

ABSTRAK

Skripsi ini berjudul “Tinjauan Fiqih Muamalah dan Pasal 12 PP No.78 Tahun 2015 Terhadap Pembayaran Upah Pekerja Borongan Pengupas Rajungan” (Studi Kasus Desa Dakiring Kecamatan Socah Kabupaten Bangkalan). Dengan latar belakang bahwa pembayaran upah pekerja borongan yang ada di desa Dakiring disamaratakan antara pekerja dibagian capit dan badan rajungan dengan perolehan hasil pekerjaan yang ditimbang secara terpisah antara daging capit dan daging badan rajungan. Dan pada saat melakukan ijab qabul atau perjanjian kerja, pengusaha tidak menjelaskan terlebih dahulu mengenai pembagian pekerjaan dan upah yang didapat sebelum pekerjaan dimulai. Karena itulah, peneliti tertarik untuk meneliti tentang tinjauan Fiqih Muamalah dan Pasal 12 PP No.78 Tahun 2015 terhadap pembayaran upah pekerja borongan pengupas rajungan di Desa Dakiring Kecamatan Socah Kabupaten Bangkalan. Penelitian ini bertujuan untuk menjawab pertanyaan: 1) Bagaimana praktik pengupasan rajungan di Desa Dakiring Kecamatan Socah Kabupaten Bangkalan ? 2) Bagaimana tinjauan Fiqih Muamalah dan Pasal 12 PP No.78 Tahun 2015 terhadap pembayaran upah pekerja borongan yang ada di Desa Dakiring Kecamatan Socah Kabupaten Bangkalan?

Penelitian ini menggunakan jenis penelitian lapangan (*Field Research*) dengan pendekatan yuridis empiris. Sumber data primer yang digunakan yakni observasi, wawancara serta dokumentasi dengan pengamatan langsung ke lapangan yang berkaitan dengan fokus penelitian, yaitu pembayaran upah pekerja borongan pengupas rajungan yang ditinjau berdasarkan Fiqih Muamalah dan Pasal 12 PP No. 78 Tahun 2015 tentang pengupahan. Sedangkan sumber data sekunder didapat dari literatur buku, jurnal yang berkaitan dengan fokus penelitian.

Hasil penelitian ini menyimpulkan bahwa: 1) pembayaran upah pekerja borongan pengupas rajungan jika di tinjau berdasarkan Fiqih Muamalah tidak sesuai dengan teori yang ada yakni, dikarenakan saat melakukan ijab qabul atau perjanjian kerja pengusaha tidak memberitahukan secara jelas mengenai pembagian kerja dan upah yang didapat sebelum melakukan pekerjaan. 2) jika ditinjau berdasarkan pasal 12 PP No.78 Tahun 2015 tentang pengupahan sudah sesuai dengan teori yakni, sudah sesuai dengan penetapan upah berdasarkan satuan waktu dan satuan hasil.

Kata kunci: Upah, borongan, Fiqih Muamalah dan PP No.78 Tahun 2015.

ABSTRACT

This thesis entitled "Review of Fiqih Muamalah and Article 12 of Government Regulation No.78 Year 2015 Against Payment of Wage of Peanut Peat Payer" (Case Study of Dakiring Village, Socah Sub-District of Bangkalan Regency). Against the background which the payment of wages for wholesale workers in Dakiring village is generalized between the workers of the claws and the cremation bodies with the acquisition of the work which is separately weighted between the meat of the claws and the flesh of a crab body. And when performing *ijab qabul* or employment agreement, the employer does not explain in advance the division of labor and wages earned before the work began. Therefore, the researcher is interested to examine about the review of Fiqih Muamalah and Article 12 of PP No.78 of 2015 on the payment of wage workers of shrimp crackers in Dakiring Village, Socah Sub-district, Bangkalan District. This study aims to answer the questions: 1) How is the practice of stripping small crabs in Dakiring Village District Socah Bangkalan District? 2) How is the review of Fiqih Muamalah and Article 12 of PP No.78 of 2015 on the payment of wages of existing wholesalers in Dakiring village, Socah sub-district, Bangkalan regency?

This research uses field research type (*Field Research*) with empirical juridical approach. Primary data sources used were observations, interviews and documentation with direct observation to the field related to the research focus, namely payment of wage workers peat shrimp crabs reviewed under Islamic law and Article 12 PP. 78 of 2015 concerning remuneration. While the secondary data sources obtained from the book literature, journals related to the focus of research.

The result of this study concludes that: 1) the payment of wage workers of shrimp peeler if reviewed based on Fiqih Muamalah is not in accordance with the existing theory that is, because when *ijab qabul* or employment agreement employers do not clearly inform about the division of labor and wages earned before doing work. 2) if reviewed based on Article 12 of PP No.78 of 2015 on remuneration is in accordance with the theory that is, in accordance with the determination of wages based on units of time and unit of results.

Keywords: Wage, wholesale, Fiqih Muamalah and PP No.78 of 2015.