

**PENYELESAIAN KASUS PEKERJA YANG MENGALAMI PEMUTUSAN
HUBUNGAN KERJA SECARA SEPIHAK TANPA KOMPENSASI DARI
PERUSAHAAN (STUDI PUTUSAN NO. 755 K/PDT.SUS- PHI/2024)**

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ABSTRAK

Penelitian ini membahas penyelesaian kasus pemutusan hubungan kerja sepihak tanpa kompensasi yang dialami oleh pekerja, dengan fokus pada Putusan Nomor 755 K/Pdt.Sus-PHI/2024 dan menganalisis pertimbangan hukum yang digunakan oleh Hakim pada putusan tersebut. Penulis menggunakan metode penelitian hukum normatif-empiris, penelitian ini menelaah regulasi hukum positif terkait PHK di Indonesia, khususnya berdasarkan Undang-Undang No. 13 Tahun 2003 tentang Ketenagakerjaan dan Undang-Undang No. 6 Tahun 2023 tentang Cipta Kerja dan implementasinya dalam pertimbangan hakim pada Putusan No. 755K/Pdt.Sus-PHI/2024. Data sekunder yang digunakan terdiri dari bahan hukum primer, sekunder, dan tersier, yang diperoleh dari studi kepustakaan dan *searching internet*. dengan pendekatan perundang-undangan dan pendekatan kasus pada putusan. Analisis dilakukan secara kualitatif. Penelitian ini menemukan bahwa penyelesaian sengketa PHK sepihak, sebagaimana diatur dalam Undang-Undang No. 2 Tahun 2004 tentang Penyelesaian Perselisihan Hubungan Industrial, melalui proses bipartit, mediasi (tripartit), dan pengajuan gugatan ke Pengadilan Hubungan Industrial. Pada kasus ini, pekerja yang di-PHK secara sepihak oleh PT Super Unggas Jaya, berhasil menuntut hak-haknya melalui proses litigasi. Putusan Majelis Hakim menolak eksepsi Tergugat tentang *error in persona*, daluwarsa, dan kompetensi relatif pengadilan, dengan pertimbangan gugatan telah memenuhi syarat formil dan Pengadilan Hubungan Industrial pada Pengadilan Negeri Medan berwenang memeriksa dan mengadili perkara ini, serta memutuskan bahwa Penggugat berhak atas hak normatifnya, termasuk pesangon, uang penghargaan masa kerja dan uang penggantian hak. Penelitian ini menyoroti pentingnya keadilan dan kepastian hukum dalam melindungi hak-hak pekerja dan menciptakan keseimbangan dalam hubungan industrial di Indonesia.

Kata Kunci: Kompensasi, Pemutusan Hubungan Kerja, Secara Sepihak.

Referensi : 37 Sumber (2020-2024)

**SETTLEMENT OF CASES OF WORKERS WHO EXPERIENCED
UNILATERAL TERMINATION OF EMPLOYMENT WITHOUT
COMPENSATION FROM THE COMPANY
(STUDY OF DECISION NO. 755 K/PDT.SUS-PHI/2024)**

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ABSTRACT

This study discusses the resolution of unilateral termination of employment cases without compensation experienced by workers, focusing on Decision Number 755 K/Pdt.Sus-PHI/2024 and analyzing the legal considerations used by the Judge in the decision. The author uses a normative-empirical legal research method, this study examines positive legal regulations related to layoffs in Indonesia, specifically based on Law No. 13 of 2003 concerning Manpower and Law No. 6 of 2023 concerning Job Creation and its implementation in the judge's considerations in Decision No. 755K/Pdt.Sus-PHI/2024. The secondary data used consists of primary, secondary, and tertiary legal materials, obtained from literature studies and internet searches. with a statutory approach and a case approach to the decision. The analysis was carried out qualitatively. This study found that the resolution of unilateral layoff disputes, as regulated in Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes, through a bipartite process, mediation (tripartite), and filing a lawsuit with the Industrial Relations Court. In this case, workers who were unilaterally laid off by PT Super Unggas Jaya, successfully claimed their rights through the litigation process. The Panel of Judges' decision rejected the Defendant's exceptions regarding error in persona, statute of limitations, and relative competence of the court, considering that the lawsuit has fulfilled the formal requirements and the Industrial Relations Court at the Medan District Court has the authority to examine and try this case, and decided that the Plaintiff was entitled to his normative rights, including severance pay, long service award money and compensation money. This study highlights the importance of justice and legal certainty in protecting workers' rights and creating balance in industrial relations in Indonesia.

Keywords: *Compensation, Termination of Employment, Unilaterally.*

Reference : *37 Sources (2020-2024)*