

# **PENEGAKAN HUKUM TERHADAP PENGGUNAAN TENAGA KERJA ASING DI KABUPATEN CILACAP**

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## **ABSTRAK**

Perkembangan globalisasi memberikan dampak terhadap penggunaan tenaga kerja asing. Tenaga kerja asing yang akan bekerja di Indonesia harus melalui mekanisme dalam peraturan perundang-undangan yang berlaku. Terhadap pengaturan penggunaan TKA perlu dilakukan penegakan hukum berupa pengawasan dan penerapan sanksi untuk memastikan penggunaan tenaga kerja asing sesuai peraturan perundang-undangan. Tujuan penelitian ini untuk menganalisis pengaturan dan penegakan hukum terhadap penggunaan tenaga kerja asing di Kabupaten Cilacap.

Jenis penelitian yang digunakan adalah yuridis normatif dengan pendekatan perundang-undangan dan spesifikasi penelitian deskriptif. Data penelitian bersumber dari data sekunder. Metode pengumpulan data dilakukan dengan studi kepustakaan. Data-data yang terkumpul diolah dan disajikan dalam bentuk teks naratif serta dianalisis dengan metode normatif kualitatif.

Hasil penelitian menunjukkan bahwa pengaturan penggunaan tenaga kerja asing di Kabupaten Cilacap didasarkan pada Peraturan Pemerintah Nomor 34 Tahun 2021 dan Peraturan Menteri Ketenagakerjaan Nomor 8 Tahun 2021 yang didalamnya mengatur mengenai penggunaan hingga pengawasan dan peneraan sanksi administratif. Dalam hal pengaturan di tingkat kabupaten, dibentuk Peraturan Daerah Kabupaten Cilacap Nomor 3 Tahun 2023 tentang Retribusi Penggunaan Tenaga Kerja Asing. Penegakan hukum terhadap penggunaan tenaga kerja asing di Kabupaten Cilacap dilakukan oleh Dinas Tenaga Kerja dan Transmigrasi Provinsi Jawa Tengah melalui Satuan Pengawasan Ketenagakerjaan Wilayah Banyumas dan Kantor Imigrasi Kelas I TPI Cilacap melalui TIMPORA (Tim Pengawasan Orang Asing) sesuai lingkup tugas dan kewenangan masing-masing. Dalam hal ditemukan pelanggaran, pemberi kerja TKA dan TKA dapat dikenakan sanksi administratif dan tindakan administratif keimigrasian.

Kata kunci: Penegakan Hukum, Penggunaan, Tenaga Kerja Asing

# **LAW ENFORCEMENT ON THE USE OF FOREIGN LABOUR IN CILACAP REGENCY**

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## **ABSTRACT**

*The development of globalisation has an impact on the use of foreign workers. Foreign workers who will work in Indonesia must go through the mechanism in the applicable laws and regulations. Against the regulation of the use of foreign workers, law enforcement needs to be carried out in the form of supervision and application of sanctions to ensure the use of foreign workers in accordance with laws and regulations. The purpose of this study is to analyse the regulation and enforcement of the use of foreign workers in Cilacap Regency.*

*The type of research used is normative juridical with a statutory approach and descriptive research specifications. The research data is sourced from secondary data. The data collection method is done by literature study. The collected data is processed and presented in the form of narrative text and analysed using qualitative normative method.*

*The results show that the regulation of the use of foreign workers in Cilacap Regency is based on Government Regulation Number 34 of 2021 and Minister of Manpower Regulation Number 8 of 2021 which regulates the use to supervision and imposition of administrative sanctions. In terms of regulation at the regency level, a Regional Regulation of Cilacap Regency Number 3 of 2023 concerning Retribution for the Use of Foreign Workers was formed. Law enforcement on the use of foreign workers in Cilacap Regency is carried out by the Central Java Provincial Manpower and Transmigration Office through the Banyumas Regional Manpower Monitoring Unit and the Cilacap Class I TPI Immigration Office through TIMPORA (Foreigner Monitoring Team) according to their respective scope of duties and authority. In the event that violations are found, foreign worker employers and foreign workers may be subject to administrative sanctions and immigration administrative measures.*

*Keywords: Law Enforcement, Use, Foreign Workers*