

ABSTRACT

This dissertation is about the Labor Court in Indonesia. This research emphasizes in the effort of encouraging that labor dispute settlement arising out of work agreement be carried out independently, fast, simple, unexpensive and acceptable by both parties.

This research is conducted to address two legal problems : first, whether or not the trial of labor dispute by high administrative court based on article 48 in conjunction with article 51 point 3 of act no 5 of 1986 is in accordance with the nature of administrative court ; second, the different concept between the characteristic of the committee of Labor Dispute Settlement Decision as Administrative Decision prior to the enactment of act no 2 of 2004 about Industrial Relation Dispute Settlement and that of under act no 2 of 2004.

This research is a legal research in which statute, historical, and comparative approaches are employed.

In this research, it is found that first, the trial of Labor Dispute by administrative court contradicts the nature of administrative court and second, under act no 5 1986 Decision of the committee of Labor Dispute Settlement is qualified to be an administrative decision but under act no 2 of 2004 labor dispute arising out of work agreement is considered to be civil lawsuit, which is under general court jurisdiction.

Key words :

- work agreement.
- labor dispute.
- dispute settlement.
- administrative decision.
- industrial relation dispute settlement.