

Status dan perlindungan hukum pegawai Universitas Indonesia sebagai Perguruan Tinggi Negeri Badan Hukum setelah ditetapkan undang-undang Nomor 12 tahun 2012 tentang Pendidikan Tinggi = Statue and legal protection of University of Indonesia employee as higher education state of legal entity ptn bh after law no 12 2012 about higher education applied

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Abstrak

ABSTRAK

Penetapan Undang-undang Nomor 12 Tahun 2012 tentang Pendidikan Tinggi mengamankan Universitas Indonesia yang sebelumnya berstatus sebagai Badan Hukum Milik Negara menjadi Perguruan Tinggi Negeri Badan Hukum. Perubahan status perguruan tinggi berdampak pada status kepegawaian di Universitas Indonesia. Tidak terdapat ketentuan aturan hukum mengenai perlindungan hak dan kewajiban bagi pegawai tetap dan pegawai tidak tetap di lingkungan UI. Tumpang tindih antara Undang- Undang Ketenagakerjaan, Statuta Universitas Indonesia, dan Undang-Undang Aparatur Sipil Negara mengakibatkan ketidakjelasan status dan perlindungan hukum pegawai Universitas Indonesia. Masing-masing peraturan tersebut mengatur sistem rekrutmen, jenjang karier, serta hak dan kewajiban pegawai secara berbeda. Dengan demikian, untuk menyelesaikan permasalahan kepegawaian Universitas Indonesia dapat dilakukan dengan menetapkan aturan atau kebijakan Rektor terkait perlindungan hukum pegawai Universitas Indonesia. Perlindungan hukum dimaksud adalah aturan hukum memberikan jaminan atas perlindungan hak-hak pegawai Universitas Indonesia.

<hr><i>ABSTRACT</i>

Application of Law No. 12 of 2012 on Higher Education, University of Indonesia mandates that previously existed as a State-owned Legal Entity (BHMN) into the Higher Education State of Legal Entity (PTN-BH). Status changes of higher education has an impact on employment status at the University of Indonesia. No provisions regarding the rule of law for the protection of the rights and obligations of permanent and temporary employees in UI causing staffing problems. Overlap between the Employment Act, Statute of the University of Indonesia, and the Law of State's Civil Officer lead status, position and legal protection for employees of the University of Indonesia as PTN BH becomes unclear. Each of these regulations regulate the system of recruitment, career path, and the rights and obligations of employees differently. Thus, the staffing problems of University of Indonesia can be resolved by setting up rules and policies related to legal protection of temporary employees of the University of Indonesia. This legal protection explains what Government Law guarantees about protection of the rights of permanent and temporary employees of the University of Indonesia.</i>