

**ANALISIS PUTUSAN HAKIM DALAM PERKARA PERSELISIHAN  
PEMUTUSAN HUBUNGAN KERJA DI PENGADILAN HUBUNGAN  
INDUSTRIAL PADA PENGADILAN NEGERI YOGYAKARTA  
(STUDI KASUS TERHADAP PUTUSAN NOMOR  
21/PDT.SUS-PHI/2020/PN YYK)**

**INTISARI**

**Oleh**

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Tujuan dari penelitian ini untuk mengetahui dan menganalisis pertimbangan hakim Pengadilan Hubungan Industrial pada Pengadilan Negeri Yogyakarta nomor 21/Pdt.Sus-PHI/2020/PN Yyk mengenai perkara pemutusan hubungan kerja. Tujuan lain dari penelitian ini adalah untuk mengetahui dan menganalisis penerapan *idee des recht* atau kerangka cita hukum meliputi keadilan, kemanfaatan dan kepastian hukum dalam perkara pemutusan hubungan kerja nomor 21/Pdt.Sus-PHI/2020/PN Yyk di Pengadilan Hubungan Industrial pada Pengadilan Negeri Yogyakarta.

Penelitian ini merupakan penelitian yuridis normatif yang bersifat deskriptif. Penelitian dilakukan melalui penelitian kepustakaan untuk mendapatkan data sekunder atas berbagai bahan hukum baik primer, sekunder, dan tersier, dengan alat berupa studi dokumen. Penelitian kepustakaan ini didukung wawancara terhadap narasumber Kepala Seksi Hubungan Industrial Dinas Tenaga Kerja dan Transmigrasi Yogyakarta, dengan menggunakan alat berupa pedoman wawancara. Hasil penelitian dianalisis secara kualitatif.

Hasil penelitian menyimpulkan, pertimbangan Hakim dalam penyelesaian sengketa PHK pada putusan perkara nomor 21/Pdt.Sus-PHI/2020/PN Yyk Pengadilan Hubungan Industrial Pengadilan Negeri Yogyakarta belum tepat karena proses alur PHK belum sesuai dengan Pasal 151 ayat (2) Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan dan Pasal 3 ayat (1) Undang-Undang Nomor 2 Tahun 2004 Tentang Penyelesaian Perselisihan Hubungan Industrial, karena tidak dilakukannya perundingan bipartit terlebih dahulu antar para pihak sementara terbukti tidak terjadi PHK. Pertimbangan hakim Pengadilan Hubungan Industrial pada Pengadilan Negeri Yogyakarta dalam menetapkan putusan mengenai perkara PHK nomor 21/Pdt.Sus-PHI/2020/PN Yyk telah memperhatikan *idee des recht* atau kerangka cita hukum yakni keadilan, kemanfaatan, dan kepastian hukum dengan penekanan lebih pada unsur keadilan, sebab pada akhirnya Majelis Hakim memutuskan mengakhiri hubungan kerja antara Para Penggugat dan Tergugat.

**Kata Kunci : Perselisihan Hubungan Industrial, Pemutusan Hubungan Kerja, Putusan Hakim, *Idee Des Recht*, Pengadilan Hubungan Industrial**

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***ANALYSIS OF JUDGES' DECISIONS IN DISPUTES OVER  
TERMINATION OF EMPLOYMENT AT THE INDUSTRIAL  
RELATIONS COURT AT THE YOGYAKARTA DISTRICT  
COURT (CASE STUDY ON THE DECISION  
NUMBER 21/PDT.SUS-PHI/2020/PN YYK)***

**ABSTRACT**

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*The purpose of this research is to find out and analyze the considerations of the Judges of the Industrial Relations Court at the Yogyakarta District Court number 21/Pdt.Sus-PHI/2020/PN Yyk regarding the case of termination of employment. Another purpose of this research is to find out and analyze the application of *idee des recht* or the legal framework covering justice, expediency and legal certainty in the case of termination of employment number 21/Pdt.Sus-PHI/2020/PN Yyk in the Industrial Relations Court at the Yogyakarta District Court.*

*This research is normative-judicial research with a descriptive analytical approach. The research was conducted through library research to obtain secondary data on various materials such as primary, secondary, and tertiary legal materials, using a document study as a tool. This research is also supported by interviews with the Section Head of Industrial Relations of the Yogyakarta Manpower and Transmigration Service, using a tool in the form of interview guidelines. The result is qualitative research.*

*The results of the research concluded that, the Judges' consideration in resolving the dispute over the termination of employment in the decision on case number 21/Pdt.Sus-PHI/2020/PN Yyk, the Industrial Relations Court of the Yogyakarta District Court, was not appropriate because the process of termination of employment was not in accordance with Article 151 paragraph (2) Law Number 13 of 2003 concerning Manpower and Article 3 paragraph (1) of Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes, because there is no prior bipartite negotiation between the parties while it was proven that there were no termination of employment. The consideration of the judges of the Industrial Relations Court at the Yogyakarta District Court in determining the decision regarding the case of termination of employment number 21/Pdt.Sus-PHI/2020/PN Yyk has fulfilled the *idee des recht* or legal framework, namely justice, expediency, and legal certainty with more emphasis on the element of justice, because in the end the Judges' decided that there would be termination of employment.*

***Keywords : Industrial Relations Disputes, The Termination of Employment, Judges' Decisions, Idee Des Recht, Court of Industrial Relation***

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