

## RINGKASAN

Hubungan hukum antara Pejabat Umum Non PNS dan pekerjaannya merupakan hubungan ketenagakerjaan. Kantor Pejabat Umum Non PNS termasuk dalam kategori perusahaan yang bersifat perseorangan. Kedudukan Pejabat Umum Non PNS sebagai pengusaha/pemberi kerja dan pekerjaannya sebagai penerima kerja. Maka dari itu baik Pejabat Umum non PNS maupun pekerjaannya termasuk dalam subjek yang diawasi oleh Pengawas Ketenagakerjaan, namun di Kota Jakarta Barat diketahui belum dilakukan pengawasan oleh Suku Dinas Tenaga Kerja, Transmigrasi dan Energi Kota Jakarta Barat.

Tujuan dari penelitian ini yaitu, untuk mengetahui pemenuhan hak upah di Kantor Pejabat Umum non PNS di Kota Jakarta Barat dan untuk menganalisis pemenuhan hak upah bagi pekerja di kantor Pejabat Umum Non PNS di Kota Jakarta Barat telah memberikan perlindungan hukum.

Jenis penelitian yang digunakan adalah yuridis sosiologis dengan pendekatan kualitatif menggunakan teknik *purposive sampling* dengan wawancara terhadap 24 (dua puluh empat) pekerja Kantor Pejabat Umum Non PNS di Kota Jakarta Barat dan wawancara dengan Suku Dinas Tenaga Kerja, Transmigrasi dan Energi Kota Jakarta Barat. Analisis data yang digunakan adalah *content analysis* suatu teknik penelitian yang ditujukan untuk mengetahui gambaran karakteristik isi dan menarik inferensi dari isi.

Hasil penelitian menunjukkan pemenuhan hak upah bagi pekerja di Kantor Pejabat Umum di Kota Jakarta Barat belum terpenuhi. Berdasarkan data hasil wawancara terdapat pekerja Pejabat Umum Non PNS yang memperoleh upah di bawah Upah Minimum Daerah Khusus Ibukota Jakarta, Pejabat Umum Non PNS tidak menetapkan struktur dan skala upah bagi pekerja, padahal berdasarkan data hasil wawancara diketahui masa kerja dari pekerja yang diambil sampel pada kisaran 2-20 tahun. Berdasarkan Peraturan Pemerintah Nomor 36 Tahun 2021 tentang Pengupahan, pengusaha wajib menetapkan stuktur dan skala upah. Upah kerja lembur dibayarkan dengan hitungan perhari, padahal upah kerja lembur dihitung per jam. Sebagian pekerja yang diambil sampel tersebut, tidak meperoleh upah tidak masuk kerja yang diatur dalam Pasal 40 ayat (2) Peraturan Pemerintah Nomor 36 Tahun 2021. Mengenai perlindungan hukum baik perlindungan preventif maupun represif bagi pekerja di Kantor Pejabat Umum Non PNS belum dilaksanakan. Hal tersebut dapat ditinjau dari belum dilaksanakannya pengawasan dan pemberian sanksi yang tegas kepada Pejabat Umum Non Pegawai Negeri Sipil di Kota Jakarta Barat yang melakukan pelanggaran pengupahan terhadap pekerjaannya.

Kata Kunci: Perlindungan Hukum, Pekerja, Pejabat Umum Non Pegawai Negeri Sipil

## **SUMMARY**

*The legal relationship between Public Officials, Non-Civil Servants and their workers is an employment relationship. Office of Public Officials Non-Civil Servants is included in the category of companies that are individual. The position of non-civil servant public officials as entrepreneurs or employers and their workers as job recipients. Therefore, both Public Officials who are not Civil Servants and their workers are included in the subjects supervised by the Labor Inspector, but in the City of West Jakarta it is known that supervision has not been carried out by the Suku Dinas Tenaga Kerja, Transmigrasi dan Energi City of West Jakarta.*

*The purpose of this study is to find out the fulfillment of wage rights in the Office of Non-Civil Servant Public Officials in West Jakarta City and to analyze the fulfillment of wage rights for workers in the Office of Non-Civil Servant General Officials in West Jakarta City who have provided legal protection.*

*The type of research used is sociological juridical with a qualitative approach using a purposive sampling technique with interviews with 24 (twentyfour) employees of the Office of Public Officials Non-Civil Servants in West Jakarta City and interviews with the Suku Dinas Tenaga Kerja, Transmigrasi dan Energi of West Jakarta City. The data analysis used was content analysis, a research technique aimed at describing the characteristics of the content and drawing inferences from the content.*

*The results of the study show that the fulfillment of wage rights for workers in the Office of Non-Civil Servant General Officials in the City of West Jakarta has not been fulfilled. Based on interview data, there are Non-Civil Servant Public Officials who earn wages below the Minimum Wage for the Special Capital Region of Jakarta, Non-Civil Servant General Officials do not determine the structure and scale of wages for workers, even though based on interview data it is known that the years of service of workers Samples were taken in the range of 2-20 years. Based on Government Regulation Number 36 of 2021 concerning Wages, employers are required to determine the wage structure and scale. Overtime pay is paid on a daily basis, whereas overtime pay is calculated per hour. Some of the workers who were sampled did not receive the absent wages as stipulated in Article 40 paragraph (2) of Government Regulation Number 36 of 2021. Regarding legal protection, both preventive and repressive protection for workers in the Office of Public Officials Non-Civil Servants have not been implemented. This can be seen from the lack of supervision and the imposition of strict sanctions on Non-Civil Servant Public Officials in the City of West Jakarta who commit wage violations against their workers.*

*Keywords: Legal Protection, Workers, Public Officials Non-Civil Servants*