

ABSTRAK

PERAN MEDIATOR DALAM PENYELESAIAN PERSELISIHAN PEMUTUSAN HUBUNGAN KERJA TERHADAP BURUH ATAS DUGAAN KEKERASAN BERBASIS GENDER ONLINE (KBGO) DI KOTA BANDAR LAMPUNG

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Ketenagakerjaan mempunyai peran penting dalam menyelesaikan perselisihan hubungan industrial. Hubungan industrial sering kali memunculkan perselisihan, termasuk kasus Kekerasan Berbasis Gender Online (KBGO). Peran mediator Dinas Tenaga Kerja sangat penting dalam menyelesaikan perselisihan industrial, seperti yang terjadi pada kasus pemutusan hubungan kerja yang melibatkan perusahaan outsourcing di Bandar Lampung. Tujuan Penelitian ini adalah untuk mengetahui proses penyelesaian perselisihan pemutusan hubungan kerja dan peran mediator Dinas Tenaga Kerja Kota Bandar Lampung dalam mengambil keputusannya.

Penelitian ini merupakan jenis penelitian Yuridis Normatif dan Yuridis Empiris. Penelitian Yuridis Normatif dilakukan dengan berdasarkan bahan hukum seperti teori hukum, asas-asas hukum serta perundang-undangan yang berhubungan dengan penelitian. Sedangkan, Yuridis Empiris dilakukan dengan wawancara.

Hasil Penelitian ini menunjukan : (1) Penyelesaian perselisihan pemutusan hubungan kerja di Indonesia mediasi sebagai langkah utama, dengan opsi litigasi jika mediasi gagal, sesuai dengan Undang-undang N Ketenagakerjaan dan Undang-undang Penyelesaian Sengketa Tenaga Kerja. (2) Mediator dalam penyelesaian perselisihan pemutusan hubungan kerja terkait kekerasan berbasis gender online berperan penting untuk memastikan proses adil, mempertimbangkan perspektif gender, dan memberikan solusi yang mencegah kekerasan serta melindungi korban.

Kata Kunci : KBGO, Peran Mediator, PHK

ABSTRACT

***THE ROLE OF THE MEDIATOR IN RESOLVING DISPUTES ON THE
TERMINATION OF EMPLOYMENT RELATIONS AGAINST WORKERS
FOR ALLEGED ONLINE GENDER BASED VIOLENCE (OGBV)
AT BANDAR LAMPUNG CITY***

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Labor has an important role in resolving industrial relations disputes. Industrial relations often give rise to disputes, including cases of Online Gender-Based Violence (OGBV). The role of the Manpower Service mediator is very important in resolving industrial disputes, such as what occurred in the employment termination case involving an outsourcing company in Bandar Lampung. The aim of this research is to determine the process of resolving employment termination disputes and the role of mediators at the Bandar Lampung City Manpower Office in making decisions.

This research is a type of Normative Juridical and Empirical Juridical research. Normative Juridical Research is carried out based on legal materials such as legal theory, legal principles and legislation related to research. Meanwhile, Empirical Juridical is carried out by interviews.

The results of this research show: (1) Settlement of layoff disputes in Indonesia is mediation as the main step, with the option of litigation if mediation fails, in accordance with the Employment Law and the Employment Dispute Settlement Law. (2) Mediators in resolving layoff disputes related to online gender-based violence play an important role in ensuring a fair process, considering gender perspectives, and providing solutions that prevent violence and protect victims.

Keywords: ***OGBV, Role of Mediator, Layoffs***