

## TINJAUAN YURIDIS MENGENAI AKSEPTASI OLEH PERUSAHAAN DALAM PEMUTUSAN HUBUNGAN KERJA KARENA PENGUNDURAN DIRI

(STUDI KASUS PEKERJA X

DI PT. X)

Joshua Brian Marulam<sup>1</sup>, Ari Hernawan<sup>2</sup>

### INTISARI

Penelitian hukum ini bertujuan untuk mengetahui dan menganalisis tentang perlu tidaknya Akseptasi diberikan oleh PT. X terhadap pengunduran diri X dalam Undang-Undang Nomor 13 tahun 2003 tentang Ketenagakerjaan serta keberadaan Akseptasi dalam penyelesaian perselisihan hubungan kerja di tingkat Mediasi.

Penelitian ini merupakan penelitian normatif-empiris yang bersifat deskriptif-analitis. Penelitian normatif dilakukan melalui penelitian kepustakaan atas berbagai bahan hukum dengan cara studi dokumen. Penelitian empiris dilakukan melalui penelitian lapangan dengan cara wawancara terhadap subjek penelitian dengan mempergunakan pedoman wawancara. Data dari penelitian kepustakaan dan lapangan dianalisis secara kualitatif sehingga menghasilkan uraian yang bersifat deskriptif.

Hasil penelitian menunjukkan bahwa: **Pertama**, Pemutusan Hubungan Kerja karena pengunduran diri pekerja memerlukan Akseptasi menurut Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan meskipun secara eksplisit tidak diatur. **Kedua**, keberadaan Akseptasi oleh perusahaan terhadap pengunduran diri X tidak diperhatikan oleh Mediator dalam menyelesaikan perselisihan Pemutusan Hubungan Kerja karena pengunduran diri tersebut di tingkat Mediasi.

**Kata Kunci:** Akseptasi, Pemutusan Hubungan Kerja, Pengunduran Diri.

---

<sup>1</sup> Mahasiswa Strata Satu (S-1) pada Departemen Hukum Perdata, Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

<sup>2</sup> Dosen pada Departemen Hukum Perdata, Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

***JURIDICAL ANALYSIS OF ACCEPTANCE BY EMPLOYER IN INDUSTRIAL  
RELATION DISSOLUTION REGARDING EMPLOYEE RESIGNATION***

***(CASE STUDY OF EMPLOYEE X***

***AT PT. X)***

Joshua Brian Marulam<sup>3</sup>, Ari Hernawan<sup>4</sup>

***ABSTRACT***

*This legal research aims to observe and analyze of the needs of Acceptance given by PT. X regarding the resignation of Employee X based on Act 13 of 2003 concerning Manpower also the existence of Acceptance in Employment Relation Dispute Resolution at the Mediation level.*

*This legal research is an empirical normative research by analyzing primary and secondary data upon various legal resources. The data is obtained from library research through document studies and also from field research sourced from interviews with informants and respondents to answer the problems that had been formulated. Furthermore, these data are combined and analyzed in a qualitative manner therefore can be described descriptively concluded.*

*Based on the analysis research results, there are acquired two conclusions. First, Act 13 of 2003 concerning Manpower requires Acceptance of employer regarding employee's resignation despite have not been regulated explicitly. Acceptance by PT. X regarding Employee X's resignation needed urgently in order to provide legal certainty for every party. Second, the existence of Acceptance by PT. X regarding Employee X's resignation in the Mediator Recommendation was not considered by the Mediator, the main factor is the Mediator does not have a legal stand to recommend Acceptation that did not regulated explicitly by Act 13 of 2003 concerning Manpower.*

***Keywords:*** *Acceptance, Industrial Relations Dissolution, Resignation.*

---

<sup>3</sup> Bachelor Degree Student in Civil Law Department, Faculty of Law, Universitas Gadjah Mada, Yogyakarta.

<sup>4</sup> Lecturer in Civil Law Department, Faculty of Law, Universitas Gadjah Mada, Yogyakarta.