KEPASTIAN HUKUM TERHADAP PEMUTUSAN HUBUNGAN KERJA AKIBAT DISHARMONI ANTARA PEKERJA DENGAN MANAJEMEN (STUDI KASUS

DI PT POS INDONESIA (PERSERO))

Bestin Anwar

NPM. 188040034

Program Magister Ilmu Hukum - Konsentrasi Hukum Ekonomi Universitas Pasundan

best\_in\_war@gmail.com

***ABSTRACT***

*In principle, the government, employers, and workers agree to avoid termination of employment, the effort to avoid them is to build harmonious industrial relations by establishing effective communication on the dynamics of problems that may occur in the employment relationship. The Bipartite Cooperation Institution is a forum for workers and employers to sit down together to discuss things that occur in the company that is considered to have the potential to disrupt industrial relations and will potentially affect the company's going concerned. In a working relationship, employees are in a weak position, this is where the government plays a role in protecting the interests of workers/laborers by making laws and regulations governing employment, regulating the rights and obligations of each party to create protection, equality in a working relationship partnership. However, in practice, the author recognizes the occurrence of the termination of employment for employees at PT Pos Indonesia (Persero) who do not meet the provisions of applicable laws. Based on these conditions, the authors identify the following problems: 1) How are the stages of disharmony layoffs carried out by the Management of PT Pos Indonesia (Persero) following applicable labor law provisions? 2) What are the legal consequences if the layoff process in this case at PT Pos Indonesia (Persero) is carried out not following the procedures stipulated in the decision of the Constitutional Court (MK)? 3) What legal alternatives should be done or taken in the context of resolving disputes over layoffs to obtain legal certainty?.The specification of the research in the technical preparation was carried out in a descriptive- analytical way, namely describing the existing problems and then reviewing and analyzing them using primary legal materials, secondary legal materials, and tertiary legal materials. The method used in this study is a normative juridical approach, namely testing and reviewing secondary data. The results of the study found that there had been a termination of employment which in the implementation process was not under the company's internal provisions and applicable laws. That the company's management has provided opportunities for laid-off employees to be able to work again on the condition that they make a statement not to repeat actions that harm the company in the future, this is done to maintain the company's going concern. Company employees need to know the limitations of the rights and obligations of workers and employers, as well as the provisions governing the implementation mechanism of these rights and obligations in the company.*

***Keywords: Justice, Communication, Labor***

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