

ABSTRACT

Renata Luisa Kusuma (01051210048)

PRINCIPLE OF FAIRNESS IN SERVICE FEE DISTRIBUTION WITH SPIRAL POINT SYSTEM FOR WORKERS IN HOTEL BUSINESS

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The hotel industry is one of the very few businesses that implements service charge to their guests. Service charge is a form of formal tip from hotel guests that can be distributed with an equal system, a point system, or a combination between equal system and point system. In terms of distributing service charge with a point system, especially a spiral system, there are concerns arose that the calculation is unfair as it is felt that service charge should be distributed equally. This study was conducted to see the implementation of the service charge point distribution policy in the hotel industry, as well as a review of the principle of justice in distributing service charge with a spiral point system. In order to answer the questions from the existing problem, this study was conducted using a normative-empirical legal research method by analyzing primary legal materials as secondary data supported by primary data in the form of interview results with workers in the hotel industry using a legal principles and legal systematics approach. This study found that when reviewed through the interpretation of Article 15 of Permenaker 7/2016, the most appropriate service charge distribution is a combination of the equal and spiral point systems to support the guarantee of workers' rights to receive service charge while encouraging excellent service by providing a larger proportion of service charge to workers who contribute more to hotel services. Then this study also found that from the type of justice, there have been differentiating factors between hotel workers, namely capability, ability, contribution to hotel services, scope, and the amount of responsibility of workers through differences in the level of position of the related workers. So, the distribution of service charge with a point system becomes a balance between these differentiating factors by implementing distributive justice.

References: 63 (1945 – 2023)

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