

Perlindungan Hukum terhadap Hak Normatif Pekerja dengan Sistem Perjanjian Kerja Waktu Tertentu pada PT. X = Legal Protection of the Normative Rights of Workers with a Certain Time Work Agreement System at PT. X

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Abstrak

Saat ini praktik hubungan kerja berlandaskan PKWT kerap dilakukan pengusaha kepada pekerjanya karena dinilai mengurangi labor cost bagi pengusaha. Namun, PKWT sering kali tidak mematuhi aturan hukum ketenagakerjaan sehingga membuka celah tercederai hak normatif pekerja. PT. X, perusahaan yang bergerak di bidang pelayanan/jasa memiliki karyawan dengan jumlah 149 orang. Keseluruhan karyawan terikat hubungan kerja dengan sistem PKWT. Permasalahan yang dikaji dalam tulisan ini adalah: 1. Bagaimanakah perlindungan hukum terhadap hak normatif pekerja dengan sistem PKWT pada PT.X? 2. Bagaimanakah kendala yang dihadapi dan upaya yang telah ditempuh PT.X dalam perlindungan hak normatif pekerja dengan sistem PKWT? 3. Bagaimanakah peran pengawasan ketenagakerjaan atas perlindungan hukum terhadap hak normatif pekerja dengan sistem PKWT pada PT.X? Penelitian ini menggunakan pendekatan yuridis-normatif. Jenis data sekunder serta dilengkapi dengan wawancara terhadap informan. Hasil penelitian: 1. Perlindungan hukum hak normatif pekerja dari aspek sosial dan ekonomis pada PT. X belum dilaksanakan sesuai ketentuan hukum. 2. Kendala yang dihadapi dan upaya yang telah ditempuh PT.X dalam perlindungan hak normatif pekerja dengan sistem PKWT adalah: a. Perusahaan belum mampu menutupi biaya operasional SDM; b. Tidak mengetahui hukum ketenagakerjaan c. Peranan pemerintah belum optimal. 3. Peran pengawasan ketenagakerjaan dilakukan melalui tahapan preventif edukatif dan tahapan represif non yustisial.

.....Currently, the practice of working relations based on PKWT is often carried out by employers to their workers because it is considered to reduce labour costs for employers. However, PKWT often do not comply with the rules of labour law, thus opening a gap for workers' normative rights to be injured. PT. X, a company engaged in the service sector has 149 employees. All employees are bound by a working relationship with the PKWT system. The problems studied in this paper are: 1. How is the legal protection of the normative rights of workers with the PKWT system at PT.X? 2. What are the obstacles faced and the efforts that have been taken by PT.X in protecting workers' normative rights with the PKWT system? 3. What is the role of labour inspection on legal protection of workers' normative rights with the PKWT system at PT.X? This study uses a juridical-normative approach. Types of secondary data and equipped with interviews with informants. Research results: 1. Legal protection of workers' normative rights from social and economic aspects at PT. X has not been implemented in accordance with legal provisions. 2. The obstacles faced and the efforts that have been taken by PT.X in the protection of workers' normative rights with the PKWT system are: a. The company has not been able to cover HR operational costs; b. Not knowing labour law c. The government's role is not optimal. 3. The role of labour inspection is carried out through preventive educative stages and non-judicial repressive stages.