

Perjanjian kerja waktu tertentu di PT X tinjauan dari ketentuan KUH perdata dan Undang-Undang No. 13 Tahun 2003 tentang ketenagakerjaan = Fixed term employment contract in PT X overview of the provision of the KUH Perdata and ACT No. 13 2003 / Ario Wicaksono Perkoso

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Abstrak

[Sebuah perjanjian pada dasarnya harus memperinci secara tegas hak dan kewajiban dari para pihak. Jika tidak, akan menimbulkan banyak sekali celah yang dapat mempengaruhi pelaksanaan dari perjanjian tersebut. Perjanjian kerja waktu tertentu yang dilakukan oleh pemberi kerja dengan penerima kerja umumnya sama dan biasanya tanpa uraian secara terperinci. Untuk itu perlu dilakukan analisis lebih lanjut apakah isi perjanjian tersebut sudah memenuhi syarat sah perjanjian. Dan apakah perjanjian itu telah melindungi kepentingan dari para pihak. Penelitian ini pada dasarnya bertujuan untuk mengetahui dan memahami keberadaan Perjanjian kerja dan perjanjian kerja waktu tertentu di PT.X apakah sudah memenuhi syarat sah perjanjian dan perlindungan kepentingan para pihak. Selain itu penelitian ini juga bertujuan untuk mengetahui dan memahami bentuk penyelesaian yang dapat dilakukan jika terjadi wanprestasi terhadap pelaksanaan perjanjian kerjasama. Metode yang digunakan dalam penelitian ini adalah yuridis normatif dan wawancara dengan mengutamakan data sekunder baik berupa bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier. Dari penelitian yang dilakukan diperoleh hasil bahwa kedudukan pekerja pada Perjanjian perjanjian kerja waktu tertentu telah memenuhi syarat sah perjanjian; An agreement basically have to explicitly specify the rights and obligations of the parties. Otherwise, it will cause a lot of loopholes which may affect the implementation of the agreement. Employment agreement certain time conducted by the employer and the recipient of the work generally the same and usually without detailed description. For that we need further analyzed whether the treaty was already meets the legitimate requirements of the agreement. And whether the agreement had been to protect the interests of the parties. This study basically aims to identify and understand the existence of employment agreement and employment agreement at a certain time PT. X whether it qualifies legitimate and protection agreement interests of the parties. In addition, this study also aims to determine and understand the shape of the settlement to do in case of default the implementation of the cooperation agreement. The method used in This research is juridical normatif and interviews with priority secondary data in the form of primary legal materials, secondary law and tertiary legal materials. From this research result that workers' status in employment agreements Agreement specified time has eligible valid agreement; An agreement basically have to explicitly specify the rights and obligations of the parties. Otherwise, it will cause a lot of loopholes which may affect the implementation of the agreement. Employment agreement certain time conducted by the employer and the recipient of the work generally the same and usually without detailed description. For that we need further analyzed whether the treaty was already meets

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