No. 3 of 2017 where these obstacles include:

Social Stigma: Social stigma and discrimination against people with disabilities in society are serious obstacles. Negative perceptions and prejudices against the ability of persons with disabilities to work and contribute effectively can hinder efforts to provide equal employment opportunities. "Lack of socialization and education to the tourism industry about the benefits and needs of inclusive tourism can hinder the implementation of inclusive tourism. This can cause the tourism industry not to understand how to serve people with disabilities effectively" (Bella Alizah, 2023).

Experts and Training: The availability of experts and special training programs for people with disabilities is still limited. Without adequate training programs, people with disabilities may find it difficult to meet the requirements of employment. "In the idealized policy indicators, there is a pattern of communication and coordination that is not ideal because there

are still many companies that have not employed people with disabilities. The Tangerang Regency Directorate stated in their area that there are still many companies that have not employed people with disabilities" (Bella Alizah, 2023).

Collaboration and Partnerships: Collaboration between the government, the hospitality industry, and organizations of people with disabilities has not been optimal. Strengthening collaboration is needed to promote inclusivity and ensure that people with disabilities get decent employment opportunities. "Collaboration between the government, the hospitality industry, and organizations of people with disabilities has not been running optimally. Strengthening collaboration is needed to promote inclusivity and ensure that people with disabilities get decent job opportunities" (Arum Restu Aji, 2023).

Operational Constraints: Limited physical infrastructure and work adjustments are obstacles in the implementation of this Regional Regulation. One of the problems that occurs for people with disabilities is the fulfillment of various rights of people with disabilities in the tourism sector (Pravita et al. 2023.) in (Berybe, et. al., 2023). Many hotel facilities are not yet fully disability-friendly, and adapting job positions to fit the abilities of people with disabilities can be challenging without sacrificing operational efficiency. "The lack of adequate infrastructure facilities can be an obstacle for people with disabilities in accessing tourism facilities. For example, elevators, escalators, or standard stairs that cannot be used by people with visual or hearing impairments" (Bella Alizah, 2023).

Economic and Financial Constraints: Transforming infrastructure to become more inclusive takes significant time and cost. Hotels also often do not have the resources or time to provide intensive in-house training for people with disabilities. Lack of Disability-Friendly Facilities or facilities specifically designed to meet the needs of disabled groups such as bathrooms, elevators, and public areas, as well as special facilities such as wheelchairs, hearing aids, and tactical instructions for the visually impaired will be a challenge for destinations that apply the principles of accessible tourism (Berybe, et. al., 2023).

This research offers several solutions that have been analyzed to overcome these obstacles, which require commitment and collaborative efforts from all parties involved, including the government, the hospitality industry, and the wider community. Governments need to be more proactive in building partnerships with the private sector and non-governmental institutions, as well as providing adequate information and training to support the uptake of workers with disabilities in the hospitality industry. Systematic monitoring and evaluation of tourism efforts is also needed to ensure that they comply with their commitment to more inclusive forms of development (Biddulph & Scheyvens, 2018). "The government has been considered consistent in implementing policies to fulfill the employment rights of persons with disabilities. However, the weakness of this program is that not all government agencies open special formations for disabilities and the admission quota is still small and there are problems with socialization" (Arum Restu Aji, 2023).

3. Conclusions and Suggestions

The West Manggarai local government has issued various socialization programs to increase awareness about the importance of absorbing labor from disability groups. This effort is carried out through mass media, seminars, and workshops involving various stakeholders. In addition, the government also provides education and training to employers on how to hire and support workers with disabilities, including information on the benefits of hiring people with disabilities and practical guidance for creating an inclusive work environment. This is in line with the opinion of INF 1 which states full support for the provision of jobs for people with disabilities and is committed to complying with all local and national regulations that support this sustainability. Furthermore, INF 2 emphasizes that the hospitality industry must comply with government regulations in absorbing workers with disabilities, despite the challenges in considering hotel operations. INF 3 also expects the government to set an example in absorbing workers with disabilities before directing industry or the private sector to do the same. Local governments play an important role in providing integrated and accessible information systems to ensure that persons with disabilities have equal access to employment opportunities. This includes the development of a disability-friendly job portal, a database of workers with disabilities, and information on training and education programs. The system is designed with accessibility principles in mind, including the use of screen readers and other adaptive technologies. In an interview with INF 4, it was explained that the government faces obstacles in providing information due to the low human resources of workers with disabilities who do not meet the required job qualifications. This obstacle affects the absorption of workers with disabilities in the hospitality industry. INF 1 also highlights the need for a detailed database related to the availability of workers with disabilities and their qualifications to facilitate recruitment by industry. The local government through the West Manggarai Manpower Office has implemented various mechanisms to expand employment opportunities for people with disabilities. One of the efforts made is through an internship program that provides opportunities for workers with disabilities to gain work experience and improve their skills. There is only one hotel that has employed workers with disabilities, which comes from an internship program conducted by the West Manggarai Manpower Office. INF 4 states that recommendations from relevant agencies will further increase the confidence of workers with disabilities and the intended industry. The implementation of Regional Regulation No. 3 of 2017 concerning Disability Groups in Hotels in Labuan Bajo has been carried out well through socialization, provision of information systems, and expansion of job opportunities. However, in its implementation, there is only one hotel that employs workers with disabilities through an internship program conducted by the West Manggarai Manpower Office. This shows that despite the progress, there are still many challenges that must be overcome to achieve optimal inclusion of the disabled workforce in the hospitality industry. Operational constraints such as limited infrastructure, social stigma, lack of experts, and training are still the main obstacles. Overcoming these obstacles requires commitment and collaborative efforts from all parties involved, including the government, the hospitality industry, and the wider community.

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