

Perlindungan hukum bagi pemain sepakbola atas permasalahan perjanjian kerja dengan klub sepakbola profesional = Legal protection for football player on the employment agreement with professional football club

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Abstrak

Penelitian dilakukan untuk mengetahui status hukum pemain sepakbola di Indonesia, bentuk pengaturan apa yang mengatur pemain sepakbola, dan perlindungan hukum macam apa yang berhak diterima pemain sepakbola disaat pemain terkena masalah dalam perjanjian kerjanya. Penelitian dilakukan dengan metode yuridis normatif, yaitu dengan memperhatikan status hukum pemain sepakbola, pengaturan yang mengatur pemain sepakbola, dan perlindungan macam apa yang berhak diterima berdasarkan peraturan peraturan yang berlaku di dalam dunia olahraga sepakbola, peraturan FIFA, PSSI, dan juga peraturan Liga. Dilakukan juga analisis terhadap UU Ketenagakerjaan dan UU Sistem Keolahragaan Nasional. Hasil Penelitian ini menunjukkan bahwa status hukum pemain sepakbola tidaklah termasuk dalam buruh, namun seorang pemain sepakbola. Bentuk pengaturan yang mengatur pemain sepakbola adalah Lex Sportiva, dan pemain sepakbola berhak mendapatkan perlindungan hukum dari PSSI dan penyelenggara liga berdasarkan peraturan yang ada. Dibutuhkan juga NDRC sebagai lembaga penyelesaian sengketa yang efektif di Indonesia.

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This research is conducted to further obtain the legal status of football players in Indonesia, form of regulation regulate football players, and kind of legal protection deserved by football players when having issues with their employment agreement. This research is conducted with normative juridical method, which is a method that concerns with legal status of football players, regulation regarding football players, and legal protections deserved by football players according to the prevailing laws and regulations of sports world of football such as FIFA regulation, PSSI regulation, as well as rules of League. Further analysis of Labor Law and National Sports System Law is also conducted in order to achieve comprehensive understanding of this research. The result of this research indicates that legal status of football players are not categorized as labor, but as a football player (professional). The form of regulation that regulate football player is Lex Sportiva. Furthermore, football players deserve a legal protection from PSSI and League Organizer in accordance with the prevailing law and regulation. The existence of National Dispute Resolution Center (NDRC) as an effective dispute resolution institution is also necessarily required.