

**TINJAUAN YURIDIS TERHADAP SISTEM MEDIASI DAN
DAMPaknya DALAM PENYELESAIAN PERSELISIHAN HUBUNGAN
INDUSTRIAL MENURUT UNDANG-UNDANG NOMOR 2 TAHUN 2004
TENTANG PENYELESAIAN PERSELISIHAN HUBUNGAN
INDUSTRIAL**

(Studi Kasus pada Dinas Ketenagakerjaan Kota Semarang)

Oleh:

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INTISARI

Tujuan penelitian ini yaitu untuk mengetahui dan mengkaji (1) Mengetahui dan menganalisis sistem mediasi menurut Undang-Undang Nomor 2 Tahun 2004 tentang Penyelesaian Perselisihan Hubungan Industrial dapat menyelesaikan perselisihan hubungan industrial (Studi Kasus Pada Dinas Ketenagakerjaan Kota Semarang). Mengetahui dan menganalisis faktor penyebab para pihak memilih untuk menyelesaikan perselisihannya melalui mediasi hubungan industrial (Studi Kasus Pada Dinas Ketenagakerjaan Kota Semarang).

Penelitian ini menggunakan pendekatan normatif yang didukung dengan wawancara narasumber. Penelitian hukum normatif dilakukan dengan penelitian kepustakaan dan wawancara dilakukan terhadap narasumber dengan menggunakan alat berupa pedoman wawancara. Penelitian ini bersifat deskriptif yang menyajikan hasil analisis secara kualitatif.

Berdasarkan hasil penelitian dan pembahasan menunjukkan bahwa (1) Sistem hubungan industrial belum dapat menyelesaikan perselisihan di hubungan industrial di Kota Semarang karena jumlah mediator hanya 5 dan 3 yang aktif dalam menyelesaikan perselisihan dan begitu banyaknya jumlah perusahaan dan kasus yang masuk tiap tahunnya dan ditambah tugas mediator tidak hanya menyelesaikan perselisihan tetapi melakukan pembinaan dan pengembangan hubungan industrial. (2) Faktor penyebab para pihak memilih mediasi sebagai alternatif penyelesaian perselisihan hubungan industrial karena ketidaktahuan para pihak dalam proses arbitrase dan konsiliasi dan arbitrase dan konsiliasi tidak pernah ditawarkan dalam praktiknya oleh Dinas Ketenagakerjaan Kota Semarang.

Kata Kunci: sistem mediasi hubungan industrial, penyelesaian perselisihan hubungan industrial.

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**JURIDICAL REVIEW OF MEDIATION SYSTEM AND ITS IMPACT
ON INDUSTRIAL RELATIONS DISPUTES SETTLEMENT ACCORDING
TO LAW NUMBER 2 OF 2004 CONCERNING INDUSTRIAL
RELATIONS DISPUTES SETTLEMENT**
(Case Study On Department Of Employment In Semarang City)

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ABSTRACT

The purpose of this research is to find out and study about: (1) to understand and analyze the mediation system based on Law Number 2 Of 2004 concerning Industrial Relations Disputes Settlement which can settle disputes on industrial relation (Case Study On Department Of Employment In Semarang City); and (2) to understand and analyze the causative factor of the parties on choosing to settle their dispute through mediation of industrial relation (Case Study On Department Of Employment In Semarang City).

This study is a normative legal research supported with interview. Normative legal research was done by literature based research that is done by searching for secondary data consist of primary, secondary, and tertiary legal materials, using documentation method and document studies. Interview was done by interviewee through interview guidelines. This research is descriptive which presents qualitative analysis results

The result of this research and its study show that, (1) industrial relation system has not solve yet the dispute on industrial relation in Semarang City because the mediator is only 5 while there are only 3 mediator whose active on settling disputes and on the other hand there are many corporate and its case that is registered each year, while the mediator's duty is not only settling dispute but also coaching and developing industrial relation. (2) The causative factor why the parties prefer to choose mediation as alternative dispute settlement on industrial relation is because the nescience of the parties on arbitration and consiliation process, and in practice this process is never offered by the Department of Employment in Semarang City.

Key words: system on mediation of industrial relation, industrial relations disputes settlement.

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