

**LEGAL PROTECTION FOR WORKERS AT PT X AFTER ACQUISITION BY PT A
(CASE STUDY: IMPLEMENTATION OF OUTSOURCED CASHIERS
IN SERVICE UNIT BRANCHES)**

Dealysa Puspa Dwita* and Ari Hernawan**

ABSTRACT

This study aims to examine and analyze the impact of efficiency policies and the implementation of outsourcing at PT X following the enactment of the Omnibus Law and the acquisition by PT A on the employment status of cashiers in Service Units, as well as to assess the forms of legal protection available to operational service workers in facing work-related risks and collective performance evaluation policies.

The research employs a juridical-empirical method with a descriptive approach, focusing on legal protection for outsourced cashiers at PT X after the transformation of employment policies. Data were collected through semi-structured interviews with expert informants and affected respondents, as well as a literature review of relevant regulations and legal doctrines. The analysis is qualitative, involving interpretation of legal materials in conjunction with field findings. Conclusions are drawn inductively, beginning with specific cases at PT X and then developed into a broader understanding of worker protection in the context of outsourcing policies in state-owned enterprises (BUMN).

The research findings indicate that the efficiency policy and implementation of outsourcing at PT X, following the enactment of the Omnibus Law and the acquisition by PT A, have substantively altered the employment status of cashiers at branch service units from fixed-term and permanent workers to outsourced workers through affiliated subsidiaries. While this transition aims to minimize the impact of status changes, it potentially deviates from the principles of legal protection in labor law, resulting in the reduction of normative rights and legal status disparities. Furthermore, legal protection for outsourced workers is proven to be weak both preventively and repressively, marked by the absence of standardized training, limited involvement of labor unions, and a collective performance appraisal system that imposes risks on direct employees for the mistakes of others, including outsourced staff. This condition reflects a structural failure in ensuring legal protection and underscores the urgency of policy reassessment to align with the principles of sustainable labor relations.

Keywords:

legal protection, outsourcing, workers, acquisition

* Master's Student in Legal Studies Program (Jakarta Campus), Faculty of Law, Universitas Gadjah Mada, Yogyakarta. Email: dealysa.puspa.dwita@mail.ugm.ac.id

** Lecturer, Faculty of Law, Universitas Gadjah Mada, Yogyakarta. Email: ari_hernawan@mail.ugm.ac.id

PELINDUNGAN HUKUM TERHADAP PEKERJA DI PT X PASCA AKUISISI PT A (STUDI KASUS: PENERAPAN TENAGA KASIR ALIH DAYA DI UNIT PELAYANAN CABANG)

Dealysa Puspa Dwita* dan Ari Hernawan**

INTISARI

Penelitian bertujuan untuk mengetahui dan menganalisis dampak kebijakan efisiensi dan penerapan alih daya di PT X pasca terbitnya Undang-Undang Cipta Kerja dan akuisisi oleh PT A terhadap status ketenagakerjaan kasir di Unit Pelayanan Cabang, serta mengetahui dan menganalisis bentuk perlindungan hukum terhadap pekerja layanan operasional dalam menghadapi risiko kerja dan kebijakan penilaian kinerja kolektif.

Penelitian menggunakan metode yuridis-empiris dengan sifat deskriptif, untuk mengkaji perlindungan hukum terhadap pekerja kasir di PT X pasca transformasi kebijakan alih daya. Data diperoleh melalui wawancara semi-terstruktur terhadap narasumber ahli dan responden terdampak, serta studi kepustakaan atas peraturan perundang-undangan dan doktrin hukum terkait. Analisis dilakukan secara kualitatif, dengan menafsirkan bahan hukum dan mengaitkannya dengan temuan lapangan. Penarikan kesimpulan dilakukan secara induktif, dimulai dari studi kasus di PT X untuk kemudian dikembangkan menjadi pemahaman umum tentang perlindungan hukum pekerja dalam konteks kebijakan alih daya di sektor BUMN.

Hasil penelitian menunjukkan bahwa kebijakan efisiensi dan penerapan alih daya di PT X pasca terbitnya Undang-Undang Cipta Kerja dan akuisisi oleh PT A telah mengubah secara substantif status ketenagakerjaan kasir di Unit Pelayanan Cabang, dari pekerja PKWTT/PKWT menjadi alih daya melalui anak/cucu perusahaan yang meminimalisasi dampak perubahan status namun berpotensi menyimpang dari prinsip perlindungan hukum ketenagakerjaan, serta menimbulkan pengurangan hak normatif hingga ketimpangan status hukum. Selain itu, perlindungan hukum terhadap pekerja alih daya terbukti lemah secara preventif maupun represif, ditandai dengan ketiadaan standar pelatihan, minimnya keterlibatan Serikat Pekerja, serta kebijakan penilaian kinerja kolektif yang membebankan risiko kepada pekerja langsung atas kesalahan pekerja lain termasuk alih daya. Kondisi ini menunjukkan kegagalan struktural dalam menjamin perlindungan hukum dan menegaskan pentingnya peninjauan ulang kebijakan agar sejalan dengan prinsip ketenagakerjaan yang berkelanjutan.

Kata Kunci:

perlindungan hukum, alih daya, pekerja, akuisisi

* Mahasiswa Program Studi Magister Ilmu Hukum (Kampus Jakarta), Fakultas Hukum Universitas Gadjah Mada, Yogyakarta. Email: dealysa.puspa.dwita@mail.ugm.ac.id

** Dosen Fakultas Hukum, Universitas Gadjah Mada, Yogyakarta. Email: ari_hernawan@mail.ugm.ac.id