

**PENGELOLAAN MANFAAT JAMINAN HARI TUA MILIK PEKERJA
YANG TIDAK MENINGGALKAN AHLI WARIS DAN WASIAT
(Studi pada BPJS Ketenagakerjaan Kanwil Jateng dan DIY
dan BHP Semarang)**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis kesesuaian ketentuan ahli waris menurut PP Penyelenggaraan Program JHT dengan menurut KUHPperdata, alasan manfaat JHT milik pekerja yang tidak meninggalkan ahli waris dan wasiat dikembalikan ke BHP, dan mekanisme pengembalian manfaat JHT milik pekerja yang tidak meninggalkan ahli waris dan wasiat oleh BPJS Ketenagakerjaan Kanwil Jateng dan DIY kepada BHP Semarang dan pengelolaannya oleh BHP Semarang.

Penelitian ini merupakan penelitian hukum normatif empiris yang menggunakan data primer dan data sekunder. Data primer diperoleh di Kantor Wilayah BPJS Ketenagakerjaan Jateng dan DIY dan Kantor BHP Semarang, yang dikumpulkan melalui wawancara. Data sekunder diperoleh dari bahan hukum primer, sekunder, serta tersier, dan diperoleh melalui metode dokumentasi, dan analisis data dilakukan secara kualitatif.

Hasil penelitian menunjukkan bahwa beberapa ketentuan mengenai ahli waris menurut PP Penyelenggaraan Program JHT tidak sesuai dengan penggolongan ahli waris menurut KUHPperdata. Manfaat JHT milik pekerja yang tidak meninggalkan ahli waris dan wasiat dikembalikan kepada BHP karena manfaat JHT tersebut yang berupa uang tunai, merupakan harta tidak terurus berdasarkan Pasal 1126 KUHPperdata, menurut Pasal 1127 KUHPperdata harta yang tidak terurus menjadi kewenangan BHP dalam pengurusannya. Mekanisme pengembalian manfaat JHT oleh kantor cabang BPJS Ketenagakerjaan di wilayah Jateng dan DIY kepada BHP Semarang yaitu ketika ada manfaat JHT tersebut, Perusahaan akan melaporkan kepada kantor cabang BPJS Ketenagakerjaan dengan melampirkan dokumen, diantaranya yakni kartu asli peserta, surat keterangan kematian, fotokopi KTP, dan surat keterangan tidak ada ahli waris, kemudian Kantor Cabang membayarkan manfaat JHT tersebut kepada BHP sesuai wilayah kerja. Mekanisme penerimaan manfaat JHT pada BHP Semarang yaitu kantor cabang BPJS Ketenagakerjaan di wilayah Jateng dan DIY harus melampirkan syarat dokumen yang dibutuhkan, kemudian BHP Semarang akan membuat berita acara penerimaan manfaat JHT. Pengelolaan manfaat JHT pada BHP Semarang yaitu manfaat JHT disimpan dalam bentuk deposito pada bank pemerintah, dan jika telah melampaui jangka waktu 30 tahun, tidak ada peserta, ahli waris, atau penerima wasiat mengajukan klaim pada manfaat JHT, maka manfaat tersebut disetorkan ke kas negara.

Kata Kunci: Manfaat Jaminan Hari Tua, Ahli Waris, Wasiat

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**MANAGEMENT OF OLD AGE SECURITY (*JHT*) BENEFITS OWNED
BY WORKERS WHO DO NOT LEAVE HEIR AND TESTAMENT**
**(A Study at The Employment Social Security Agency (*BPJS Ketenagakerjaan*)
Regional Office of Central Java and The Special Region of Yogyakarta and
Property and Heritage Agency (*BHP*) Semarang)**

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ABSTRACT

The objectives of this study are to determine and analyze the suitability of the provisions of the heirs according to the Government Regulation No. 46 of 2015 according to Indonesian Civil Law, the reasons for *JHT* benefits owned by workers who do not leave heir and testament are returned to *BHP*, and the mechanism for returning *JHT* benefits owned by workers who do not leave heir and testament *BPJS Ketenagakerjaan* Regional Office of Central Java and The Special Region of Yogyakarta to *BHP* Semarang and its management by *BHP* Semarang.

This research was an empirical normative legal research that used primary and secondary data. Primary data were obtained at *BPJS Ketenagakerjaan* Regional Office of Central Java and The Special Region of Yogyakarta and *BHP* Semarang office, they were collected through interviews. Secondary data obtained from primary, secondary, and tertiary legal materials, and obtained through the method of documentation, moreover, data analysis was conducted qualitatively.

The results of the study show that some provisions regarding heirs according to the Government Regulations No. 46 of 2015 are not in accordance with the classification of heirs according to Indonesian Civil Law. The *JHT* benefits owned by workers who do not leave heir and testament are returned to *BHP* because the benefits of *JHT* in the form of cash are neglected assets based on Article 1126 of Indonesian Civil Law, according to Article 1127 Indonesian Civil Law, unregulated assets are the authority of *BHP* in its administration. The mechanism for returning the *JHT* benefits owned by workers who do not leave heir and testament by the branch office of *BPJS Ketenagakerjaan* in Central Java and The Special Region of Yogyakarta area to *BHP* Semarang, when there is *JHT* benefit, the company will report to the *BPJS Ketenagakerjaan* branch office by attaching documents, it includes original participant card, death certificate, photocopy of identity card, and legal certificate of no heir, then the branch office pays the benefits of *JHT* to *BHP* according to the work area. The mechanism for receiving *JHT* benefits owned by workers who do not leave heir and testament at *BHP* Semarang are *BPJS Ketenagakerjaan* branch office in Central Java and Yogyakarta must attach the required document requirements, then *BHP* Semarang will make an official report on the receipt of *JHT* benefits. Managing *JHT* benefits owned by workers who do not leave heir and testament at *BHP* Semarang is *JHT* benefit deposited in the form of deposits at state banks, and if they have exceeded 30 years, there are no participants, heirs, or testamenter who make claims on *JHT* benefit, then the benefits will be deposited in the state treasury.

Keywords: The Old Age Security Benefits, Heir, Testament

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