



**UNPAID INTERNSHIP IN INDONESIAN GOVERNMENT
INSTITUTIONS: LEGAL ANALYSIS OF THE CONTRADICTION
BETWEEN LAW 13 OF 2003 ON LABOR LAW AND STATE BUDGET**

**UNDERGRADUATE THESIS
Submitted as one of the requirements to obtain
Sarjana Hukum**

By:

ZEFANYA GLORIA TACHIKA LIANTA

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LAW STUDY PROGRAM**

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ABSTRACT

Name : Zefanya Gloria Tachika Lianta

Title : Unpaid Internship in Indonesian Government Institutions: Legal Analysis of the Contradiction Between Law 13 of 2003 on Labor Law and State Budget

Unpaid internships in government institutions raise contradictory views for the community with various opinions, for some people it is an unethical situation to do and for others it should be an act of violating the rights of the interns themselves, because if it contains a clear violation of the law that is detrimental to the community and is carried out by the government, it is clearly a fatal mistake that can reduce public trust in government agencies. This study aims to clarify the contradiction that is quite disturbing the community regarding unpaid internships in government institutions within the scope of law 13 of 2003 concerning the Manpower Law and the State Budget. By using a normative and descriptive analytical juridical approach research method, to try to describe the existing contradictions. Although the government is also quick to respond in dealing with these contradictions by issuing wage policies for interns in government agencies, but in this analysis it was found that the regulation still needs to be studied further regarding the wages of interns in government institutions more carefully, because it is feared that in the future there will be violations of the law and the rights of interns who should be protected by the government.

Keywords : Unpaid Internship, Government Institutions, State Budget

ABSTRAK

Nama : Zefanya Gloria Tachika Lianta

Judul : Unpaid Internship in Indonesian Government Institutions: Legal Analysis of the Contradiction Between Law 13 of 2003 on Labor Law and State Budget

Magang yang tidak dibayar di lembaga pemerintah memunculkan pandangan kontradiksi bagi Masyarakat dengan berbagai pendapat, bagi Sebagian orang hal tersebut merupakan keadaan yang kurang etis dilakukan dan bagi Sebagian orang lain hal tersebut seharusnya perbuatan melanggar hak bagi anak magang itu sendiri, karena jika hal tersebut memuat suatu pelanggaran hukum yang jelas merugikan Masyarakat dan dilakukan oleh pemerintah, hal tersebut jelas merupakan kesalahan fatal yang bisa mengurangi kepercayaan Masyarakat terhadap instansi pemerintah. Penelitian ini bertujuan untuk memperjelas kontradiksi yang cukup meresahkan Masyarakat mengenai magang tidak dibayar di lembaga pemerintah dalam cakupan hukum 13 Tahun 2003 tentang Undang-Undang Ketenagakerjaan dan Anggaran Pendapatan dan Belanja Negara. Dengan menggunakan metode penelitian pendekatan yuridis normative dan bersifat deskriptif analitis, untuk mencoba menguraikan kontradiksi yang ada. Meskipun pemerintah juga cepat tanggap dalam menghadapi kontradiksi tersebut dengan mengeluarkan kebijakan upah bagi pekerja magang di instansi pemerintah, namun dalam Analisa ini ditemukan bahwa peraturan tersebut tetap perlu dikaji lebih lanjut mengenai upah pekerja magang di lembaga pemerintah dengan lebih seksama, karena dikhawatirkan dimasa yang akan datang akan ada terjadinya pelanggaran terhadap hukum dan hak pekerja magang yang seharusnya hak tersebut dilindungi oleh pemerintah.

Kata Kunci : *Magang Tanpa Upah, Instansi Pemerintahan, RAPBN*

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