

**ANALISIS YURIDIS PROSES PENYELESAIAN PEMUTUSAN  
HUBUNGAN KERJA (PHK) KARENA PENGUNDURAN  
DIRI OLEH DOSEN DENGAN PERGURUAN  
TINGGI SWASTA (PTS)  
(Studi Kasus Dosen A di PTS X Yogyakarta)**

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**INTISARI**

Penelitian ini bertujuan untuk mengetahui dan menganalisis hubungan hukum dosen dengan PTS dilihat dari Undang-Undang Ketenagakerjaan khususnya dalam kasus Dosen A yang bekerja di PTS X Yogyakarta serta prosedur penyelesaian perselisihan PHK Dosen A dalam status perjanjian karyasiswa di PTS X Yogyakarta berdasarkan Undang-Undang Ketenagakerjaan.

Penelitian ini dilakukan secara normatif-empiris yang mengedepankan studi pustaka dengan basis data sekunder, yaitu: bahan hukum primer, sekunder, dan tersier, didukung oleh data primer yang berbasis data dari lapangan dengan melakukan wawancara langsung dengan responden yang berkaitan dengan permasalahan dalam penelitian ini. Data yang diperoleh dari penelitian kepustakaan dan penelitian lapangan dianalisis secara kualitatif. Hasil analisis disajikan secara deskriptif.

Hasil penelitian menunjukkan bahwa hubungan kerja antara Dosen A dengan PTS X mengandung prinsip pemberian pekerjaan, upah, dan perintah sebagaimana konsep yang dianut dalam hubungan kerja dalam ketenagakerjaan, sehingga hubungan kerja antara dosen dan PTS tunduk pada Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan. Proses penyelesaian perselisihan PHK antara Dosen A dengan PTS X dalam status perjanjian karyasiswa di PTS X Yogyakarta telah sesuai dengan Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan dan Undang-Undang Nomor 2 Tahun 2004 tentang PPHI, yakni melalui mekanisme Bipatrit, Mediasi atau Arbitrase, dan Pengadilan Hubungan Industrial. Akan tetapi penyelesaian perselisihan belum dilaksanakan secara benar dan objektif karena pihak Dosen A pengunduran dirinya belum sesuai Pasal 162 Undang-Undang Ketenagakerjaan, PTS X menggunakan dasar Undang-Undang Kepegawaian dalam penyelesaian PHK, dan tata kerja Mediator belum sesuai dengan Kepmenakertrans RI Nomor: KEP-92/MEN/VI/2004 yang harusnya diselesaikan dalam batas waktu 30 (tiga puluh) hari kerja serta anjuran yang dikeluarkan oleh Mediator tidak normatif sesuai hukum ketenagakerjaan.

**Kata Kunci:** Penyelesaian PHK, Pengunduran diri, Dosen, PTS.

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**JURIDICAL ANALYSIS ON SETTLEMENT OF WORK TERMINATION  
PROCESS AS RESIGNATION BY COLLAGE TEACHERS WITH  
PRIVATE COLLEGES**

**(Case Study of Lecturer A in Private College X Yogyakarta)**

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**Abstract**

This research aims to identify and analyze legal relations of a college teacher with private colleges seen from Indonesian Labor Law, specifically on case of Lecturer A that have been worked in Private College X and process of settlements on work termination of Lecturer A on *Karyasiswa Agreement* with Private College X Yogyakarta base on Indonesian Labor Law.

This research was done by normative-empirical emphasizes of literature on the basis of secondary data, namely: primary legal materials, secondary, and tertiary. This research was supported by primary data based on the field by conducting direct interviews with respondents relating to the cases in this research. The data obtained from the research literature and field research by qualitative analysis. The result of analyze were presented descriptively.

The results of the research showed that the legal relations between Lecturer A and Private College X contains principle of employment, wage, and command as a concept of work relations on labor law, so working relationship between college teachers and private colleges was comply with Indonesian Labor Law, Act Number 13 of 2003. The process of settlement on work termination between Lecturer A and Private College X Yogyakarta was compatible with Act Number 13 of 2003 on Labor Law and Act Number 2 of 2004 on PPHI. The settlement was through mechanism of bipatrit, mediation or arbitration, and court of industrial relations. However, the settlement of dispute was not done correctly and objectively. Resignation of Lecturer A was incompatible with article 162 of Indonesian Labor Law. Private Collage X applied Law of Officialdom on settlement of resignation. Working procedure of Mediator was incompatible with Kepmenakertrans RI Nomor: KEP-92/MEN/VI/2004. And also, advised by mediator was not normative as compatible with Labor Law.

**Keyword:** Settlement of Work Termination, Resignation, College Teachers, Private Collages

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