

# Juridical Review of labor Law in the Perspective of Industrial Relations According to Law No. 13 of 2003

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**Abstract.** Worker safety is crucial for the success of companies, governments, and society. Outsourcing allows companies to hire labor or services from other organizations. Workers are employed by the service provider, not the employer, under a contract system. This is governed by Business Regulation Number 13 of 2003. This kind of exploration is Regulating research. The methodologies utilized are a legal methodology and a calculated methodology. The information source utilized is optional information. Information investigation was done descriptively and qualitatively. Concluding is carried out using a deductive method. This exploration produces discoveries that work regulation in giving security should be founded on legitimate viewpoints according to an optimal point of view acknowledged in independent regulations and guidelines. As indicated by Article 102 passage 2 of Regulation no. 13 of 2003 in essence, workers in carrying out industrial relations are obliged to carry out work for the sake of continuing production, advancing the company, and on the other hand, receive rights as appreciation for carrying out their duties. Labor law is all matters connecting with work previously, during, and after the time of business. It is necessary to carry out in order to raise the standard of living development in various aspects. This is no exception to employment development which is carried out on the principle of integration through central and regional cross-sectoral functional coordination.

**Keywords:** Juridical Review, Employment Law, Industrial Relations, Law No. 13 of 2003

## 1 Introduction

Employment law is one branch of legal discussion. Therefore, it is important to understand the meaning of the law itself before discussing employment law as a whole to understand the scope of the discussion regarding the law. Law is better known only to law enforcement circles such as police, judges, prosecutors, and lawyers who often know about laws and other regulations regarding laws made in that environment. Discussions related to law, including employment law or labor law, have an important role. Workers, especially laborers, often become the public's concern regarding their economic fate in unstable economic times like today [1]. The problem that is often raised is when workers demand decent wages for them and on the other hand, entrepreneurs face unfavorable business conditions which originate from many factors such as increasing production costs and so on. Conditions like these are an

important factor in the emergence of labor legislation. The aim is to balance juridical treatment for both employers and workers so that rational prosperity and justice can be realized.

The law plays a crucial role in supporting Indonesia's economic progress in today's implementation of development, which focuses on economic growth. The execution of improvement with a more noteworthy accentuation on equity. Headway is a work to make achievement and government help for people. Accordingly, all individuals should have the option to partake in the advantages of improvement as an expansion in their physical and profound prosperity decently and similarly. On the other hand, the advancement of progress depends upon the participation shockingly, and that infers that headway ought to be finished evenhandedly by all levels of society. Article 1 entry 3 of the Work Guideline states: " A trained professional/specialist is every person who works and gets pay or various sorts of compensation." From this definition, the possibility of subject matter expert/laborer is every trained professional or every specialist who is bound in a business relationship with another person or chief, who has the situation with a laborer in the wake of having a work relationship with someone else [2]. Every entrepreneur is obligated to give freedoms and commitments to laborers without differentiation between orientation, identity, race, religion, skin tone, or political convictions. Each laborer has the right and a similar chance to get work and a good living regardless of orientation, nationality, race, religion, or political convictions by the interests and capacities of the specialist being referred to. This incorporates equivalent treatment for individuals with handicaps. Accordingly, one of the objectives of business improvement is to defend laborers' capacity to accomplish thriving, as expressed in article 4 letter c of Regulation No. 13 of 2003.

Work comes from the word work, which in the business guideline Article 1 point 2 of Guideline no. "Work is each individual who can take care of business to create products and additionally benefits either to address their own issues or for the local area," reads section 13 of the 2003 Business Act. In the interim, the meaning of business is by Article 1 point 1 of Rule no. 13 of 2003 concerning Business is that Work is everything related with work in advance, during, and after the hour of business. To work on the way of life, doing progress in different points is fundamental. This is no exception for business progression which is finished on the norm of blend through central and regional cross-sectoral useful coordination. Expert security should be possible, either by provide guidance or by extending affirmation of essential opportunities, physical and specific along with cordial and monetary protection through guidelines that apply in the workplace. Every person for each situation needs money to fulfill their everyday requirements [3]. To get ordinary costs someone necessities to work. Work ought to be conceivable unreservedly or work for other people. Working for others ought to be conceivable by working for the state, hereinafter suggested as a delegate, or working for other people.

Knowing how important laborers are to organizations, the government, and society, it's important to think about how they can ensure their safety while working. In a similar vein, it is essential to guarantee the health and tranquility of workers so that they can pay as much attention as possible to what they encounter at work and ensure vigilance in their work. Considerations It is a laborer security program, which in everyday practice is valuable for keeping up with organization efficiency and dependability. Expert security should be possible, either by provide guidance or by growing affirmation of essential opportunities, physical and specific as well as agreeable and monetary protection through norms that apply in the work environment [1].

Regulation Number 13 of 2003 concerning Business has supported giving over piece of the work execution to different organizations or organizations giving specialist/work

administrations, which is popularly called outsourcing. Outsourcing is an employment relationship in which workers/laborers are employed in a company using a contract system, but the contract is not given by the employing company but by the company employing the workforce. The outsourcing system includes employment relationships based on employee sending/borrowing agreements (uitzendverhouding). In this employment relationship, three parties are found, namely the company providing or sending the workforce/workers (provider), the company using the workforce/workers (users), and the workforce/workers. Even though outsourcing is an entrepreneur's right, those who exercise this right certainly have certain requirements and must not conflict with applicable laws and regulations. This means that outsourcing must meet the material and formal requirements that have been determined, and must not substantially reduce the normative rights of workers/laborers [4].

The lawful subjects in modern relations are the gatherings associated with modern relations, specifically laborers/workers, business people (managers), and the public authority. The position of workers/laborers and entrepreneurs (employers) is about the employment relationship which is the core of industrial relations. The government's position as a related party is very important in carrying out its function of regulating, fostering, and supervising industrial relations. Apart from these three parties, other parties are no less important in industrial relations, namely trade unions and society in general. The subject of law is the supporter of rights and obligations. In industrial relations, the first legal subject is the entrepreneur. In view of the arrangements of Article 1 point 3 of Regulation Number 13 of 2003 concerning work, it is a. An individual, organization, or legitimate substance that runs its very own organization. b. An individual, association, or legitimate substance that freely runs an organization that doesn't have a place with them. c. People, organizations, or lawful elements situated in Indonesia address organizations as planned in letters an and b which are a domiciled external the area of Indonesia [5].

Security of laborers should ensure the focal chances of laborers and confirmation harmony of probability and treatment without segregation on any motivation to understand the public power help of laborers and their families while as of now focusing in on degrees of progress in the business world. 11 Level of affirmation for laborers/workers as indicated by Rule Number 13 of the Year 2003 concerning Business, including 1) insurance as for pay, government help, and administrative retirement partner for laborers; 2) affirmation of word related security and prosperity; 3) legal protection for molding and becoming people from workers/exchange societies; 4) assurance of the key chances of laborers/workers to fight with managers. Work guideline (Guideline No. 13 of 2003) is spread out as a genuine umbrella for the field of current relations and is intended to monitor everything, as well as cordial control, basically giving a reason to opportunities for creation performers (work and items), beside being an authentic umbrella for projected work guideline. for devices in building affiliations [6].

This is communicated in the courses of action of Article 102 (2) and (3) of the Law. No. 13 of 2003). This game plan is seen as a legitimate conclude that ought to be consented by the get-togethers (with close to no further explanation of what is suggested by the meaning of association [7]. Verifiably this is a type of specialist support in keeping everything under control, propelling the organization, and focusing on government assistance, however in this publication, the gatherings can't grasp it, even this importance needs concern, particularly with respect to business people, so this frequently sets off disagreements regarding privileges and interests which lead to showings and work strikes [8]. In the event that this significance is perceived as an organization, it will remove from different individual interests. The interests of society that can be transformed into legitimate privileges and whose fulfillment can be authorized are determined by the law. Opportunities are given to honors partners who are a

significant part of the time known as genuine components which can be customary individuals and can in like manner be non-ordinary legal substances, to be explicit components guideline on the eventual outcomes of legitimate manifestations [7]. The modern relations objective is to complete the goals of the Declaration of Freedom of the Republic of Indonesia on 17 August 1945 in public improvement to make an equitable and prosperous society in view of Pancasila and partake in executing world request in light of autonomy, everlasting harmony, and civil rights through the formation of quiet, serenity and request. work and business peace, increase production, and improve worker welfare and their levels according to human standards. This goal is so serious and so noble, that all parties involved in industrial relations must understand it to realize the implementation of industrial relations well.

## **2 Methodology**

Regulating research is this kind of research. The strategies used are a lawful strategy and a sensible system. Auxiliary information serves as the information source. Data examination was finished plainly and emotionally [9]. Finishing up is done utilizing a rational technique, in particular closing from general to explicit, particularly those connected with the exploration point, to be specific Juridical Survey of Business Regulation in the Viewpoint of Modern Relations As per Regulation no. 13 of 2003. Emotional data assessment is finished in case the observational information got is as a gathering of words and not a development of numbers and can't be set up into classes. There are various techniques for get-together data, including interview reactions, report occasions, and recording tapes. It is overall managed first going before being utilized in profound evaluation, including the results of interview records, information decline, assessment, information translation, and triangulation[10].

## **3 Results and Discussion**

### **3.1 Implications of the Juridical Review of Employment Law in the Perspective of Industrial Relations According to Law no. 13 of 2003**

The protection that companies must provide when employing workers with disability status is based on the level of disability they have (Article 67 paragraph 1 of Law No. 13 of 2003). The type of security gave can be as offices, for example, giving availability, assistive work apparatuses, and individual defensive hardware. This guideline is available as a work by the public authority to guarantee sureness for laborers to have the option to get work and a respectable living by humankind, as ordered by the 1945 Constitution of the Republic of Indonesia (Article 27 section 2 and 28 D passage 2). People with handicaps in labor regulation are legitimate subjects and this is managed in Regulation No. 4 of 1997 concerning People with Inabilities (incapacities). Then it is made sense of in more detail in Unofficial law No. 43 of 1998 concerning Endeavors to Work on the Social Government assistance of People with Incapacities. This regulation mandates that people with disabilities will be entitled to 1% of the number of workers in each company as employment opportunities for them [11].

To defend the prosperity of workers/laborers to recognize ideal work effectiveness, word related security and it are finished to prosperity tries. This security is finished by important guidelines and rules. To recognize work prosperity affirmation, the public authority has advanced endeavors to encourage guidelines in the field of business. As far as standard turn of events, this incorporates the significance of laying out, executing, and observing the actual standards. Work regulation in giving security should be founded on legitimate viewpoints according to an optimal point of view acknowledged in independent regulations and guidelines. As demonstrated by Article 102 area 2 of Guideline no. 13 of 2003 fundamentally, workers finishing current relations are obliged to take care of business for continuing with creation, impelling the association, and afterward once more, get honors as appreciation for finishing their commitments [12].

Juridically, considering Article 27 of the 1945 Constitution, the spot of workers is identical to money managers, yet socio-monetarily, the spot of the two isn't the same considering the way that the business environment visionaries is higher than workers. Genuine confirmation is continually associated with power. Two powers are dependably a worry, to be unequivocal government power and financial power [4]. About government power, the issue of genuine affirmation for individuals (who are tended to) and the public power (who directs). There are two or three objects of work security supervised in Rule Number 13 of 2003 concerning Business, for this current situation, what is being examined up is momentous assurance for female specialists with respect to leave and wages. Authentic certification for female prepared experts, particularly with respect to leave, is facilitated in Article 76 to Article 83 of Rule Number 13 of 2003 concerning Business, and pay security is controlled in Article 88 to Article 98 of Rule Number 13 of 2003 concerning Work, well-informed authority/work success to perceive ideal work capability, word related security, and it are done to flourishing endeavors [13].

Law Number 13 of 2003 concerning Manpower regulates working time provisions which serve as guidelines for implementation by entrepreneurs or employers. In Law no. 13 of 2003 in article 77 of the Manpower Law, workers are only given working time by the provisions therein. Companies are obliged to comply with the rules according to these provisions for their workers. Violations committed against applicable regulations require companies to request permission from institutions that have authority regarding this matter which must then provide payment compensation for violations committed as stated in the regulations regarding overtime working time and extra time pay. The working time determined in the UUK consolidates (article 77 segment 2), specifically: 1) Seven (seven) hours per week and forty (forty) hours per week for six (six) workdays per week; of course 2) 8 (eight) hours 1 (sooner or later) and 40 (forty) hours 1 (one) week for 5 (five) working days in 1 (one) week. The functioning time arrangements above have special cases for specific business areas, for example, organizations working in the Energy and Mineral Assets area[4].

### **3.2 The Urgency of Juridical Review of Employment Law in the Perspective of Industrial Relations According to Law no. 13 of 2003**

Word related wellbeing and wellbeing is one of the freedoms of laborers or workers (Article 86 passage 1 letter a Regulation No. 13 of 2003). Thus, organizations are expected to execute it efficiently and coordinate it with the organization the board framework. Work wellbeing, is security connected with the activity of machines, work instruments, materials, and their administration processes, the basis of the workplace and

its environment, as well as ways of carrying out work. Work productivity can be realized if efforts to maintain the safety and health of the workforce can be properly protected. It can be done by technically preventing accidents and illnesses that may occur during work, controlling dangers in the work environment, and handling when workers experience these preventable things. Apart from that, there are facilities for workers to continue to receive health protection, treatment, and recovery through rehabilitation at health institutions [8].

This security is finished by critical guidelines and rules. To recognize work prosperity affirmation, the public authority has advanced endeavors to encourage guidelines in the field of business. As far as standard turn of events, this incorporates the significance of laying out, executing, and observing the actual standards. On this premise, Regulation Number 1 of 1970 concerning Work Security was given, as a trade for the beforehand existing guidelines in the field of work wellbeing, in particular Veiligheids Guideline Stbl Number 406 of 1910, which was thought to have been implemented following the development of occupational issues. Because of the significance of laborers to organizations, the government, and society, it is essential to consider how workers can maintain their safety while performing their duties. In a similar vein, it is essential to ensure workers' privacy and well-being so that they can give as much thought as is reasonable to what they experience at work in order to guarantee cautious work. [12]. These ideas make up a worker protection program that can be used on a daily basis to keep the productivity and stability of a business up. Expert security should be possible, either by provide guidance or by growing affirmation of essential opportunities, physical and explicit as well as pleasant and financial security through standards that apply in the workplace.

A strike is a labor/worker activity to stop or reduce work that is organized and carried out mutually or potentially by an exchange/drudgery/trade guild, as stated in Article 1 point 23 of Regulation Number 13 of 2003. A strike is, in principle, a fundamental right of workers, laborers, and trade and labor unions, as stated in Article 137 of Law No. 13 of 2003. when it is carried out in a legal, orderly, and peaceful manner as a result of unsuccessful negotiations. What is implied by bombed talks is Inability to agree to determine a modern relations debate can be achieved by one of the social events not wanting to orchestrate or the trades have shown up at an impasse [2].

Confirmation of laborers should ensure the basic chances of laborers/workers and affirmation respectability of plausibility and treatment without disengagement on any motivation to get a handle on the public power help of laborers/workers and their families while as of now focusing in on overhauls in the business world. Article 4 of Rule Number 13 of 2003 concerning Work states: Business improvement means to draw in and utilize the workforce in a perfect world and others deliberately; recognizing identical business astounding entryways and giving work by open and regional improvement needs, shielding workers in recognizing flourishing; dealing with the public authority help of workers and their families [14]. Varieties in the reasons for work strikes have grown essentially since the change time started. Open admittance to data and attention to privileges give open doors to endeavors to force their will on business people.

The high number of labor strikes, which have a negative impact on harmonious industrial relations and the well-being of workers, are caused by capitalist freedom of association rights. [1]. Consequently, the advantages of a work strike are misleading on the grounds that what is made is procedural equity of strikes for the purpose of satisfying laborers' government assistance requests, since there has never been significant

government assistance or significant equity. Industry in Indonesia is developing quickly, the public authority should have the option to control each current modern movement. Therefore, Regulation No. 13 refers to the establishment of the business. Guideline Number 13 of 2003 concerning Work moreover controls the strategy associated with settling present day relations questions, one of which is through the conversation cycle. However, laborers can exercise their right to strike in the event that the discussion cycle fails to produce a solution. Work is each individual's ability to manage a business in order to produce goods or possibly provide benefits, both to address their own problems and those of society.

#### **4 Conclusion**

1. Work regulation in giving assurance should be founded on legitimate viewpoints according to an optimal point of view acknowledged in independent regulations and guidelines. As shown by Article 102 area 2 of Guideline No. 13 of 2003, fundamentally, workers in performing current relations are obliged to take care of business for continuing with creation, pushing the association, and afterward once more, get honors as appreciation for finishing their commitments.
2. Work regulation is all matters connecting with work previously, during, and after the time of business. It is necessary to carry out in order to raise the standard of living. development in various aspects. This is no exception to employment development which is carried out on the principle of integration through central and regional cross-sectoral functional coordination.
3. Occupational safety and health initiatives are carried out to safeguard worker/laborer safety and achieve maximum job productivity. The relevant rules and regulations carry out this protection. To acknowledge work prosperity affirmation, the public authority has advanced endeavors to cultivate norms in the field of business. As far as standard turn of events, this incorporates the significance of laying out, executing, and observing the actual standards. Work regulation in giving assurance should be founded on legitimate viewpoints according to an optimal viewpoint acknowledged in independent regulations and guidelines.

#### **5 Suggestion**

1. Grasping the meaning of workers for associations, government, and society, it is essential to think so workers can stay aware of their prosperity while at the same time doing their work. In a similar vein, it is essential to guarantee the health and tranquility of workers so that they can pay as much attention as possible to what they encounter at work and ensure vigilance in their work. These ideas make up a worker protection program that can be used on a daily basis to keep the productivity and stability of a business up. Expert security should be possible, either by provide guidance or by growing affirmation of essential opportunities, physical and specific as well as agreeable and monetary protection through norms that apply in the work environment.

2. The public authority as a real head ought to have the choice to control every ongoing present day activity. In this manner, Guideline No. 13 concerning Work was approved. The exchange interaction, which is one of the most common methods for resolving contemporary relations issues, is also governed by Labor Regulation 13 of 2003. Regardless, when the conversation communication misfires and a comprehension isn't reached, workers can rehearse their privilege to strike.
3. The social class ought to expect a working part in settling every dispute case Current Relations Questions are differentiations of evaluation that result in battle between organizations or a mix of managers and workers/laborers in view of discussions with respect to opportunities, contentions about interests, contentions about finish of work relations and inquiries between workers/affiliations. employees working for a single company.

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