

Kajian yuridis terhadap kesejahteraan pekerja outsourcing dengan pekerja kontrak ditinjau dari pembagian pekerjaan di dalam perusahaan kontainer (studi kasus putusan Mahkamah Agung Nomor 216 K/PDT.SUS/2009) = Juridical study welfare of the outsourcing workers and contract workers seen from the division of work in the container company (case study of supreme court number 216 K/PDT.SUS/2009)

R.A. Safitri Kusumawardhani, author

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Abstrak

Perjanjian Kerja merupakan awal dari lahirnya hubungan industrial antara pemilik modal dengan pekerja. Akhir-akhir ini banyak perusahaan yang memakai Perjanjian Kerja Waktu Tertentu (PKWT) dan Kontrak untuk menekan biaya pekerja/buruh dan meningkatkan keuntungan. Hanya saja dalam prakteknya banyak penerapan sistem Perjanjian Kerja Waktu Tertentu (PKWT) yang tidak sesuai dengan ketentuan dalam Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan, sehingga merugikan dan menghilangkan perlindungan terhadap pekerja/buruh. Salah satu aktivitas di PT. JICT adalah bongkar muat kontainer yang mempunyai resiko tinggi kerugian baik terhadap manusia, property dan proses. Dari hasil penelitian ini disimpulkan, pelaksanaan perlindungan terhadap pekerja/buruh, Perjanjian Kerja Waktu Tertentu (PKWT) masih terdapat berbagai halangan yang disebabkan ketidakjelasan pembagian kerja yang digunakan, sehingga terjadi penyimpangan terhadap penerapan perlindungan terhadap pekerja/buruh Perjanjian Kerja Waktu Tertentu (PKWT).

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