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# Enforcement of Asn Discipline Laws Based on The Online Personnel System Application And Its Impact on Performance In The Office of The Lubuk Sikarah District, Solok City

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Abstract: This research examines disciplinary law enforcement through the Online Civil Service System (KEPO), its obstacles and impact on ASN discipline. This type of research is normative juridical supported by empirical juridical. The data used is secondary and primary data. Secondary data was obtained from document studies and primary data was obtained by interviews. The data obtained was analyzed qualitatively, presented in a qualitative descriptive manner. First research results: In general, enforcement of disciplinary law through the KEPO system for ASN at the Kantor Camat Lubuk Sikarah is less effective. Even though discipline has been enforced by reducing or cutting additional employee income in accordance with Solok Mayor Regulation Number 17 of 2022 concerning Providing Additional Income to Regional ASN Employees. Second, the obstacles in enforcing disciplinary law through the KEPO system are: a) the legal factor is still weak: regulating the presence of a 50 meter radius, b) the law enforcement factor is still reluctant, c) the server facility factor is inadequate, d) the community understanding factor ASN in Kantor Camat Lubuk Sikarah regarding KEPO, e) Cultural Factors in the work environment in Lubuk Sikarah District, ASN's culture is reticent. Another finding from the research: there are ASNs who do not yet have an Android cellphone (camera) and a stable internet network. Meanwhile, the impact of implementing or enforcing ASN disciplinary laws on ASN performance in general has relatively increased, although it is still not effective.

**Keyword:** ASN, Discipline, Online Staffing

#### INTRODUCTION

Law is often seen as lagging behind developments over time. Research on ASN Disciplinary Law Enforcement using the Online Personnel Application System is an innovation in government administration which of course must be based on law. As we understand, information systems play a central and important role in organizations. There is a strong view that information technology, including strong communications networks, will be able to be used by entities to quickly access information from various sources from all over

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the world. At the same time, you can also carry out various activities that are not limited by space and time (Sutabri, 2012: 42). Can be anytime anywhere. The use of information systems makes a significant contribution to the user's performance in making decisions. Thus, information systems are also important for organizations, without exception, including government organizations (Irawati, *et.al*, 2017: 6).

The Indonesian constitutional system continues to change and this is of course also related to the theory of Constitutional Law which also adapts to the development of the situation. What was then quoted by Otong Rosadi (2015: 1), from the view of Constitutional Law Begawan Djokosoetono as being influenced by the atmosphere around him (meaning: around him) or in Dutch 'Stituationsgebundenheit'. So that the administration of state government must also adapt to the environment or conditions of community development. This is the case when state institutions carry out their functions. So innovation is needed to adapt society's needs in accordance with developments in times that are constantly changing and increasingly complex. It is hoped that this technological innovation will make things easier for society amidst global developments (Lucky Adiyasha, Dwiky 2023). State institutions, including Regional Government as a vertical state institution, in the structure of the Indonesian state. Must start preparing a good and adequate information technology (system). This is necessary to facilitate better, faster and more accurate service. The current view is that information technology is not adequate, fast and accurate, causing the service system to become hampered which in turn has an impact on performance. So it will be very difficult for the institution to provide satisfactory services (Ester Seroan, et all, 2008)

Realizing this actually starts from adopting technology to innovation in supporting government administration activities that have long been planned by the Government of the Republic of Indonesia. History records that there is Presidential Instruction Number 3 of 2003 concerning National Policies and Strategies for E-Government Development, which states that the implementation of electronic government (e-government) begins by first building a website for each Institution/Ministry/Government Agency. The application of this concept is expected to be able to solve problems and obstacles in the running of bureaucratic processes and form management systems and work processes of government organizations in an integrated (integrated) system. This Electronic-Based Government concept will facilitate the implementation of public service processes and access to information on the one hand. Meanwhile, on the other hand, it can also be a means for supervising and coaching personnel.

At the Kantor Camat Lubuk Sikarah, Kota Solok, the use of the Online Personnel Application (KEO Application), will greatly facilitate the implementation of personnel administration, digital storage of personnel data, and speed up the time and process of personnel management. Some examples of features are attendance, pensions, service badge management, karis (wife card) or husband card management, marriage permits, divorce permits, study permits, and leave processing services as well as other employee application services

According to Article 86 of Law Number 5 of 2014, it regulates the provisions: there is a guarantee that order is maintained in the implementation of their duties, so civil servants have the obligation to comply with civil servant discipline; Government agencies are obliged to enforce civil servant discipline and improve discipline; Civil servants who commit disciplinary violations must be subject to disciplinary punishment; for this purpose it is regulated by a Government Regulation.

To implement the provisions of Article 86 of Law Number 5 of 2014, Government Regulation Number 94 of 2021 was issued, which regulates: Obligations and Prohibitions for Civil Servants, what Disciplinary Punishments can be imposed on Civil Servants, and the imposition of disciplinary penalties for Civil servants as well as documenting files or documents on decisions to impose disciplinary penalties

There are many benefits to using the Personnel Information System in the Regions, including efforts to optimize and increase the efficiency of ASN within the Regional Government. This effort is carried out through data collection on the 4T-A (integrated, closed, orderly, orderly and safe) personnel system. Through this system, it is hoped that it can provide clarity from the start of the planning process, then the development stage, including the time of appointment; at the time of rotation transfer, promotion; for welfare, from control to policies related to ASN within the Regional Government (Moh. Mahfud MD, 2011).

Regarding sanctions for ASN as the focus of this research, there is research by (Agung Wijaya 2019). The results of the study show that the use of administrative sanctions is an application of authority from the government, which originates from written state administrative law norms and unwritten rules (customs in government practice). To determine state administrative law norms when granting authority to the government, accompanied by authority to enforce them against violators of state administrative law norms, in the form of disciplinary sanctions.

Next are the results of research from Welly Octaria (2019). The results of his study in his thesis stated that the mechanisms and procedures for dismissing civil servants according to the State Administrative Law can be differentiated based on the dismissal. Dismissal caused by a civil servant committing a criminal act will not be the same as dismissal due to a disciplinary violation. This research also found that there are different regulations between Law Number 5 of 2014 and Law Number 43 of 1999 regarding civil servants who commit disciplinary violations at a serious level are not subject to the disciplinary penalty of 'dishonorable dismissal', but they will only sentenced to 'honorable discharge.

At the Master of Law Postgraduate Program at Ekasakti University, there are the results of Nafrizal's research (2017). Nafrizal's study uses the approach that law is a social instrument. This approach looks at the legal behavior of civil servants who work at the Ministry of Religion of Kerinci Regency towards the legislation that regulates civil servant discipline.

Based on 3 (three) previous research results, differences can be seen with the research conducted by the author. In the author's research, the focus of the research is on the use of the Online Personnel Application (KEPO) system which requires all ASN, especially in the Lubuk Sikarah Subdistrict Office, Solok City, to use it to create officers who master information and technology and are competitive in keeping up with advances and technological sophistication. Through the Mayor of Solok's Instruction Number 824/968/Ins/BKPSDM-2019 dated 15 October 2019 concerning the Utilization of Online Personnel Services (KEPO). This Online Personnel Application (KEPO) contains: first, online services for each employee/State Civil Servant (ASN), whether leave services, applications for processing employee cards, processing husband/wife cards, marriage permits, divorce permits, Satya badges, promotions., Requests for transfers (in and out), retirement, requests for study assignments and study permits, JPT registration, employee absence reports and filling in SKP. Second, online leave archives for each employee/State Civil Apparatus (ASN), whether it is a CPNS SK, Education Certificate, Rank Decree, Position Decree, PIM-ADUM Structural Certificate, Training Guidance Certificate, Periodic Salary Decree, DP3-SKP, Birth Certificate, Award Certificate, Family-marriage Documents, Leave Archives, Other documents (KTP, NPWP).

The existence of an Online Personnel System (KEPO) should have a positive impact on the implementation of personnel administration, especially in terms of employee attendance and attendance at the Lubuk Sikarah District Office. However, it is still very far from the expected results. There are weaknesses in the Online Civil Service application system (KEPO), for example when taking attendance within a radius of 50 meters, it can be misused

by unscrupulous State Civil Servants (ASN) whose absence has an impact on the deduction of Regional Allowances (TENDA) from the State Civil Servants (ASN). In addition, there must be supervision in enforcing disciplinary laws from the Lubuk Sikarah Subdistrict Office, where the Subdistrict Head has authority at the Lubuk Sikarah Subdistrict Office, Solok City. At the Lubuk Sikarah Subdistrict Office, Solok City? (b) What is the impact on the performance of ASN as well as obstacles in enforcing disciplinary laws at the Lubk Sikarah Subdistrict Office, Solok City?

## **METHOD**

Research Time: Research was conducted January to August 2023, at the Lubuk Sikarah Subdistrict Office, Solok City, West Sumatra. This type of research is empirical juridical research, namely legal research that not only examines legal norms but also the operation of law in society. The research was carried out by examining library sources consisting of primary, secondary and tertiary legal materials. The normative juridical approach method is supported by empirical juridical analysis of primary data resulting from interviews and observations at the research location in Lubuk Sikarah District, Solok City. Primary Legal Materials are regulations relating to ASN Discipline. Secondary Legal Materials in the form of books and articles. Research specifications are analytical descriptions by describing research results and analyzing the data obtained. Analysis carried out qualitatively is presented in the form of a qualitative explanation (description) without using statistical data

#### RESULTS AND DISCUSSION

#### **Research Result**

Realizing disciplined ASN at the Lubuk Sikarah Subdistrict Office of the Regional Government of Solok City requires disciplinary law enforcement to minimize disciplinary violations. Therefore, the Solok City Regional Government created an Online Personnel Application (KEPO) system. This application is the embodiment of Regional Innovation. This system was created and functions so that ASN at work can use it in work processes and performance assessments. For example, if there is a disciplinary violation for the ASN, the person concerned will automatically find out about it.

ASN leaders have the responsibility to provide guidance and enforce ASN discipline in the environment where they serve. Rofiq Jati Usodo, Achmad. Et all (2023). This is the case with the implementation of the KEPO System at the Lubuk Sikarah District Head Office. Of course, in accordance with the civil service system, it is led by a sub-district head who is the leader at the sub-district level. The sub-district head acts as a protector for the community and for ASN at the Lubuk Sikarah District Office, Solok City.

Camat (The sub-district head) in the sub-district exercises authority based on the form of delegation of authority from the Mayor (Solok City Government). This is regulated in Article 224 of Law Number 23 of 2014, which regulates: The sub-district is led by a sub-district head who is under and responsible to the Regent/Mayor through the Secretary Regions, as top ASN management; The Regent/Mayor is obliged to appoint sub-district heads from civil servants who have mastery of technical government knowledge and meet personnel requirements; If the sub-district head is appointed not in accordance with the regulations, it can be canceled by the Governor as the representative of the Central Government in the region.

The results of research at the Lubuk Sikarah Subdistrict Office, Solok City, the subdistrict head is the head of the Lubuk Sikarah Subdistrict Office who has the authority to carry out a process of enforcement and action as well as imposing disciplinary penalties on ASN who are under him. So the common thread can be drawn, that the Lubuk Sikarah subdistrict head has this authority. Research shows that the Lubuk Sikarah sub-district head has

carried out enforcement, action and imposed light disciplinary sentences on his subordinates. From the research results, the imposition of disciplinary sanctions on ASNs who violate them only takes the form of a verbal warning and a reduction or deduction of additional employee income in accordance with Solok Mayor Regulation No. 17 of 2022 concerning Providing Additional Income to Regional ASN Employees.

As a result of Regional Innovation, the Online Personnel Application System (KEPO) aims to support enforcement, prosecution and imposition of disciplinary penalties for ASN at the Lubuk Sikarah District Head Office. This Online Personnel Application System (KEPO) supports the implementation of mandates/provisions of statutory regulations from laws to Ministry of Home Affairs regulations, including regional legal products, especially Mayor Regulation Number 17 of 2022.

ASN entering work according to the rules is still weak or less than optimal. This was proven based on observations when conducting research at the Lubuk Sikarah Subdistrict Office, where ASNs were often late when entering the office, went home quickly and did not take absences to go home or did not return to the office after breaks or outside work. Based on the results of an interview with the Head of Peace and Order, Lubuk Sikarah District, Solok City, this happened because moral development was not yet optimal and a weak monitoring system by the relevant agencies or Regional Apparatus Organizations (OPD) or could be due to a weak recruitment selection system to become ASN. If linked to the provisions of Article 4 letter f Government Regulation no. 94 of 2021 concerning Civil Servant Discipline, this regulation contains the obligations of civil servants, including the obligation for civil servants to come to work and comply with working hours regulations.

In general, Government Regulation no. 94 of 2021 contains regulations regarding ASN obligations, regarding prohibitions on ASN, contains sanctions for ASN, regulates procedures for imposing penalties, various levels and types of punishment and who the official has the authority to impose punishment. Every ASN who commits a disciplinary violation without complying with the formulation of the criminal law for that ASN will only be sentenced to disciplinary punishment according to the level of the violation, namely: violation of light disciplinary punishment, medium discipline or heavy discipline.

An interview with someone who often received a reduction or cut in additional employee income explained that there was a lack of appreciation for ASN who excelled and neglect by superiors. What is meant by omission is that when a superior learns of a violation of discipline by a subordinate, the superior does not give a warning. For example, because of embarrassment, pity, pity for his subordinates if higher sanctions are applied. Another factor is the political influence of the regional head election which has an impact on the work environment at the Lubuk Sikarah Subdistrict Office, also affecting the discipline of ASN<sup>2</sup>

According to the Head of General and Personnel Subdivision Staff, in accessing/inputting, applying and processing personnel data there is still a lack of human resources (HR) in managing the Online Personnel Application (KEPO) causing the work results achieved to be less than optimal, because it only consists of 1 person staff. This certainly makes it difficult to access/input, implement and process the Online Personnel Application (KEPO) in Lubuk Sikarah District, Lubuk Sikarah District Office, Solok City.<sup>3</sup>

#### **Discussion (Analysis)**

<sup>1</sup> Interview with Fauzan Susazi, Kasi Tratim (Head of Peace and Order), Kecamatan Lubuk Sikarah, Kota Solok, April 12nd 2023.

<sup>&</sup>lt;sup>2</sup> Wawancara dengan Zulfazion, Kasi Pemberdayaan Masyarakat Kecamatan Lubuk Sikarah Pemerintah Daerah Kota Solok, Tanggal 14 April 2023.

Wawancara dengan Nina Marisa, Staf Kasubag Umum dan Kepegawaian Kecamatan Lubuk Sikarah Kota Solok, Tanggal 2 Mei 2023.

Research shows that enforcement of disciplinary laws through the Online Personnel Application (KEPO) system for ASN at the Lubuk Sikarah Subdistrict Office is less effective. The reasons why disciplinary law enforcement is not effective are:

1. The process of taking attendance at a distance of 50 meters

During the process of taking attendance from the State Civil Apparatus (ASN) using the Online Personnel Application (KEPO) which is equipped with Google Maps with a 50 meter radius to log in, it will certainly make processing easier for ASN at the Lubuk Sikarah District Head Office. This process provides a gap for ASN individuals who lack awareness in carrying out the obligations and tasks they carry out (just absenteeism).

# 2. Lack of supervision

The sub-district head obtains delegation of authority from the Mayor/Regent to carry out administrative legal actions such as supervising the discipline of ASN as provided by law in carrying out general government tasks. Observations in research show that the sub-district head is less assertive in carrying out his supervisory function

The research results show that the impact of enforcing disciplinary laws through the Online Personnel Application (KEPO) system at the Lubuk Sikarah Subdistrict Office, Solok City Regional Government, includes:

- 1. Based on Mayor Regulation no. 17 of 2022, the implementation of the Online Civil Service Application System (KEPO) in Lubuk Sikarah District, Solok City, especially in enforcing disciplinary laws for State Civil Apparatus, will be able to be further improved.
- 2. State Civil Apparatus will be more punctual in carrying out work activities, especially during office entry and exit hours.
- 3. Employees who are proven to have received deductions from their income allowance Government Regulation (Peraturan Pemerintah) become excluded from the community because of shame and inferiority.
- 4. Some employment rights cannot be granted due to deductions from Employee Income Allowances Government Regulation (Peraturan Pemerintah) according to the amount of deductions stated in the Online Employment Application

Government regulations regarding ASN discipline regulate ASN obligations, prohibitions that ASN may not carry out, and the imposition of ASN disciplinary penalties as well as regarding procedures for implementing ASN summons, ASN examinations, impositions, and delivery of ASN disciplinary punishment decisions. The overall aim of implementing this regulation is of course related to efforts to improve ASN performance. This author's research shows that the threat of ASN disciplinary punishment can improve performance. As per the research results of Lilis Yuaningsih (2020)) On the other hand, improving ASN performance must of course lead to increasingly better public services. In terms of improving public services, we must be guided by Law Number 25 of 2009 concerning Public Services, compare with the views of Juliani (2019). Even though in practice it is not optimal.

#### **Legal Factors**

Efforts to enforce discipline for ASN, the Regional Government of Solok City has made regulations for the implementation and running of good local governance, in accordance with the Vision and Mission of Lubuk Sikarah District, namely "Realizing Excellent Service in Lubuk Sikarah District". The existence of a 50 meter radius attendance requirement and the lack of implementation of sanctions for violations and awards for ASN who excel from the Government, makes the existing regulations less effective.

#### **Law Enforcement Factors**

The law enforcement factor referred to is the sub-district head factor as the superior who is supposed to carry out disciplinary law enforcement. The sub-district head made a mistake when he found out about a disciplinary violation committed by his subordinates, there was no warning, with the reason that the direct superior in the agency did not understand the authority given to impose appropriate sanctions and there was a feeling of hesitation, pity, and pity towards his subordinates.

#### **Facilities Factor**

The results of research at the Lubuk Sikarah Subdistrict Office, Solok City, show that the network required to use the Online Personnel Application System (KEPO) is a local network and the internet. The network has a main server which is then developed/distributed to agencies/regional apparatus organizations in the Solok City Government, especially the Lubuk Sikarah District Head Office, resulting in disturbances such as internet errors and other disturbances.

Researchers observed that the need for computers at the Lubuk Sikarah Subdistrict Office is still inadequate and there is only 1 computer, during the data processing/inputting period it will certainly be hampered, moreover the computer used for processing/inputting Online Personnel Data (KEPO) is still multifunctional.

## **Community Factors**

Low understanding or low level of Human Resources (HR) regarding applicable regulations. There are only 19 ASNs at the Lubuk Sikarah Subdistrict Office, and the presence of ASNs with high school and D-III education is very influential in implementing the disciplinary law enforcement that is to be achieved.

### **Cultural Factors**

Enforcement of disciplinary laws through the Online Personnel Application (KEPO) system at the Lubuk Sikarah Subdistrict Office, Solok City is related to cultural values that have been in place for a long time. Such as the culture of close people, one village, one generation, place of education, and so on. Policies regarding competency, career paths, relationships between superiors and subordinates, and regarding handling of other disciplinary cases. The culture of 'knowing and being close' between superiors and subordinates, through the Online Personnel Application system (KEPO) will change because of the system. This will have the impact of reducing ASN disciplinary violations at the Lubuk Sikarah Subdistrict Office and ultimately impacting the performance/work motivation of the ASN and the Solok City Regional Government.

Another obstacle in enforcing ASN disciplinary laws at the Lubuk Sikarah Subdistrict Office is cultural factors that come from each individual/person, such as ASN's personal disposition to come and go from the office which is difficult to change, where researchers can conclude that those who often violate apparatus disciplinary rules Lubuk Sikarah District Head Office State Civil Service in each month, most of the people/individuals are the same.

In practice, there are several obstacles faced in enforcing disciplinary laws through the Online Personnel Application (KEPO) system for ASN at the Lubuk Sikarah Subdistrict Office, Solok City, namely:

1. Every ASN must have an Android cellphone (camera).

The implementation of the Online Personnel Application System (KEPO) for ASN at the Lubuk Sikarah District Office, Solok City, of course every individual from the ASN must have an Android cellphone (camera) for taking attendance. For ASN who do not have an Android cellphone, of course they cannot take attendance, because only with an Android cellphone can you log in to the Online Personnel Application (KEPO) system.

# 2. Internet Signal/Network.

Every use of the Online Personnel Application System (KEPO) must be accompanied by good/sufficient signal strength for logging in. When taking attendance, it is equipped with Share Location (Serlok) via Google Maps, then after that you can log in to the Online Personnel application system (KEPO).

The results of his research show that the impact of the obstacles faced in enforcing disciplinary laws through the Online Personnel Application System (KEPO) at the Lubuk Sikarah Subdistrict Office, Solok City Government, is:

- 1. There are still ASNs who only take attendance when entering and leaving the office, but their activities in carrying out their work are less than optimal.
- 2. The State Civil Apparatus believes that the result of a lack of discipline in employee attendance is just a reduction/cutting of the employee's additional income, but will not affect their performance/position.
- 3. Negative mindset towards the Lubuk Sikarah Subdistrict Office of the Solok City Government due to their lack of firmness in enforcing the rules.
- 4. There are Solok City Regional Government programs that are not implemented in enforcing personnel discipline, especially the use/implementation of the Online Personnel Application System (KEPO) and applicable regulations.
- 5. The vision and mission of the Lubuk Sikarah Subdistrict Office, Solok City, namely: "The realization of excellent service in Lubuk Sikarah Subdistrict" has not been achieved.
- 6. The mission of the Solok City Government implemented by the Lubuk Sikarah District Government which is in accordance with the District's working area, namely: "Organizing Regional Government with the principles of good governance", is less than optimal.

Efforts are being made to enforce disciplinary laws through the Online Personnel Application System (KEPO) at the Lubuk Sikarah Subdistrict Office, Solok City Government, which consists of:

#### 1. Prevention Efforts

Preventive measures are preventative measures carried out to prevent an event or incident from occurring which results in a violation of the applicable regulations. For example:

- a. Strengthening Religious Affairs is carried out by: attending the weekly recitation prayer held at the Mushalla at the Solok City Hall Office, congregational Fajr activities at mosques in Solok City according to the activity schedule, recitation activities or Grand Tabliq held by the Regional Government of Solok City.
- b. Improving Education.
- c. Improving the welfare of ASN with additional employee income or regional allowances.

## 2. Curative Efforts (Imposing Sanctions)

Curative Efforts (Imposing Sanctions) are efforts carried out after an event or events occur that give rise to a violation in the form of imposing sanctions or punishments in accordance with applicable regulations. Examples of Curative efforts (Imposing Sanctions), include:

- a. There is Solok Mayor Regulation Number 18 of 2010 concerning Employee Discipline.
- b. Every time a disciplinary penalty is imposed by ASN, a copy of it must be submitted by the SKPD head to BKPSDM and the Solok City Regional Inspectorate.
- c. Every ASN who receives disciplinary punishment in the form of a verbal warning, written warning and written statement of dissatisfaction but does not heed it, the SKPD leader concerned is obliged to report it to the Regional Secretary through the Personnel and Human Resources Development Agency for further processing by the City Government Employee Advisory Council (Tim Majelis Pertimbangan Pegawai

Pemerintah Kota Solok)

#### **CONCLUSION**

Based on the results of the analysis and discussion above, the *first* conclusion is obtained: Enforcement of disciplinary law through the Online Personnel Application system to improve the performance of State ASN at the Lubuk Sikarah Subdistrict Office, Solok City. In general, enforcement of disciplinary law through the Online Personnel Application system (KEPO) for ASN at the District Head's Office Lubuk Sikarah can be seen from the research results as being less effective. Even though discipline has been enforced by reducing or cutting additional employee income in accordance with Solok Mayor Regulation Number 17 of 2022 concerning Providing Additional Income to Regional ASN Employees. Second, the obstacles faced in enforcing disciplinary law through the Online Personnel Application system and its impact on the performance of ASN at the Lubuk Sikarah Subdistrict Office, Solok City, normatively are: a) Legal Norming Factors which are still weak in regulating the presence of a 50 meter radius, b) Law Enforcement Factors There are still doubts, c) Inadequate server facilities and the number of computer units, d) Community factors, in this case ASN's understanding of KEPO in Lubuk Sikarah District, e) Cultural factors in the work environment in Lubuk Sikarah District, the culture of ASN's reluctance. From an empirical perspective, these are: a) Every State Civil Apparatus (ASN) must have an Android cellphone (camera), b) Internet signal/network. The impact of implementing or enforcing ASN disciplinary laws on ASN performance in general is relatively increasing even though it is not yet effective.

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