**ABSTRAK**

**Prasetya, Yogie Agung, 2014** *Peranan Dinas Tenaga Kerja dan Transmigrasi dalam Memberi Perlindungan Hukum Terhadap Pekerja Sistem Kontrak*, Skripsi, Jurusan Ilmu Hukum, Fakultas Hukum, Universitas Kanjuruhan Malang, Pembimbing I Miya Savitri, S.Pd., M.Hum dan Pembimbimng II Sulthon Miladiyanto, SH., MH.

Kata Kunci: Peranan, Dinas Tenaga Kerja dan Transmigrasi, Perlindungan Hukum, Pekerja Sistem Kontrak

Kebijakan pemerintah di bidang ketenagakerjaan seolah-olah kurang memperhatikan nasib pekerja. Hal ini ditunjang dengan adanya doktrin stabilitas yang semakin memperlemah posisi tawar buruh. Apalagi dengan banyaknya perusahaan yang menggunakan sistem kerja kontrak (*outsourcing*) yang membuat sebagian besar pekerja merasa hak-hak mereka kurang terpenuhi. Kurangnya peran pemerintah dan peraturan-peraturan tentang ketenagakerjaan menjadi celah terjadinya praktek sistem kerja kontrak (*outsourcing*) semakin banyak di indonesia.

Berdasarkan fakta yang terjadi dilapangan dengan ini penulis merumuskan permsalahan: kendala yang dihadapi Dinas Tenaga Kerja Kabupaten Mojokerto dalam memberikan perlindungan Hukum terhadap pekerja *outsourcing*,upaya Dinas Tenaga Kerja Kabupaten Mojokerto dalam memberikan perlindungan Hukum terhadap pekerja *outsourcing*, Tujuan penelitian ini adalah mendiskripsikan dan menganalisa kendala yang dihadapi dan peran yang dilakukan Dinas Tenaga Kerja Kabupaten Mojokerto dalam memberikan perlindungan Hukum terhadap pekerja (*outsourcing).*

Untuk menjawab rumusan masalah dan tujuan penelitan digunakan metode penelitian hukum Sosiologis. Jenis datanya meliputi data primer dan data sekunder yang di lakukan dengan cara melakukan penelitiaan di lapangan dan dilengkapi penelitian di perpustakaan. Sedangkan cara mendapatkan sampel yaitu dengan cara melakukan wawancara dengan para pihak yang di teliti.

Dari hasil penelitian dan pembahasan terdapat banyak pelanggaran terhadap pekerja sistem kontrak (*outsourcing*) yang dimana hak-hak yang tidak diberikan oleh perusahaan. Kurangnya pengawasan di bidang ketenagakerjaan oleh pegawai Dinas Tenaga Kerja dan Transmigrasi Kabupaten Mojokerto. Banyaknya pengganguran dan minimnya ketersediaannya lapangan kerja ditandai dengan banyaknya kasus-kasus yang masuk dalam Dinas Tenaga Kerja dan Transmigrasi Kabupaten Mojokerto. Maka dari itu perlu adanya dukungan dari semua pihak terutama pemerintah agar lebih selektif memberi perlindungan kepada pekerja sistem kontrak (*outsourcing*) dan memberi sanksi ang tegas kepada para pengusaha yang melanggar Undang-Undang Ketenagakerjaan.

**ABSTRACT**

**Prasetya, Yogie Agung, 2014**, The Role of Manpower Departement or Transmigration Give Law Protection Concerning Employee Contract System, Thesis, Sience of Law, Law Faculty, Kanjuruhan University of Malang, Advisor I Miya Savitri, S.Pd., M.Hum and Advisor II Sulthon Miladiyanto, SH., MH.

***Keywords:*** *Actor, official of employment and transmigration in Mojokerto regency, Legal Proctection , Employee Labour Outsourcing.*

Good government in the field of employment as though less of attention to the fate of the workers. This is supported by the doctrine of stability which is weakened the bargaining position of employment. Especially with the many companies that use contract system (*outsourcing*) that makes the most workers feel their rights are lacking. the lack of government and the rules of employment became occurrence of contract systems practice (*outsourcing*) and more contract in Indonesia.

Based on the fact that occur in the field, so the writer make the statement of problems: the problem that is faced by the official of employment in Mojokerto regency in given the law protection for outsourcing employment, the efforts of official employment in Mojokerto regency in given the law protection for outsourcing employment. The purposes of this research are to describe and to analyze the problem which are faced and the role done by the official of employment in Mojokerto regency in given the law protection for *outsourcing* employment*.*

To answer the statement of problem and research purposes are used sociological research methods. the type of data include primary data and secondary data was done by doing research in the field and completed by research in the library. While to get a sample that is by doing interview with the parties who are be investigated.

From the results and discussion there are many violations for contract system of employment (*outsourcing*) which the rights are not given by the company. the lack of supervision in the field of employment by employee in official of employment and transmigration in Mojokerto regency. many of unemployments and the minimum of job vacancy is marked with the many of cases included of official employment in Mojokerto regency. Therefore, it needs the support of all parties, especially the government to be more selective to give protect to employment and give the firm sanctions for employers who violate the employment laws.