

ABSTRAK

Deskripsi Tentang penyelesaian sengketa dalam pemutusan hubungan kerja. Adhe Putra Uumbu Yami NIM:22310084 Permasalahan dalam penelitian ini adalah: 1. Mengapa hakim pengadilan hubungan industrial mengabulkan gugatan penggugat dalam sengketa pemutusan hubungan kerja? dan 2. Mengapa hakim pengadilan hubungan industrial menolak gugatan penggugat dalam sengketa pemutusan hubungan kerja?. Tujuan penelitian ini adalah: 1. Untuk mengetahui alasan hakim hakim pengadilan hubungan industrial mengabulkan gugatan penggugat dalam sengketa pemutusan hubungan kerja. 2. Untuk mengetahui alasan hakim pengadilan hubungan industrial menolak gugatan penggugat dalam sengketa pemutusan hubungan kerja. Penelitian ini bersifat deskriptif yaitu mendeskripsikan atau menguraikan, menggambarkan dan menjelaskan alasan hakim mengabulkan gugatan penggugat dan alasan hakim menolak gugatan penggugat dalam sengketa pemutusan hubungan kerja. Jenis penelitian ini menggunakan jenis penelitian normatif yaitu penelitian hukum yang dilakukan dengan cara meneliti bahan pustaka atau data sekunder. Variabel bebas meliputi alasan hakim mengabulkan gugatan penggugat, alasan hakim menolak gugatan penggugat, sedangkan variabel terikatnya adalah putusan hakim. Jenis sumber data dalam penelitian ini berupa data sekunder yang terdiri dari bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier. Adapun analisis data dalam penelitian ini adalah dengan cara data yang dikumpulkan dari bahan pustaka dianalisis secara deskriptif dengan menguraikan secara lengkap dan jelas. Berdasarkan hasil penelitian dan pembahasan maka penulis menyimpulkan. 1) Alasan Hakim mengabulkan gugatan penggugat karena penggugat mampu membuktikan dalil gugatannya; 2) Alasan hakim menolak gugatan penggugat karena penggugat telah melanggar peraturan perusahaan dan melanggar isi perjanjian kerja. Saran yang diberikan berdasarkan putusan-putusan Pengadilan hubungan industrial meliputi tindakan PHK perlu didasarkan dengan alasan yang sah sebagaimana diatur dalam UU Ketenagakerjaan, memberikan hak-hak pekerja paska PHK, tunduk atas peraturan perusahaan, dan menjalin hubungan kerja dengan itikad baik berdasarkan perjanjian kerja agar tidak menimbulkan sengketa dikemudian hari bagi para pihak yang terikat dalam perjanjian.

Kata Kunci : Pemutusan Hubungan Kerja, Putusan pengadilan

ABSTRACT

Description of dispute resolution in termination of employment. Adhe Putra Umbu Yami NIM: 22310084 The problems in this study are: 1. Why did the industrial relations court judge grant the plaintiff's lawsuit in the termination of employment dispute? and 2. Why did the industrial relations court judge reject the plaintiff's lawsuit in the termination of employment dispute? The purpose of this study is: 1. To find out the reasons why the industrial relations court judges granted the plaintiff's lawsuit in the termination of employment dispute. 2. To find out the reasons why the industrial relations court judge rejected the plaintiff's lawsuit in the termination of employment dispute. This study is descriptive, namely describing or explaining, describing and explaining the reasons why the judge granted the plaintiff's lawsuit and the reasons why the judge rejected the plaintiff's lawsuit in the termination of employment dispute. This type of research uses normative research, namely legal research conducted by examining library materials or secondary data. The independent variables include the reasons why the judge granted the plaintiff's lawsuit, the reasons why the judge rejected the plaintiff's lawsuit, while the dependent variable is the judge's decision. The type of data source in this study is secondary data consisting of primary legal materials, secondary legal materials and tertiary legal materials. The data analysis in this study is by means of data collected from library materials analyzed descriptively by describing it completely and clearly. Based on the results of the research and discussion, the author concludes. 1) The reason the judge granted the plaintiff's lawsuit because the plaintiff was able to prove his argument; 2) The reason the judge rejected the plaintiff's lawsuit because the plaintiff had violated company regulations and violated the contents of the employment agreement. Suggestions given based on the decisions of the Industrial Relations Court include that layoffs need to be based on valid reasons as regulated in the Employment Law, providing workers' rights after layoffs, complying with company regulations, and establishing employment relationships in good faith based on the employment agreement so as not to cause disputes in the future for the parties bound by the agreement.

Keywords: Termination of Employment, court decision