

INTISARI

**FUNGSI PENGAWASAN DINAS TENAGA KERJA TERHADAP
PELANGGARAN PELAKSANAAN PERJANJIAN *OUTSOURCING* (STUDI
KASUS PELAKSANAAN KEGIATAN UTAMA OLEH PEKERJA
OUTSOURCING PT. DRY DOCKS WORLD GRAHA
DI KOTA BATAM**

Oleh:

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Tujuan dari penelitian ini untuk mengetahui dan mengkaji pelaksanaan Undang-Undang Nomor 13 Tahun 2003 dan Peraturan Menteri Nomor 19 Tahun 2012 di PT Dry Docks World Graha. Penelitian ini juga bertujuan untuk mengetahui dan mengkaji fungsi pengawasan yang dilakukan Dinas Tenaga Kerja Kota Batam dalam hal terjadi pelanggaran perjanjian *outsourcing* mengenai pelaksanaan kegiatan utama oleh pekerja *outsourcing* di PT. Dry Docks World Graha.

Penelitian ini merupakan penelitian hukum normatif empiris. Bahan penelitian yang digunakan adalah data sekunder yang diperoleh dari studi pustaka dan data primer yang diperoleh dari penelitian lapangan. Data yang diperoleh dari penelitian kepustakaan dan penelitian lapangan dianalisis secara kualitatif. Hasil analisis disajikan dengan deskriptif.

Hasil penelitian menunjukkan bahwa dalam pelaksanaannya PT. Dry Docks World Graha masih mengalihkan pekerjaan utama kepada pekerja *outsourcing* dari helper menjadi fitter dan welder. Pemberlakuan Peraturan Menteri Tenaga Kerja dan Transmigrasi RI Nomor 19 Tahun 2012 yang penyesuaiannya ini paling lama 12 (dua belas) bulan sejak diundangkannya, tidak dilaksanakan karena PT. Dry Docks World Graha masih melakukan pelanggaran dengan tidak membuat alur kegiatan proses pelaksanaan pekerjaan dan masih mempekerjakan pekerja *outsourcing* ke pekerjaan utama proses produksi perusahaannya. Dinas Tenaga Kerja belum melakukan tugas pengawasan ketenagakerjaan secara maksimal hanya memberikan nota peringatan kepada PT. Dry Docks World Graha tanpa adanya pengawasan dan penindakan lebih lanjut terkait masalah mempekerjakan pekerja *outsourcing* ke pekerjaan utama di PT. Dry Docks World Graha. Pengawas Dinas Tenaga Kerja berpandangan jika bersikap tegas seperti mencabut izin PT. Dry Docks World Graha maka akan berdampak kepada pekerja dan membuat investor lari dengan tuntutan pekerja yang berlebihan.

Kata Kunci : Fungsi Pengawasan, Perjanjian *Outsourcing*, Kegiatan Utama.

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ABSTRACT

SURVEILLANCE FUNCTION OF DEPARTEMENT OF LABOR TOWARDS THE VIOLATION OF OUTSOURCING'S AGREEMENT IMPLEMENTATION (STUDYCASE : IMPLEMENTATION OF THE OUTSOURCING WORKERS MAIN ACTIVITY IN PT. DRY DOCKS WORLD GRAHA BATAM CITY

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The main purpose of this research is to know and examined the implementation of the Enactment No. 13 Year 2003 and Ministerial Regulation No. 19 in 2012 in PT. Dry Docks World Graha. This research also has the aim to know and examined the surveillance function which held by the Department of Labor conducted Batam City in case of outsourcing's agreement violation regarding their main activity implementation at PT. Dry Docks World Graha.

This research is an empirical normative type of research. Research materials are based on secondary data which collected in literature study and also from primary data which obtained from field studies. All the data that has been collected from literature and fields research were analyzed by qualitative way. The results of the analysis presented in descriptive way.

The results of the research showed that in it's implementation, PT. Dry Docks World Graha still redirect the main activity to outsourcing workers from helper become fitter and welder. The enactment of the Ministerial Regulation No. 19 in 2012 the adjustment period no later than 12 (twelve) months from enactment was not implemented in PT. Dry Docks World Graha still not making the activity flow of the work processes and activities still employ workers of outsourcing to the main activity the production process of the company. The Department of Labor has yet to perform the supervision of employment to the maximum gives only a note warning to PT. Dry Docks World Graha in the absence of supervision and take further action related problems hiring workers of outsourcing to work in PT Dry Docks World Graha. The Department of Labor has certain view if government is assertive like revoking the permit PT. Dry Docks World Graha then it will have an impact to the workers and make investors run with demans of the workers redundant.

Key words: Surveillance Functions, The Outsourcing Agreement, The Main Activities

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