

ABSTRAK

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TINJAUAN YURIDIS TERHADAP PERJANJIAN *FREELANCER* *MUD LOGGING* MENURUT HUKUM PERDATA DI INDONESIA

(xiii + 114 halaman; 26 lampiran)

Pekerja harian lepas, *freelancer*, atau pekerja lepasan adalah istilah-istilah yang saat ini sudah tidak menjadi hal yang asing pada beberapa lini perusahaan di Indonesia. Perusahaan yang bergerak di bidang eksplorasi minyak dan gas bumi juga masih menerapkannya. Selain sebagai *freelancer* lokal, pegawai pekerja migran (*overseas*) juga cukup banyak digunakan oleh perusahaan minyak dan gas bumi yang menyediakan jasa *mud logging*. Berdasarkan penelitian yuridis normatif ini dapat ditarik kesimpulan bahwa pengaturannya di Indonesia membedakan mekanisme perjanjian dalam hubungan kerja dan perjanjian di luar hubungan kerja. Secara normatif, aspek perlindungan hukum bagi pekerja menjadi aspek penting. Namun demikian pada praktiknya pilihan hubungan hukum antara para pihak lebih cenderung mempertimbangkan faktor *cost and benefit*. Demikian pula perlindungan hukum bagi pekerja migran Indonesia, masih memerlukan koordinasi lintas sektor antara BP2MI dengan lembaga-lembaga terkait lainnya.

Kata kunci: *freelancer*, perlindungan hukum, pekerja lokal, pekerja migran.

Referensi: 20 (2002 - 2018)

ABSTRACT

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JURIDICAL REVIEW OF THE MUD LOGGING FREELANCER AGREEMENT ACCORDING TO CIVIL LAW IN INDONESIA

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Daily worker or freelancer are terms that are now familiar at several lines of companies in Indonesia. Companies engaged in oil and gas exploration are still implementing freelance mechanism. Apart from being local freelancers, employees of foreign workers (migrant worker) are also quite widely used by oil and gas companies function especially in mud logging service. Based on this normative juridical research, it can be concluded that the arrangement in Indonesia is based on agreements within work relations and agreements beyond of work relations. Pursuant to the labor law the aspect of legal protection for workers is an important aspect. However, in practice the choice of legal relationship between the parties tends to consider the cost and benefit factors. Likewise, legal protection for Indonesian migrant workers still needs cross-sectoral coordination between BP2MI and other related institutions

Key words: freelancer, legal protection, local employee, migrant worker.

Reference: 20 (2002 - 2018)