

## RINGKASAN

### TANGGUNGJUGAT PERUSAHAAN PENYEDIA JASA PEKERJA DALAM KONTRAK *OUTSOURCING*

Bab I membahas tentang abstraksi latar permasalahan dengan menonjolkan nalar baca terhadap permasalahan *outsourcing* dalam wilayah hukum perburuhan dan kaitannya dengan problema dalam hubungan hukum antara para pihak yang disebabkan adanya kontrak *outsourcing* antara perusahaan penyedia jasa pekerja dengan perusahaan pengguna jasa pekerja dan kontrak yang *sub-ordinat* atas kontrak *outsourcing* tersebut (biasa disebut sub-kontrak) antara pekerja dengan perusahaan penyedia jasa pekerja.

Bab II membahas tentang dasar hukum adanya *outsourcing*, syarat – syarat keabsahan yang harus dipenuhi dalam pembuat kontrak *outsourcing*, hubungan dan kedudukan hukum para pihak akibat adanya kontrak hukum tersebut beserta segala hak dan kewajibannya.

Bab III membahas tentang tanggungjawab atas wanprestasi pekerja *outsourc*, yang meliputi wanprestasi karena kelalaian pekerja *outsourc* dan implikasi hukum wanprestasi bagi penyedia jasa pekerja yang dilakukan oleh pekerja selama melaksanakan kewajibannya serta dengan segala akibatnya atas wanprestasi tersebut, juga membahas tentang tanggungjawab perusahaan penyedia jasa pekerja jika terjadi kesalahan yang dilakukan oleh pekerja *outsourc*.

Bab IV memaparkan tentang kesimpulan dari pembahasan ini dan juga memberikan saran yang konstruktif bagi permasalahan yang telah dibahas di Bab – Bab sebelumnya.

## SUMMARY

### SUPPLIER OF WORKER SERVICE 'S LIABILITY ON OUTSOURCING CONTRACT

Chapter of I study about abstract of background of problems signalized is natural existence read to problems of outsourcing in territory of jurisdiction of its bearing and labor by problem in contractual terms of among the parties caused by a existence contract outsourcing of among company of service supplier of worker with company of service user of worker and contract which sub-ordinate for contract of the outsourcing ( called by sub-contract) between worker with company of worker service supplier.

Chapter of II study about legal fundament of existence outsourcing, condition - condition of authenticity which must be fulfilled in making contract outsourcing, relation and legal status of the parties of effect of existence contract the law therewith all its rights and obligations.

Chapter of III study about liability for even of default outsource worker, covering even of default of because negligence of worker of outsource and implication punish even of default for service of worker supplier conducted by worker of during executing its obligation and also with all as a result for the even of default, also study about liability of company of service of worker supplier if happened by the mistake conducted by outsource worker

Chapter of IV description about conclusion from this solution as well as giving constructive suggestion for problems which have been studied in Chapter - Previous Chapter

## ABSTRACT

### SUPPLIER OF WORKER SERVICE 'S LIABILITY ON OUTSOURCING CONTRACT

Outsourcing is phenomenon in the world of labour and effort Indonesia in last a decay, that enough famous after year crisis economics in 1997 / 1998. Outsourcing looked into by business perpetrator circle as a solution for height of production cost of risk of work relation on fired and positioning company in a tight place.

Realized or not the existence of outsourcing creating high rise relation pattern, which application in bond of outsourcing and contract job / contract sub entangling supplier of worker service, worker and worker service wearer, so that peep out capricious and unestablished that contract only fasten just the parties because worker who keep off in bond of outsourcing really is obliged to how to the contract.

Above condition peep out a problem of what capacity is The Parties earn to get liability and until how far its get. The matter which is looked into enough crucial of according to writer is related liability by even of default is which done by worker of during working in worker service wearer Party which in-concerto of non-his employer or there's no relation work. Then becoming question of whether this matter represents the part of freedom ground contract. One worker side of non-worker from service wearer, however if worker do not conduct achievement that is get liability for the even of default. Whether supplier of worker service worker have to get liability for the even of default.

Writer try to decompose the problems above with studying legal fundament of outsourcing therewith it's the rule of contract bearing and with freedom ground contract. This matter to look for position solution punish the parties in concerned in bond the outsourcing. After position punish clear the parties hence will be studied to hit liability the parties, especially Side its Supplier of Worker Service.

That way liability in bond legal clear outsourcing of sued standing and subject.

#### Key Words:

Outsourcing  
Liability  
Even of default