



IMPLEMENTATION OF INDUSTRIAL RELATIONS DISPUTE RESOLUTION IN THE INDUSTRIAL RELATIONS COURT IN REALIZING JUSTICE AND LEGAL CERTAINTY

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ABSTRACT

Based on Law No. 2 of 2004, the resolution of industrial relations disputes is mandated by PPHI. Disputes must first be resolved through consensus, a failure to which one party can file a lawsuit with the Industrial Relations Court. These disputes include differences of opinion that result in conflict between employers or a combination of employers and workers/laborers or trade/labor unions due to disputes over rights, interests, termination of employment relations, and disputes between trade unions and labor unions within one company. This research aims to evaluate the implementation of industrial relations dispute resolution in industrial relations courts and determine how it can be improved to ensure justice and legal certainty. The research method used was descriptive analysis with a normative juridical approach, focusing on statutory regulations, principles, and legal theories that govern the resolution of industrial relations disputes. The study found that the process of examining industrial relations disputes based on the provisions of civil procedural law often prolonged the time for settling cases, which was initially set to 50 working days. However, this extended period proved detrimental to workers/labourers and failed to provide a sense of justice and legal certainty.

Keywords: *industrial relations disputes, work relationship, worker/laborers, work termination.*

1. Introduction

The general explanation of Law Number 13 of 2003 concerning Manpower states that the development of labor law has many dimensions that are not only related to the interests of workers who will, are and after work, but also how to ensure that everyone gets work and a decent living for them. Humanity without any discriminatory treatment in the implementation of work relations. The protection of workers in the employment relationship is intended to guarantee the basic rights of workers/laborers and ensure equality of opportunity and treatment without discrimination on any basis to realize the welfare of workers/laborers and their families while still paying attention to developments in the business world. One form of manifestation of increasing the honor and dignity of workers/laborers is the protection of the rights of workers/laborers whether they have been agreed to in the Work Agreement, Company Regulations or Collective Labor Agreement.

Workers/laborers bind themselves to employers in a work agreement. The work agreement must contain the identities of the parties, work conditions, rights and obligations of the parties. A work agreement gives rise to an employment relationship, namely of relationship between the entrepreneur and the worker/laborer based on a work agreement, which has elements of work, wages and orders. Working relationships are expected to run harmoniously. During the employment relationship, if a dispute occurs, it must first be resolved through deliberation to reach a consensus, namely through bipartite or tripartite negotiations.

The settlement of industrial relations disputes in Indonesia is regulated in Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes (UU PPHI). Industrial relations disputes include rights disputes, interest disputes, employment termination disputes, and disputes between workers/labor unions within one company. For industrial relations disputes that cannot be resolved through negotiation, one party can file an industrial relations dispute lawsuit with the Industrial Relations Court, as a special court within the general judiciary. The procedural law that applies in the industrial relations court is civil procedural law unless otherwise specified in the law. The period for resolving industrial relations disputes at the Industrial Relations Court is 50 (fifty) working days from the first hearing. In practice, this time period is often exceeded for various reasons and reasons.

Workers/laborers who wish to file an industrial relations dispute lawsuit at the Industrial Relations Court (PHI) must fulfill requirements such as attaching a minutes of advice from the mediator, so that filing an industrial relations dispute lawsuit is not as easy or simple as people imagine because apart from the time, money and energy required. must be issued, and the most important thing is the knowledge of procedural law itself that must be possessed by those who will file a lawsuit regarding industrial relations disputes. The Industrial Relations Court is a special court established within the general judicial environment of the District Court whose jurisdiction covers the province concerned.

2. Literature Review

2.1 Principle of Pancasila Industrial Relations (HIP)

The term industrial relations is a development of the term labor relations (labor relations or management relations), (Wijayanti, 2010), the term labor relations was later changed because it gives a narrow impression because it only covers the relationship between employers and workers/employees.

Article 1, number 16 of Law Number 13 of 2003 concerning employment (Employment Law), states that industrial relations are a system of relationship between actors in the process of producing goods and/or services consisting of elements of entrepreneurs and workers/laborers which are based on the values of Pancasila and the 1945 Constitution of the Republic Indonesia.

Industrial relations are formed between actors in the process of producing goods and/or services consisting of elements of entrepreneurs and workers/laborers which are based on the values of Pancasila and the 1945 Constitution, therefore industrial relations in Indonesia are known as Pancasila Industrial Relations (Shamad, 1995). The parties involved in the production process in a company are entrepreneurs and workers/labourers, while the government is an interested party in realizing harmonious working relationships as a condition for the success of a business, so that it can drive economic growth and improve the welfare of all levels of society.

Based on Pancasila as a philosophical basis, normatively all legal regulations governing Pancasila Industrial Relations, in the form of basic law (1945 Constitution), as well as other statutory regulations are the implementation of Pancasila values. Therefore, normatively, the law governing industrial relations in Indonesia must always be controlled for its harmony with the values of Pancasila (Soepomo, 1975).

The relationship between all parties who are related or have an interest in the process of producing goods or services in a company. The aim is to create a safe and harmonious relationship between these parties so that it can increase business productivity (Ugo, 2012). By implementing industrial relations, entrepreneurs and employers' organizations have the function of creating partnerships in developing businesses, expanding employment opportunities, and providing welfare to workers/laborers in an open, democratic and fair manner.

2.2 Principle of Industrial Relations Disputes

Article 1 number 1 of Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes (UUPPHI) states that industrial relations disputes are differences of opinion that result in conflict between employers or combinations of employers and workers/laborers or trade/labor unions because of disputes regarding rights, interest disputes, employment termination disputes and disputes between workers/labor unions within one company.

Article 2 of the PPHI Law states that types of industrial relations disputes include rights disputes, interest disputes, employment termination disputes, and disputes between workers/labor unions within one company. An employment termination dispute is a dispute that arises due to a lack of agreement regarding the termination of an employment relationship by one of the parties. The principle, every industrial relations dispute must be resolved first through deliberative bipartite negotiations to reach consensus. If bipartite negotiations fail, then one or both parties will register the dispute with the agency responsible for the local employment sector by attaching evidence that efforts to resolve through bipartite negotiations have been made. Furthermore, the agency responsible for the employment sector will help the disputing parties to resolve their disputes either through mediation or conciliation.

In reality, deliberation to reach a consensus is often unsuccessful because disputing parties in industrial relations disputes position themselves as “opposite” parties so that in the end they experience difficulties in deliberation, let alone reaching a consensus because each party maintains its "position" and not to "interest" in resolving industrial relations disputes with a win-win solution (Susanti, 2018). In the event that settlement through conciliation or mediation does not reach an agreement, then one of the parties can submit a lawsuit to the Industrial Relations Court which has the authority to examine and decide at the first instance regarding employment termination disputes.

Article 57 of the PPHI Law states that the procedural law that applies to the Industrial Relations Court is the Civil Procedure Law that applies to courts within the General Courts, except as specifically regulated in this law. Furthermore, Article 103 of the PPHI Law states that the Panel of Judges is obliged to provide a decision on resolving industrial relations disputes no later than 50 (fifty) working days from the first hearing.

2.3 Instruction of the Director General of General Courts Number 03 of 2022 concerning Settlement of Cases in First Level and Appeal Courts in the General Courts, as follows:

The instructions are addressed to 1. Chairman of the High Court; and 2. Chairman of the District Court, for: First: Acting responsively in facing developments and changes in values in society, in the context of the court's participation in encouraging the creation of good governance, especially clean governance and protecting the interests of the state and the people from various disgraceful acts.

Second: Monitoring and evaluating the implementation of case resolution in accordance with the provisions, namely: a. At the High Court, for 3 (three) months; b. At the District Court, for 5 (five) months.

Third: The time provisions as stated in the second point include completion of minutation.

Fourth: The time limit provisions in the second point do not apply to special cases that have been determined based on statutory regulations.

Based on these instructions, the time period for settling cases the Industrial Relations Court are 50 (fifty) working days as stipulated in Article 103 of the PPHI Law.

2.4 Principle of Justice

The main element of law, as stated by Soediman Kartohadiprodjo, include:

- a. Law is everything that concerns humans, namely humans in social life;

- b. Law functions to obtain order in human life;
- c. A significant factor law is justice.

According to Bentham, law makers must form laws that are fair to all members of society individually, but Bentham's concept is one-sided, so Rudolf Von Jhering, who is known for his teachings of social utilitarianism, stated the following; (Otje Salman & Anton F. Susanto, 2004) "Law is a tool for society to achieve goals and law is a means to control individuals so that their goals are in line with society's goals or in other words, personal goals become part of social goals (Darmodihardjo, Darji, 2008) so that the law is a tool that can be used to implement social changes, the content of the law is the provisions regarding the regulation of the creation of state welfare". (Otje Salman & Anton F. Susanto, 2004).

2.5 Principle of Legal Certainty

The legal certainty is part of the characteristics of a rule of law. A rule of law state, as is known, is a state where every policy step, whether ongoing or to be implemented by the government, must be based on law. Likewise, people who are protected by the law must act in accordance with clear rules so that they are expected to follow and implement the law without hesitation (Lopa, 1996). The government must also comply with the law.

According to Satjipto Rahardjo, who stated that as an aspect of legal life, legal certainty requires certainty in relationships between the people in society. For this purpose, what is closely related to the issue of legal certainty is where the law comes from (Rahardjo, 1990). This means that the law must come from a source that has legitimate authority and therefore must be obeyed and binding.

The law must contain three identity values which are reflected in its legal principles, a) legal certainty (*rechtmatigheid*), which is viewed from a juridical perspective. b) legal justice (*gerechtigheit*), looking from a philosophical perspective, justice is equal rights for all people before the law, and c) legal utility (*zwech matigheid/doelmatigheid/utility*), that the law must provide benefits for those seeking justice (Rato, 2009).

The states that legal certainty is certainty about the law itself, positive law which regulates human interests in society must always be obeyed even though positive law is less than fair. Legal certainty is a certain matter (circumstance), provisions or provisions. Laws must essentially be certain and fair. It must be a guide to behavior and is fair because the code of behavior must support an order that is considered reasonable. Only because it is fair and implemented with certainty can the law carry out its function. Legal certainty is a question that can only be answered normatively, not sociologically (Rato, 2009).

3. Research Methods

The research specifications are analytical descriptive, namely research intended to describe humans and other phenomena (Bambang Sunggono, 1997). The approach method used is a normative juridical approach, using statutory regulations, legal principles, legal theories (Martin Steinman and Gerald Willen, 1974). The research stage takes the form of library research in the form of secondary data which in the legal field is viewed from the perspective of binding strength, namely primary legal materials, secondary legal materials and tertiary legal materials (Bahder Johan Nasution, 2008). Data collection techniques are carried out through reviewing secondary data that is relevant to the research. Secondary studies include various textbooks, journals, scientific papers and other relevant literature. The data collection method is carried out by researching and analyzing documents, archives, notes, transcripts, etc. (Jhony Ibrahim, 2006).

Field data was conducted through interviews with parties related to the problem, using a structured interview guide (Directive Interview) or a free interview guide (Non-directive Interview) and using a voice recorder to record the interviews. The data analysis method is

qualitative juridical, does not use formulas, statistics and mathematics. The qualitative juridical method is a research method that produces analytical descriptive data, namely what is expressed by respondents in writing or orally as well as real behavior, which is researched and studied as a whole, without using mathematical formulas (Soerjono Soekanto and Sri Mamudji, 2001). The location of the research was at the Bandung Islamic University Library, Jalan Taman Sari Bandung - West Java and the Industrial Relations Court, Jalan Surapati Number 47, Bandung City.

4. Research Findings and Discussion

4.1 Settlement of Industrial Relations Disputes in the Industrial Relations Court

Article 1 paragraph (1) of the 1945 Constitution expressly states that: "The Indonesian states is a state of law." Soepomo then interpreted the Indonesian state of law as follows (Soepomo, 1958) "... that the Republic of Indonesia was formed as a state of law, meaning that the state will be subject to the law, legal regulations also apply to all state bodies and organs." Moh. Yamin stated that in the Indonesian state, it is the law and not humans who must rule and that the power exercised by the Government of the Republic of Indonesia is only based on and originates from the law and is never based on force of arms, or arbitrary power, that is the belief that it is the power of the body that can decide all disputes within the state (Gautama, 1973). The Indonesian legal state reflects the characteristics of Indonesia (nationalism) with the additional attribute of "Pancasila", thus becoming the "Pancasila Legal State" (Phillipus M. Hadjon, 1987). The Indonesian state has unique Indonesian characteristics because the Indonesian people have high confidence in the truth of Pancasila values in the history of the Indonesian state (Charda, 2018). Therefore, Pancasila is the basis of the state that unites Indonesia. In the field of employment, Pancasila values underlie industrial relations in Indonesia, so it is called Pancasila industrial relations, as stated in the section considering letter a of the PPHI Law, it is stated that employment relations arising from the existence of an employment agreement between workers/laborers and entrepreneurs/employers are expected to well established, so that in industrial relations between workers/laborers and entrepreneurs, a harmonious, dynamic and just relationship needs to be realized optimally in accordance with the values of Pancasila. The right to work and the right in work are not only socio-economic implementations, but are also fundamental human rights (Charda, 2015). This has implications for the state's responsibility to facilitate and protect its citizens so that they can earn an income with a decent standard of living, so that they are able to meet their living needs fairly on the basis of human dignity (Charda, 2015). One of the fundamental principles in the field of employment is to create harmonious, dynamic and fair working relationships accompanied by very adequate social security protection that can guarantee continuity of work for workers/laborers and continuity of business for entrepreneurs/employers. Harmonization of work relations is the basic capital for creating good productivity on an ongoing basis. With this harmonious situation, it is hoped that it will be able to encourage workers/laborers and entrepreneurs to fulfill their rights and obligations fairly so that the relationship is able to fulfill and advance prosperity dynamically (Pangaribuan, 2010). Therefore, in providing legal protection for workers, careful planning is needed to realize the state's responsibilities (Sutedi, 2011). This situation is considered to give rise to a tendency for entrepreneurs/employers/employers to act arbitrarily against workers/laborers (Wijayanti, 2010). According to the general explanation of the Employment Law, it is stated that the position of workers/laborers and entrepreneurs who are socio-economically unequal encourages the government to provide protection to workers/laborers which is one form of manifestation of increasing the honor and dignity of workers/laborers in the form of protection for workers'/labourers' rights, whether agreed to in the work agreement or as outlined in company regulations and/or collective work agreements. A work agreement between an

entrepreneur and a worker/laborer which then creates an employment relationship. An employment relationship is a legal relationship between an entrepreneur or employer and a worker/laborer based on a work agreement made by the worker/laborer and the entrepreneur/employer. As long as the employment relationship lasts, the emergence of industrial relations disputes between employers and workers/laborers is sometimes unavoidable and these employment relations disputes are rooted in feelings of dissatisfaction. Employers provide policies that in their opinion are good and will be accepted by workers/laborers, but workers/laborers have different considerations and views. As a result, the policies provided by entrepreneurs are not the same. Workers/laborers who feel dissatisfied will show decreased performance and cause disputes (Asyhadi, 2008). In practice, industrial relations between entrepreneurs and workers/laborers are not always harmonious and dynamic. It is possible that at any time the relationship will be colored by disputes. Pameo states that industrial relations disputes will always occur as long as there are entrepreneurs/employers and workers/laborers. This was triggered by differences in interests between entrepreneurs and workers/laborers which in turn gave rise to many problems in industrial relations (Sahat, 2006). From the entrepreneur's side, the main interest is to obtain the maximum profit and manage expenses as little as possible, while on the worker/laborer's side the desire is to get the maximum possible income (welfare) from the entrepreneur (Supono, 2019). Therefore, in such conditions, the state needs to provide legal protection to actors in work relationships with careful planning to realize the state's responsibilities (Sutedi, 2011).

4.2 Implementation of Industrial Relations Dispute Settlement in the Industrial Relations Court in Realizing Justice and Legal Certainty

Theoretically, with the existence of legal instruments that regulate industrial relations disputes between workers/laborers and entrepreneurs, industrial relations disputes should be able to be carried out properly and effectively. However, in practice this turns out not to be the case. The principle of industrial relations adopted in Indonesia is Pancasila Industrial Relations (HIP) which is then used as a reference in overcoming or resolving various problems that arise in the field of employment, that is, every complaint that occurs at the company level and other employment problems that arise in the field of employment. work must be completed amicably or by deliberation to reach consensus (Kunarti, 2016). Disputing parties do not utilize conciliation and arbitration methods, and mediation is less effective, which ultimately results in industrial relations disputes proceeding through lawsuits (litigation). It is in this litigation process that the performance of the Industrial Relations Court (PHI) as a special court is something that many complain about. disputing parties (Susanti, 2018) especially regarding the length of the settlement process at the Industrial Relations Court. Industrial relations dispute cases that are filed with the PHI as a special court within the general judiciary, the procedures for examining industrial relations dispute cases are subject to the provisions of civil procedural law. The implementation of general civil procedural law as stipulated in Article 57 of the PPHI Law has resulted in the process of implementing court decisions being slow and not fulfilling the principles of simple, fast and low-cost justice (Nurhayati, 2018), this reality does not reflect efforts to protect the law and provide of justice and legal certainty for workers/laborers who are litigating, because in practice the process of examining industrial relations dispute cases at the Industrial Relations Court is complicated and takes a long time.

The focus of this research is employment termination (PHK) disputes by employers against workers/laborers. The layoffs could not be resolved through bipartite and tripartite negotiations, so the workers/laborers filed a lawsuit at the Industrial Relations Court. Article 82 of the PPHI Law states that the resolution of industrial relations disputes regarding termination of employment can only be submitted within a period of 1 (one) year from the receipt or notification of the decision from the employer, thus the termination of employment

relations carried out by the employer against workers/laborers must be resolved first through bipartite negotiations and tripartite negotiations (mediation or conciliation). If an agreement is not reached during these negotiations (bipartite and tripartite), the worker/laborer can file a lawsuit with the Industrial Relations Court.

Table 1. Classification of cases and length of trial process at PHI at Bandung District Court Registration in 2022

No	Case No.	Reg. Date	Case Status	Time (Day)
1	209/Pdt.Sus	03/11	Hearing	96
2	206/Pdt.Sus	01/11	Hearing	98
3	207/Pdt.Sus	01/11	Hearing	98
4	205/Pdt.Sus	31/10	Hearing	99
5	204/Pdt.Sus	27/10	Hearing	103
6	203/Pdt.Sus	26/10	Hearing	104
7	202/Pdt.Sus	25/10	Hearing	105
8	197/Pdt.Sus	18/10	Hearing	112

Source: http://sipp.pn-bandung.go.id/list_perkara

Table 2. Classification of cases and length of trial process at PHI at Bandung District Court Registration in 2023

No	Case No.	Reg. Date	Case Status	Time (Day)
1	118/Pdt.Sus	31/07	Hearing	84
2	116/Pdt.Sus	26/07	Hearing	89
3	115/Pdt.Sus	24/07	Hearing	91
4	113/Pdt.Sus	20/07	Hearing	95
5	110/Pdt.Sus	13/07	Hearing	102
6	103/Pdt.Sus	05/07	Hearing	110
7	102/Pdt.Sus	04/07	Hearing	111
8	100/Pdt.Sus	26/06	Hearing	119

Source: http://sipp.pnbandung.go.id/list_perkara

The criticism that has arisen against PHI is related to the slow pace of cases, even though the existence of PHI is expected to realize fast administration of justice while still being guided by substantial justice or material law contained in the PPHI Law which regulates the time limit that judicial institutions must comply with, a maximum of 50 (fifty) working days at the court of first instance and a maximum of 30 (thirty) days at the Supreme Court level (Kunarti, 2016). Based on the provisions of Article 3 paragraph (2), Article 15, Article 25, Article 103 and Article 115 of the PPHI Law, the period for resolving industrial relations disputes from bipartite, tripartite to first instance court decisions is 110 working days, whereas if the party is defeated file legal action in the form of cassation to the Supreme Court, then the length of time until the decision has permanent legal force is as follows : bipartite; 30 working days, tripartite; 30 working days, Lawsuit at PPHI; 50 working days and Cassation at the Supreme Court; 30 working days. Amount 140 working days. The period of 140 (one hundred and forty) working days is the period for resolving industrial relations disputes starting from bipartite negotiations, tripartite negotiations (mediation or conciliation), examinations before the Industrial Relations

Court, and appeals for cassation by one of the dissatisfied parties. the decision of the Industrial Relations Court as the court of first instance. In practice, the time for resolving industrial relations disputes at the Industrial Relations Court (PHI) is not always completed within 50 working days as regulated in Article 103 of the PPHI Law, for example the dismissal dispute case with case No. 197/Pdt.Sus-PHI/2022/PN.Bdg and No. 202/Pdt.Sus-PHI/2022/PN.Bdg has entered the 112th and 105th day of the trial process (P.N. Bandung, 2022). Workers/laborers as plaintiffs are very tiring because after the decision of the Industrial Relations Court, the defeated party can file a cassation appeal to the Supreme Court. For decisions that have obtained permanent legal force, and the defendant does not implement the decision voluntarily, the plaintiff (worker/laborer) must submit a request for execution. Example of a request for execution of decision Number 9/Pdt.Sus-PHI/2017/PN.Ptk dated 15 February 2018, based on this decision the defendant submitted a cassation action to the Supreme Court, then the PHI cassation decision Number 837K/Pdt.Sus-PHI/ was handed down 2018. Because the defeated party did not implement the decision voluntarily until there was a warning from the Chairman of the Pontianak District Court (Pontianak, 2022).

This certainly does not provide justice and legal certainty to workers/laborers. From the two examples above, it shows that the work relationship between workers/laborers and entrepreneurs is unequal between the workers/laborers and entrepreneurs. In practice, it is not uncommon for entrepreneurs in various ways to lead various problems or disputes into complex and protracted forms with various pretexts and reasons. According to Syaiful, workers/laborers are forced to fight directly with employers, while the state is always looking for justifications to discharge its obligations to enforce the law. In labor conflicts or disputes, the state's presence is limited to being a neutral party and mediator between workers/laborers and employers by playing the function of mediator (Sayid, 2020), or quoting Surya Tjandra's view which states that the PPHI Law is considered to have shifted the government's (executive) role in employment disputes to the courts (judicial) (Sayid, 2020). Another fact shows that there is a disparity between justice and law, it seems that there is increasingly support for the continuation of the situation with various laws and regulations which often hurt the values of justice in society, especially workers/laborers (Sayid, 2020). This is a classic big problem because the value of justice seems to be isolated in its existence by forces that are difficult for small groups of society to penetrate, namely statutory regulations and more broadly, namely the law. In fact, law is part of society, which arises and is processed within and for the benefit of society. Society can determine the extent of the law's scope or the limits of its usefulness (Bambang, 2013).

With this reality, it is time to bring back a progressive spirit in reading the situation and placing justice as a priority as a common goal. The government must not remain silent in continuing to strive to provide a balanced position between workers/laborers and entrepreneurs. The presence of justice is part of the right solution in resolving or at least reducing the high number of problems in the employment sector. This form of justice can at least be understood, when referring back to the foundation of the Republic of Indonesia, namely Pancasila (Sayid, 2020), especially the 5th principle "social justice for all Indonesian people".

The slow resolution of industrial relations disputes in the Industrial Relations Court is a serious concern. The Director General of the General Court of the Supreme Court of the Republic of Indonesia on December 1 2022 issued Instructions of the Director General of General Justice Number 03 of 2022 concerning the Settlement of Cases in the Courts of First Level and Appeal Level in the Judicial Environment In general, the fourth section states that the time limit provisions in the second point do not apply to special cases that have been determined based on statutory regulations. This means that the PPHI Law is a special provision, the period for resolving industrial relations disputes is as specified in Article 103 of the PPHI Law, namely 50 (fifty) working days from the first hearing. The phenomenon and practice of

industrial relations is a reality and even an inevitability. The development of civilization (including employment) tends to lead to modernization. The reaction to demands for change is marked by the growth and development of industrialization of goods/services, the development of democratization, and the development of capitalism which then also influences the form and existence of employment relations (Nur, 2022).

The regulations for resolving industrial relations disputes in the PPHI Law still have weaknesses and do not provide justice for workers/laborers (Kasra, 2021). Therefore, a new legal breakthrough is needed and a mechanism for resolving industrial relations that is fast, precise, straightforward, cheap, harmonious, dynamic, fair, and at the same time provides legal certainty for both workers/laborers and employers. Procedures for resolving claims at the Industrial Relations Court at the District Court located in the provincial capital, and the procedural law applicable in PHI as stipulated in Article 57 of the PPHI Law are subject to the provisions of civil procedural law (HIR) except as specifically regulated in the PPHI Law. Therefore, along with the development of industrial areas, especially on the island of Java, it is time for the provisions of Article 59 paragraph (2) of the PPHI Law to be immediately realized. Therefore, it is necessary to amend or revise Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes which can provide justice and legal certainty for workers/laborers.

5. Conclusion

The Industrial Relations Court is a special court within the general court environment at the District Court in the provincial capital. The procedural law in force at the Industrial Relations Court which is subject to the provisions of civil procedural law is convoluted and takes a long time, causing the period for resolving industrial relations disputes at the Industrial Relations Court as stated in Article 103 of the PPHI Law in practice to be exceeded for various reasons and reasons. so that the principles of simple, fast and low-cost justice are not achieved. Workers/laborers who have spent time, money and energy attending hearings at the Industrial Relations Court far from where they live. PHI's decision as a court of first instance cannot immediately be implemented because cassation is still available.

The implementation of industrial relations dispute resolution regarding termination of employment (PHK) in the Industrial Relations Court has not yet achieved justice and legal certainty for workers/laborers. Therefore, it is time for a Presidential Decree to be issued to immediately establish an Industrial Relations Court in areas that are dense in industry as stipulated in Article 59 paragraph (1) of the PPHI Law that: "In Regencies/Cities, especially those that are dense in industry, by Presidential Decree a Court must be immediately established." Industrial Relations at the local District Court"

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