

ABSTRAK

Penelitian ini dilatarbelakangi oleh masih maraknya pelanggaran terhadap hak-hak pekerja Perjanjian Kerja Waktu Tertentu (PKWT), khususnya terkait hak atas uang kompensasi sebagaimana diatur dalam Peraturan Pemerintah Nomor 35 Tahun 2021. Studi ini mengangkat kasus NV karyawan PT. ST Surabaya yang mengalami pemutusan hubungan kerja (PHK) secara sepihak tanpa diberikan uang kompensasi yang sesuai, walaupun telah bekerja lebih dari tiga tahun. Permasalahan utama dalam penelitian ini adalah bagaimana implementasi perlindungan hukum atas hak uang kompensasi NV sebagai pekerja PKWT di PT. ST dan bagaimana upaya hukum yang dapat dilakukan apabila hak tersebut tidak terpenuhi.

Metode penelitian yang digunakan dalam studi ini adalah metode penelitian hukum empiris dengan pendekatan *socio legal research*. Data diperoleh melalui wawancara terhadap pekerja, perusahaan, dan Dinas Ketenagakerjaan Kota Surabaya serta studi kepustakaan terhadap peraturan perundang-undangan yang relevan. Penelitian dilakukan di Kota Surabaya dengan fokus pada implementasi PP No. 35 Tahun 2021 sebagai aturan pelaksana Undang-Undang Cipta Kerja, khususnya dalam konteks perlindungan hukum bagi pekerja PKWT.

Hasil penelitian menunjukkan, bahwa implementasi perlindungan hukum atas hak uang kompensasi di PT. ST terhadap kasus NV belum berjalan sesuai regulasi. NV sebagai pekerja PKWT di sana tidak mendapatkan kompensasi saat kontraknya berakhir disebabkan PHK, hal tersebut terjadi karena minimnya sosialisasi dari perusahaan mengenai hak tersebut. Penelitian ini menyimpulkan bahwa perlu adanya pengawasan ketat serta edukasi terhadap pengusaha dan pekerja terkait hak dan kewajiban dalam hubungan kerja PKWT, serta mendorong penyelesaian perselisihan melalui mekanisme hukum yang tersedia.

Kata Kunci: Perlindungan Hukum, Perjanjian Kerja Waktu Tertentu (PKWT), Uang Kompensasi

ABSTRACT

This research is motivated by the continuing prevalence of violations against the rights of Fixed-Term Employment Agreement (PKWT) workers, particularly concerning their right to compensation as stipulated in Government Regulation Number 35 of 2021. The study highlights the case of NV, an employee of PT. ST Surabaya, who experienced unilateral termination of employment (PHK) without receiving the appropriate compensation, despite having worked for more than three years. The main issue addressed in this research is how the legal protection of NV's right to compensation as a PKWT worker is implemented at PT. ST, and what legal remedies can be pursued if such rights are not fulfilled.

The research method used in this study is empirical legal research with a socio-legal approach. Data were obtained through interviews with workers, the company, and the Surabaya City Manpower Office, as well as literature studies on relevant laws and regulations. The study was conducted in Surabaya, focusing on the implementation of Government Regulation No. 35 of 2021 as the implementing regulation of the Job Creation Law, particularly in the context of legal protection for PKWT workers.

The results of the study indicate that the implementation of legal protection for compensation rights at PT. ST in NV's case has not been carried out in accordance with regulations. NV, as a PKWT worker, did not receive compensation upon contract termination due to dismissal, which occurred as a result of the company's lack of socialization regarding such rights. This research concludes that strict supervision and education are needed for both employers and workers regarding rights and obligations in PKWT employment relations, as well as encouraging dispute resolution through the available legal mechanisms.

Keywords: Legal Protection, Fixed-Term Employment Agreement (PKWT), Compensation Money