

## **ABSTRAK**

### **MEKANISME PENYELESAIAN PERSELISIHAN KEPENTINGAN ANTARA PEKERJA DAN PENGUSAHA MELALUI MEDIASI OLEH DINAS TENAGA KERJA KOTA BANDAR LAMPUNG**

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Undang-Undang Nomor 2 Tahun 2004 tentang Penyelesaian Perselisihan Hubungan Industrial, menjelaskan bahwa penyelesaian perselisihan hubungan industrial dapat dilaksanakan secara litigasi dan non litigasi. Penyelesaian secara litigasi dilakukan di Pengadilan Hubungan Industrial, sedangkan non litigasi dapat diselesaikan salah satunya melalui mediasi pada perselisihan kepentingan yang dilakukan oleh mediator Dinas Tenaga Kerja dan Transmigrasi Kota Bandar Lampung. Permasalahan dalam penelitian ini adalah (1) bagaimana mekanisme penyelesaian perselisihan kepentingan antara pekerja dan pengusaha melalui mediasi oleh Dinas Tenaga Kerja Kota Bandar Lampung? dan (2) apa sajakah faktor penghambat mediator dalam menyelesaikan perselisihan kepentingan melalui mediasi?

Metode penelitian yang digunakan dalam penelitian ini adalah pendekatan masalah secara normatif dan empiris. Sumber data yang digunakan data primer dan sekunder. Pengumpulan data melalui studi kepustakaan dan penelitian lapangan, kemudian dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa (1) mekanisme penyelesaian perselisihan kepentingan antara pekerja dan pengusaha melalui mediasi oleh Dinas Tenaga Kerja Kota Bandar Lampung yaitu apabila dalam proses mediasi terjadi kesepakatan oleh para pihak maka dibuatlah perjanjian bersama, namun jika tidak terjadi kesepakatan maka mediator membuat anjuran tertulis untuk diselesaikan melalui Pengadilan Hubungan Industrial.. (2) faktor-faktor penghambat mediator dalam menyelesaikan perselisihan kepentingan antara pekerja dan pengusaha adalah (a) pengusaha sering menghilangkan azas itikad baik, (b) sikap egois dari para pihak, (c) terbatasnya ruang sidang, (d) kurangnya sarana dan prasarana, e) jumlah mediator tidak sesuai dengan jumlah perselisihan.

**Kata Kunci: Mediasi, Penyelesaian perselisihan kepentingan**

## **ABSTRACT**

### **MECHANISM OF INTEREST DISPUTE SETTLEMENT BETWEEN LABOUR AND INDUSTRIALIST THROUGH MEDIATION BY DEPARTMENT OF MANPOWER, BANDAR LAMPUNG CITY**

By

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Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes, explains that industrial relations dispute resolution can be carried out through litigation and non-litigation. Litigation settlement is carried out in the Industrial Relations Court, while non-litigation can be resolved, one of which is through mediation in a conflict of interest carried out by the mediator of the Manpower and Transmigration Department, Bandar Lampung City. The problem in this study are (1) How is the mechanism for resolving dispute of interest between labour and industrialist through mediation by the Bandar Lampung City Manpower Department? And (2) What are the factors that obstruct the mediator from resolving dispute of interest through mediation?

The research method used in this study is a problem approach which is normative and empirical. Data sources used primary and secondary data. Data collection through library studies and field research, then analyzed qualitatively.

The results of the study show that (1) mechanism for resolving dispute of interest between labour and industrialist through mediation by the Bandar Lampung City Manpower Department, if in the mediation process an agreement is reached by the parties, a joint agreement is made, but if there is no agreement, the mediator makes written recommendations to be resolved through the Industrial Relations Court. (2) The factors that obstruct the mediator from resolving disputes of interest between workers and employers are (a) Industrialist often eliminate the principle of good faith, (b) selfish attitude from the parties, (c) The limits of the room court, (d) Lack of facilities and infrastructure, (e) The number of mediators is not in accordance with the number of disputes.

**Keywords: Mediation, Settlement of Dispute Interest**