

SKRIPSI

**LEGAL PROTECTION TOWARD WORKERS RIGHTS ON
SEVERANCE PAY BASED ON LAW NUMBER 11 OF 2020 ON JOB
CREATION**



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2022**

HALAMAN PENGESAHAN
LEGAL PROTECTION TOWARD WORKERS RIGHTS ON
SEVERANCE PAY BASED ON LAW NUMBER 11 OF 2020 ON JOB
CREATION

SKRIPSI

**Diajukan untuk melengkapi tugas dan memenuhi syarat
untuk mencapai gelar Sarjana Hukum**

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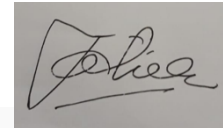
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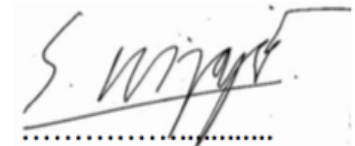
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Menyatakan dengan sebenarnya bahwa skripsi yang ditulis ini tidak mempunyai
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Demikian pernyataan ini dibuat tanpa paksaan dari pihak manapun. Apabila
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Surabaya, 30 Des 2021 Yang membuat
pernyataan,



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PREFACE

Praise and gratitude the author prays to Allah SWT who has bestowed His grace and guidance. So, the author can complete the thesis entitled "LEGAL PROTECTION TOWARD WORKERS RIGHTS ON SEVERANCE PAY BASED ON LAW NUMBER 11 OF 2020 ON JOB CREATION". In completing this thesis, the author has tried to prepare this thesis as well as possible in order to fulfill the requirements to obtain a Bachelor of Law degree. In this case, the writer realizes that the writing of this thesis still has many shortcomings.

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Penulis berharap semua kebaikan yang telah diajarkan oleh semua pihak, sejatinya akan kembali kepada semua pihak yang turut serta konsisten dalam melakukan dan membimbing penulis sampai kepada tahap ini. Penulis menyadari bahwa masih ada kekurangan dalam penulisan ini. Oleh karena itu, penulis perlunya kritik dan saran yang membangun agar menjadikan penulisan ini lebih baik.

ABSTRACT

Rapid development of the world economy, the flow of globalization and free trade as well as advances in technology, globalization and information have expanded the transaction space for goods and services offered to become more varied. things that are applied to achieve this goal, employers are more optimizing their workers / laborers in increasing work productivity. On the other hand, problems arise on rights received by workers who have been laid off as and legal remedies that can be taken by workers for the rights that should be received when Termination of employment occure. There are several Employment-related legal issues that are still prevalent in Indonesia and A termination of employment has a negative impact on workers and workers. Therefore, the presence of legal protection will be very significant for those affected by the termination of employment.

Keyword : Manpower, Termination of Employment , Worker, severance pay

ABSTRAK

Perkembangan ekonomi dunia yang pesat, arus globalisasi dan perdagangan bebas serta kemajuan teknologi, globalisasi dan informasi telah memperluas ruang transaksi barang dan jasa yang ditawarkan menjadi lebih variatif. Hal-hal yang diterapkan untuk mencapai tujuan tersebut, pengusaha lebih mengoptimalkan pekerja/buruhnya dalam meningkatkan produktivitas kerja. Di sisi lain, muncul permasalahan mengenai hak-hak yang diterima oleh pekerja yang terkena pemutusan hubungan kerja dan upaya hukum yang dapat ditempuh oleh pekerja atas hak-hak yang seharusnya diterima ketika terjadi Pemutusan Hubungan Kerja (PHK). Ada beberapa masalah hukum terkait Ketenagakerjaan yang masih marak terjadi di Indonesia dan Pemutusan hubungan kerja berdampak negatif bagi pekerja dan pekerja. Oleh karena itu, kehadiran perlindungan hukum akan sangat signifikan bagi mereka yang terkena dampak pemutusan hubungan kerja.

Kata Kunci : Ketenagakerjaan, Pemutusan Hubungan Kerja, Pekerja, Pesangon

ABSTRACT

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Keyword : Manpower, Termination of Employment , Worker, severance pay

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List of Regulations

1. The 1945 Constitution of the Republic of Indonesia
2. Law Number 11 of 2020 on Job Creation, Lembaran Negara Republik Indonesia Tahun 2020 No.245.
3. Law Number 13 of 2003 on Manpower, Lembaran Negara Tahun 2003 Nomor 39; Tambahan Lembaran Negara Nomor 4279
4. Law Number 2 of 2004 on concerning Industrial Relations Disputes Settlement
5. Law Number 3 of 1992 on Jamsostek
6. Government Regulation No.36 of 2021, Lembaran Negara Republik Indonesia Tahun 2021 No. 46
7. GOVERNMENT REGULATION NO 35 OF 2021 ON FIXED TERM EMPLOYMENT CONTRACT, OUTSOURCING, WORKING TIME AND REST TIME, AND TERMINATION
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