

EFEKTIVITAS PELAKSANAAN KEGIATAN PRA PENEMPATAN TENAGA KERJA INDONESIA KE LUAR NEGERI DALAM PASAL 31 UNDANG UNDANG NO. 39 TAHUN 2004 TENTANG PENEMPATAN DAN PERLINDUNGAN TENAGA KERJA INDONESIA DI LUAR NEGERI(Studi di PJTKI PT Prima Duta Sejati Malang)

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ABSTRAKSI

Permasalahan yang banyak dialami oleh TKI pada saat ini yaitu selama proses kegiatan Pra-penempatan ke luar negeri, dikarenakan proses Pra-penempatan merupakan tahap paling rawan yang harus dijalani oleh calon TKI.

Penulisan ini mengambil rumusan masalah: Bagaimana Efektivitas Pelaksanaan kegiatan Pra-penempatan TKI ke Luar Negeri dalam Pasal 31 Undang-Undang No. 39 Tahun 2004 Tentang Penempatan dan Perlindungan TKI di Luar Negeri oleh PJTKI PT. Prima Duta Sejati, Apa saja kendala-kendala yang terjadi dalam pelaksanaan kegiatan pra-penempatan TKI ke luar negeri di PJTKI PT. Prima Duta Sejati dan Bagaimana upaya penanggulangan terhadap kendala-kendala yang terjadi dalam pelaksanaan kegiatan Pra-penempatan TKI ke luar negeri di PJTKI PT. Prima Duta Sejati.

Penulisan ini menggunakan metode pendekatan yuridis sosiologis, Lokasi penelitian di PJTKI. PT. Prima Duta Sejati, menggunakan sumber data primer dan sekunder, teknik pengumpulan data berupa wawancara dengan responden, dokumentasi dan observasi, kemudian data hasil penelitian dianalisa secara diskriptif kualitatif.

Dari hasil penelitian, upaya pelaksanaan Pasal 31 Undang-Undang No. 39 Tahun 2004 Tentang Penempatan dan Perlindungan TKI di Luar Negeri oleh PJTKI. PT. Prima Duta Sejati adalah melakukan perekrutan dan seleksi bagi calon TKI yang telah memenuhi beberapa persyaratan dan dokumen secara lengkap, melakukan tes kesehatan kepada calon TKI secara keseluruhan baik fisik maupun non-fisik, melakukan pendidikan dan pelatihan kepada calon TKI, melakukan uji kompetensi kepada TKI dan melakukan Pembekalan Akhir Pemberangkatan (PAP).

Berdasarkan hasil penelitian dapat disimpulkan, Pasal 31 Undang-Undang No. 39 Tahun 2004 Tentang Penempatan dan Perlindungan TKI di Luar Negeri belum efektif, dikarenakan banyak TKI yang dikirim PJTKI hanya berijazah SD, dan PJTKI membuat isi Surat Perjanjian Kerja tidak sesuai dengan peraturan Perundang-Undangan. Saran bagi Pemerintah, merevisi Undang-Undang No. 39 Tahun 2004 Tentang Penempatan dan Perlindungan Tenaga Kerja Indonesia Di Luar Negeri khususnya pasal 35 point d mengenai calon TKI berpendidikan sekurang-kurangnya lulus SLTP dan bagi PJTKI melengkapi isi surat perjanjian kerja.

ABSTRACT

The problems experienced by many workers at this time is during the Pre-placement activities abroad, due to pre-placement process is the most vulnerable stage that must be followed by prospective workers.

Writing this took the formulation of the problem: How The Effectiveness of Pre-placement activities TKI Abroad in Article 31 of Law No. 39 Year 2004 on Placement and Protection of Migrant Workers in Foreign Affairs by the recruitment agency PT. Prima Duta Sejati, What are the obstacles that occur in the implementation of pre-placement activities to overseas migrant workers in recruitment PT. Prima Duta Sejati and how reduction efforts towards the obstacles that occur in the implementation of the Pre-placement activities to overseas migrant workers in recruitment PT. Prima Duta Sejati.

Writing this juridical approach sociological method, location of research at the recruitment agency. PT. Prima Duta Sejati, using primary and secondary data sources, data collection techniques in the form of interviews with respondents, documentation and observation, and research data analyzed by descriptive qualitative.

From the research, efforts to implement Article 31 of Law No. 39 Year 2004 on Placement and Protection of Migrant Workers in Foreign Affairs by the recruitment agency. PT. Prima Duta Sejati is the recruitment and selection process for prospective workers who have fulfilled certain conditions and the complete document, perform medical tests to prospective workers overall physical and non-physical, conduct education and training to prospective migrant workers, conduct competency tests for TKIs and make stock purchasing Final Departure (PAP).

Based on the results of this study concluded, Article 31 of Law No. 39 Year 2004 on Placement and Protection of Migrant Workers in Foreign Affairs has not been effective, because many workers who sent recruitment agency licensed only SD, and the recruitment agency to make the contents of Letter Employment Agreement is not in compliance with Legislation. Suggestions for the Government, the revised Act. 39 Year 2004 on Placement and Protection of Indonesian Workers Abroad in particular Article 35 point d on prospective workers educated at least graduated from junior high school and for the recruitment agency complete contents of the letter agreement.

Keywords: Pre-placement activities, recruitment agency and migrant workers