

## **Pelindungan Hukum Terhadap Pekerja Kontrak Yang Dibayar Di Bawah Upah Minimum Kabupaten/Kota (UMK) Di PT Tirta Ratna Kota Bandung**

### **Intisari**

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Tujuan penelitian ini untuk mengetahui dan menganalisis keabsahan kesepakatan antara PT Tirta Ratna dan pekerja kontrak atas penetapan upah dengan ketentuan upah minimum dalam peraturan perundang-undangan. Penelitian ini juga ditujukan untuk mengetahui dan menganalisis pelindungan hukum terhadap pekerja kontrak yang menyepakati perjanjian dengan PT Tirta Ratna terkait penentan upah yang dibayar di bawah ketentuan Upah Minimum Kabupaten/Kota (UMK).

Penelitian ini merupakan penelitian normatif-empiris yang bersifat deskriptif. Penelitian normatif-empiris ini dilakukan secara langsung dengan menggunakan teknik wawancara kepada responden dan narasumber dengan menggunakan alat berupa pedoman wawancara. Penelitian ini juga dilakukan melalui penelitian kepustakaan untuk mendapatkan data sekunder melalui bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier.

Kesimpulan dari penelitian ini, yaitu: Pertama, kesepakatan antara pekerja kontrak dengan pengusaha PT Tirta Ratna tercantum dalam PKWT, yang menetapkan upah di bawah ketentuan upah minimum Kota Bandung tersebut sah, karena PKWT tersebut telah memenuhi syarat sahnya perjanjian. Dalam Pasal 4 PKWT yang menetapkan upah di bawah ketentuan upah minimum Kota Bandung tersebut batal demi hukum dan pengusaha PT Tirta Ratna wajib mengganti ketentuan upah tersebut dan membayar upah pekerja kontrak sesuai dengan ketentuan upah minimum Kota Bandung. Kedua, pekerja kontrak PT Tirta Ratna yang menyepakati penetapan upah di bawah ketentuan upah minimum, berhak memperoleh pelindungan hukum, namun pekerja kontrak PT Tirta Ratna belum sepenuhnya memberikan pelindungan hukum dan terdapat perbedaan yang signifikan antara pekerja kontrak dan pekerja tetap mengenai pelindungan hukum yang diberikan oleh pengusaha PT Tirta Ratna.

**Kata Kunci: Pelindungan Hukum, Upah Minimum Kabupaten/Kota (UMK), Pekerja Kontrak.**

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***Legal Protection for Contract Workers Who Are Paid Below the District/City  
Minimum Wage (UMK) at PT Tirta Ratna Bandung City***

**Abstract**

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*The purpose of this research is to find out and analyze the validity of the agreement between PT Tirta Ratna and contract workers regarding the determination of wages with minimum wage provisions in laws and regulations. This research is also aimed at knowing and analyzing legal protection for contract workers who enter into an agreement with PT Tirta Ratna regarding the determination of wages paid under the provisions of the District/City Minimum Wage (UMK).*

*This research is a normative-empirical research that is descriptive in nature. This normative-empirical research was carried out directly using interview techniques with respondents and informants using a tool in the form of an interview guide. This research was also carried out through library research to obtain secondary data through primary legal materials, secondary legal materials, and tertiary legal materials.*

*The conclusions from this study are: First, the agreement between the contract workers and the entrepreneur PT Tirta Ratna is listed in the PKWT, which stipulates that wages under the minimum wage provisions for the city of Bandung are valid, because the PKWT has fulfilled the legal terms of the agreement. In Article 4 PKWT which stipulates wages under the minimum wage provisions for the City of Bandung is null and void by law and the entrepreneur PT Tirta Ratna is obliged to change the wage provisions and pay the wages of contract workers in accordance with the provisions of the minimum wage for the City of Bandung. Second, PT Tirta Ratna contract workers who agree to determine wages under the minimum wage provisions are entitled to legal protection, but PT Tirta Ratna contract workers have not fully received legal protection and there are significant differences between contract workers and permanent workers regarding the legal protection provided by entrepreneur PT Tirta Ratna.*

**Keywords: Legal Protection, District/City Minimum Wages (UMK), Contract Workers.**

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