

ABSTRAK

Pekerja harian lepas di sektor konstruksi berada pada posisi rentan karena hubungan kerja yang fleksibel, sistem upah harian atau borongan, serta lemahnya kepastian pemenuhan hak normatif. Kondisi tersebut menempatkan pekerja pada posisi tawar yang lemah dan berpotensi menimbulkan ketidakadilan dalam praktik pengupahan.

Undang-Undang Nomor 6 Tahun 2023 tentang Cipta Kerja telah memberikan dasar normatif perlindungan upah bagi pekerja harian lepas. Namun, dalam praktik di Kota Semarang masih terdapat kesenjangan antara pengaturan hukum dan pelaksanaannya, terutama terkait pemenuhan upah minimum di sektor konstruksi.

Penelitian ini menggunakan pendekatan yuridis empiris yang dipadukan dengan yuridis normatif melalui wawancara dan studi kepustakaan. Data dianalisis secara kualitatif untuk menilai kesesuaian antara ketentuan hukum dan praktik pengupahan di lapangan.

Hasil penelitian menunjukkan bahwa penerapan upah minimum bagi pekerja harian lepas di sektor konstruksi Kota Semarang belum berjalan optimal. Pembayaran upah masih banyak didasarkan pada sistem harian atau borongan dan pengawasan belum efektif, sehingga kepastian upah dan perlindungan hukum bagi pekerja harian lepas belum sepenuhnya terwujud.

Kata kunci: Pengaturan Upah Pekerja Harian Lepas, Sektor Konstruksi, Kota Semarang, Prinsip Perlindungan Hukum, Undang-Undang Nomor 6 Tahun 2023.

ABSTRACT

Casual workers in the construction sector are vulnerable due to flexible employment relationships, daily or piecework wage systems, and weak certainty regarding the fulfillment of normative rights. These conditions place workers in a weak bargaining position and have the potential to lead to injustice in wage practices.

Law Number 6 of 2023 concerning Job Creation provides a normative basis for wage protection for casual workers. However, in practice in Semarang City, there is still a gap between legal regulations and their implementation, particularly regarding the fulfillment of the minimum wage in the construction sector.

This research uses an empirical juridical approach combined with normative juridical through interviews and literature review. Data are analyzed qualitatively to assess the alignment between legal provisions and wage practices in the field.

The results indicate that the implementation of the minimum wage for casual workers in the Semarang City construction sector has not been optimal. Wage payments are still largely based on a daily or piecework system, and supervision is ineffective, resulting in wage certainty and legal protection for casual workers not yet fully realized.

Keywords: Regulation of Wage for Casual Daily Workers, Construction Sector, Semarang City, Principle of Legal Protection, Law Number 6 of 2023.