

ABSTRAK

**IMPLEMENTASI PELAKSANAAN KONTRAK ALIH DAYA
PERAWATAN DAN KEBERSIHAN ANTARA PT ASTRA
INTERNATIONAL TBK HONDA SALES OPERATION DENGAN PT
CITRA DIAKONI**

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Penggunaan sistem alih daya (*outsourcing*) merupakan strategi perusahaan untuk meningkatkan efisiensi operasional, termasuk dalam penyediaan jasa perawatan dan kebersihan. Kerja sama tersebut dituangkan dalam perjanjian yang menimbulkan hubungan hukum kontraktual antara perusahaan pengguna jasa dan perusahaan penyedia jasa. Penelitian ini bertujuan untuk menganalisis hubungan hukum kontraktual dalam perjanjian kerja sama perawatan dan kebersihan antara PT Astra International Tbk Honda Sales Operation dengan PT Citra Diakoni serta menelaah penafsiran klausula-klausula perjanjian tersebut berdasarkan hukum perjanjian dan ketentuan ketenagakerjaan.

Metode penelitian yang digunakan adalah penelitian hukum normatif-empiris dengan pendekatan perundang-undangan dan analisis dokumen. Data diperoleh melalui studi kepustakaan, penelaahan perjanjian kerja sama, serta wawancara dengan pihak terkait, kemudian dianalisis secara kualitatif untuk menilai kesesuaian antara ketentuan kontraktual dan pelaksanaannya di lapangan.

Hasil penelitian menunjukkan bahwa hubungan hukum antara PT Astra International Tbk Honda Sales Operation dan PT Citra Diakoni merupakan hubungan hukum keperdataan yang lahir dari perjanjian alih daya dan tergolong sebagai perjanjian campuran. Secara normatif, perjanjian tersebut telah memenuhi syarat sah perjanjian dan ketentuan outsourcing sebagaimana diatur dalam KUH Perdata dan PP Nomor 35 Tahun 2021. Namun, dalam pelaksanaannya masih ditemukan ketidaksesuaian antara klausula perjanjian dan praktik di lapangan, khususnya terkait pelaksanaan tugas dan pengawasan tenaga kerja, sehingga berpotensi menimbulkan ketidakpastian hukum. Oleh karena itu, diperlukan perumusan klausula yang lebih jelas dan penguatan mekanisme pengawasan guna menjamin kepastian hukum serta keseimbangan hak dan kewajiban para pihak.

Kata Kunci: Implementasi Kontrak, Alih Daya, Perawatan dan Kebersihan

ABSTRACT**IMPLEMENTATION OF THE MAINTENANCE AND CLEANING
OUTSOURCING CONTRACT BETWEEN PT ASTRA INTERNATIONAL
TBK HONDA SALES OPERATION AND PT CITRA DIAKONI****By****AURA CARISSALONIKA**

The use of outsourcing systems has become a common strategy for companies to improve operational efficiency, including in the provision of maintenance and cleaning services. Such cooperation is formalized through a contract that creates a contractual legal relationship between the service user company and the service provider company. This research aims to analyze the contractual legal relationship in the maintenance and cleaning service agreement between PT Astra International Tbk Honda Sales Operation and PT Citra Diakoni, as well as to examine the interpretation of contractual clauses based on contract law and labor law regulations.

This research employs a normative-empirical legal research method with statutory and document analysis approaches. Data were collected through literature review, examination of the cooperation agreement, and interviews with related parties, and were analyzed qualitatively to assess the conformity between contractual provisions and their implementation in practice.

The results indicate that the legal relationship between PT Astra International Tbk Honda Sales Operation and PT Citra Diakoni is a civil law relationship arising from an outsourcing agreement and may be classified as a mixed contract. Normatively, the agreement has fulfilled the legal requirements of a valid contract under the Indonesian Civil Code and outsourcing regulations as stipulated in Government Regulation Number 35 of 2021. However, discrepancies remain between the contractual clauses and their implementation in practice, particularly concerning task execution and labor supervision, which may lead to legal uncertainty. Therefore, clearer contractual provisions and stronger supervisory mechanisms are required to ensure legal certainty and balance the rights and obligations of the parties.

Keywords: *Contract Implementation, Outsourcing, Maintenance and Cleaning Service*