

ABSTRAK

PERLINDUNGAN HUKUM TERHADAP PEKERJA BORONGAN PEMBANGUNAN *FLY OVER* DI KOTA BANDAR LAMPUNG

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Perlindungan hukum terhadap tenaga kerja dilakukan untuk menjamin berlangsungnya hubungan kerja secara harmonis tanpa disertai adanya tekanan dari pihak yang kuat. Dalam UU Nomor 13 Tahun 2003 tentang Ketenagakerjaan, secara normatif ada jaminan terhadap hak-hak pekerja borongan namun tidak implementatif dan sulit dilaksanakan yang pada kenyataannya masih ada pelanggaran yang terjadi sementara aturan mengenai penegakan hukumnya tidak jelas, lingkup pekerjaan yang perlindungan hukumnya masih tidak jelas adalah terhadap pekerja borongan pembangunan *fly over* di wilayah Kota Bandar Lampung. Permasalahan dalam penelitian ini dirumuskan: (1) Bagaimanakah bentuk perlindungan hukum terhadap pekerja borongan pembangunan *fly over* di Kota Bandar Lampung? (2) Apakah yang menjadi faktor penghambat perlindungan hukum terhadap pekerja borongan pembangunan *fly over* di kota Bandar Lampung?

Penelitian ini dilakukan melalui pendekatan normatif dan empiris dengan data primer, data sekunder dan data tersier, dimana masing-masing data diperoleh dari penelitian kepustakaan dan lapangan. Analisis data dilakukan secara kualitatif.

Berdasarkan hasil penelitian dan pembahasan, perlindungan hukum terhadap pekerja borongan dapat dilihat melalui ketentuan dalam Undang-Undang Ketenagakerjaan dan perjanjian/kontrak kerja dengan sistem PKWT. PT. Dewanto Cipta Pratama yang berperan sebagai perusahaan penyedia jasa berkewajiban mengikutsertakan pekerjanya pada program BPJS, menyediakan perlengkapan keselamatan kerja dan bertanggung jawab atas keselamatan semua pihak di lokasi kerja, sementara Dinas Tenaga Kerja dan Transmigrasi Kota Bandar Lampung berkewajiban memberi pengawasan atas pelaksanaan kerja. Berdasarkan hasil penelitian, faktor penghambat perlindungan hukum terhadap pekerja borongan disebabkan karena penerapan peraturan pemerintah yang tidak implementatif sehingga mengakibatkan rendahnya pelaksanaan perlindungan hukum terhadap pekerja borongan.

Kata Kunci : Perlindungan Hukum, Pekerja Borongan, Pembangunan *Fly Over* di Kota Bandar Lampung.

ABSTRACT

LEGAL PROTECTION FOR WHOLESALE WORKERS OF FLY OVER CONSTRUCTION IN BANDAR LAMPUNG CITY

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Legal protection of labor is undertaken to ensure harmonious employment without any pressure from other stronger party. In Act Number 13 of 2003 on Manpower, there is a normative guarantee of the rights of the wholesale workers but is not implementation and difficult to implement which in the reality there are still offenses that occurred while the law enforcement was unclear, the scope of work which the legal protections still unclear is to wholesale workers construction of fly over in Bandar Lampung City. The problems in this research are formulated: (1) How is the form of legal protection for wholesale workers of fly over construction in Bandar Lampung City? (2) What are the obstacle factors of legal protection for wholesale workers of fly over construction in Bandar Lampung City?

This research was conducted through normative and empirical approach with primary data, secondary data and tertiary data, which each data obtained from library research and field. Qualitative design was applied in this research to analyse the data.

Based on the results of research and discussion, the legal protection for wholesale workers can be seen through the Act about Manpower and the agreement/contract work with a specific time agreement system (PKWT). PT. Dewanto Cipta Pratama acting as a service provider company which obliged to engage its employees in the Social Security Administering Agency (BPJS) program and provide every workers with appropriate and adequate safety equipment and also have responsibility for the safety of all parties in the work location, on the other hand, Man Power and Transmigration Office should giving the supervision to the implementation of work. Based on the results of the reasearch, the obstacle factors of legal protection for wholesale workers are because the implementation of government regulations is not implementatif as the result the legal protection for wholesale workers are still low.

**Keywords: Legal Protection, Wholesale Workers, Fly Over Construction in
Bandar Lampung City**