Kebijakan Pengembalian dan Relokasi Pekerja Alih Daya Pasca Digitalisasi Sistem Parkir Manless Studi
Kasus PT Sky Parking Utama
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KEBIJAKAN PENGEMBALIAN DAN RELOKASI PEKERJA ALIH DAYA PASCA DIGITALISASI SISTEM PARKIR MANLESS STUDI KASUS PT SKY PARKING UTAMA

Oleh Hasna Khansa Athifa[1] dan Murti Pramuwardhani Dewi[2]

INTISARI

Penelitian ini bertujuan untuk menganalisis dampak pengembalian dan relokasi pekerja alih daya oleh PT Sky Parking Utama terhadap hubungan kerja antara pekerja alih daya dan PT X, serta bentuk tanggung jawab PT Sky Parking Utama selaku pengguna jasa dan PT X selaku perusahaan alih daya dalam menjamin kepastian kerja dan hak-hak normatif pekerja yang terdampak digitalisasi sistem parkir *manless.*

Penelitian ini merupakan penelitian yuridis empiris yang bersifat deskriptif dengan menggunakan data sekunder berupa bahan hukum yang diperoleh melalui studi kepustakaan dan data primer yang diperoleh melalui wawancara dengan responden dan narasumber. Data dianalisis secara kualitatif dengan penarikan kesimpulan secara induktif.

Hasil penelitian menunjukkan bahwa pengembalian dan relokasi tidak mengakhiri hubungan kerja karena hubungan kerja hanya terikat antara pekerja dan PT X. Pengembalian hanya mengakhiri penempatan sehingga pekerja tetap berhak atas upah selama masa tunggu, sedangkan relokasi mengubah isi hubungan kerja sehingga memerlukan persetujuan pekerja. Mekanisme keduanya belum diatur dalam perjanjian kerja sama maupun Pasal 4 ayat (1) Permenaker Nomor 7 Tahun 2026, sehingga terdapat kekosongan hukum prosedural yang menimbulkan ketidakpastian kerja. PT X memikul tanggung jawab penuh atas pemenuhan hak normatif pekerja, sedangkan PT Sky Parking Utama berkewajiban memastikan kepatuhan PT X, meskipun dalam praktik tetap memengaruhi besaran upah melalui penetapan anggaran. Ditemukan pelanggaran pada PT X berupa pengikatan pekerja tanpa PKWT/PKWTT, ketiadaan kepesertaan BPJS, dan upah di bawah UMP, sehingga perlindungan hukum preventif dan represif belum berjalan optimal.

Kata Kunci: Alih Daya, Digitalisasi, Hubungan Kerja, Tanggung Jawab Hukum, Akibat Hukum.

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RETURN AND RELOCATION POLICY FOR OUTSOURCED WORKERS FOLLOWING THE DIGITALIZATION OF THE MANLESS PARKING SYSTEM: A CASE STUDY OF PT SKY PARKING UTAMA

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ABSTRACT

This study aims to analyze the impact of the return and relocation of outsourced workers by PT Sky Parking Utama on the employment relationship between the workers and PT X, as well as the forms of responsibility of PT Sky Parking Utama as the service user and PT X as the outsourcing company in guaranteeing job certainty and the normative rights of workers affected by the digitalization of the manless parking system.

This is a descriptive empirical legal study using secondary data in the form of legal materials obtained through library research and primary data obtained through interviews with respondents and informants. The data were analyzed qualitatively, and conclusions were drawn inductively.

The findings show that return and relocation do not terminate the employment relationship, which exists only between the workers and PT X. A return merely ends the placement, so workers remain entitled to wages during the waiting period, whereas relocation alters the content of the employment relationship and therefore requires the worker's consent. Neither mechanism is regulated in the cooperation agreement or in Article 4 paragraph (1) of Minister of Manpower Regulation Number 7 of 2026, creating a procedural legal vacuum that results in job uncertainty. PT X bears full responsibility for fulfilling the workers' normative rights, while PT Sky Parking Utama is obliged to ensure PT X's compliance, although in practice it still influences wage levels through budget setting. Violations were found at PT X, including engaging workers without a fixed-term or permanent employment agreement, the absence of BPJS membership, and wages below the provincial minimum wage, so that preventive and repressive legal protection has not yet worked optimally.

Keywords: Outsourcing, Digitalization, Employment Relationship, Legal Responsibility, Legal Consequences.

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