

ABSTRAK

Penyandang disabilitas kondisinya beragam, ada yang mengalami disabilitas fisik, disabilitas mental, dan gabungan disabilitas fisik dan mental. Kondisi penyandang disabilitas berdampak pada kemampuan untuk berpartisipasi di tengah masyarakat, sehingga memerlukan dukungan dan bantuan dari orang lain. Penyandang disabilitas juga menghadapi kesulitan yang lebih besar dibandingkan masyarakat nondisabilitas seperti hambatan dalam mengakses layanan umum, pendidikan, kesehatan, maupun dalam hal ketenagakerjaan. Dalam rangka memberikan kesempatan kerja bagi penyandang disabilitas, maka pemerintah beserta perusahaan negara dan perusahaan swasta, juga masyarakat sipil perlu memastikan dihapuskannya berbagai hambatan hukum dan sosial dalam memperkerjakan penyandang disabilitas. Penelitian ini bertujuan untuk mengetahui bagaimana Pelaksanaan Hak Untuk Mendapatkan Pekerjaan Bagi Pekerja Berkebutuhan Khusus di Kota Bandung berdasarkan Undang – Undang nomor 8 tahun 2016 tentang Penyandang Disabilitas dihubungkan dengan Undang – Undang nomor 13 tahun 2003 tentang Ketenagakerjaan dan untuk mengetahui Bagaimana perusahaan memberikan fasilitas bagi Penyandang Disabilitas.

Metode yang digunakan dalam penelitian ini menggunakan pendekatan yuridis normatif yaitu penelitian dilakukan dengan cara meneliti data atau bahan pustaka yaitu Undang-undang Ketenagakerjaan dan berbagai macam literature dan spesifikasi penelitian yaitu deskriptif analitis berupa penganalisaan ketentuan – ketentuan hukum yang berlaku dan dianalisis menggunakan teori- teori kebijakan hukum yang relevan.

Berdasarkan hasil penelitian diketahui bahwa Perusahaan di kota Bandung belum melaksanakan yang diamanatkan oleh Undang-undang nomor 8 tahun 2016 tentang penyandang disabilitas. Hak untuk mendapat pekerjaan bagi penyandang disabilitas belum terpenuhi dan tidak memenuhi yang diamanatkan oleh undang-undang nomor

13 tahun 2003 tentang ketenagakerjaan. Masih adanya diskriminasi terhadap penyandang disabilitas oleh perusahaan. Pemberian fasilitas terhadap tenaga kerja disabilitas dari perusahaan di kota Bandung belum terpenuhi, dan belum sesuai dengan undang undang nomor 8 tahun 2016 tentang penyandang disabilitas mengenai pemberian alat bantu untuk kemandirian penyandang disabilitas dan aksesibilitas untuk para penyandang disabilitas.

Kata Kunci: Tenaga Kerja, Pemenuhan Hak Pekerja, Tenaga Kerja Disabilitas.

ABSTRACT

People with disabilities have various conditions, some have physical disabilities, mental disabilities, and a combination of physical and mental disabilities. The condition of persons with disabilities has an impact on the ability to participate in the community, thus requiring support and assistance from others. Persons with disabilities also face greater difficulties compared to non-disabled communities such as obstacles in accessing public services, education, health, as well as in terms of employment. In order to provide employment opportunities for persons with disabilities, the government along with state and private companies, as well as civil society need to ensure the elimination of various legal and social barriers in employing people with disabilities.

This study aims to find out how the Implementation of the Right to Work for Workers with Special Needs in the City of Bandung based on Law number 8 of 2016 concerning Persons with Disabilities is related to Law number 13 of 2003 concerning Labor and to find out how companies provide facilities for Persons with Disabilities. The method used in this study uses a normative juridical approach that is research carried out by examining data or library materials, namely the Manpower Act and various types of literature and research specifications, namely analytical descriptive in the form of analyzing applicable legal provisions and analyzed using policy theories relevant law.

Based on the research results it is known that the Company in the city of Bandung has not implemented what is mandated by Law number 8 of 2016 concerning persons with disabilities.

The right to get a job for a person with a disability has not been fulfilled and does not fulfill that which is mandated by law number 13 of 2013 concerning employment. There is still discrimination against persons with disabilities by companies. The provision of facilities for workers with disabilities from companies in the city of Bandung has not been fulfilled, and is not in accordance with law number 8 of 2016 concerning persons with disabilities regarding the provision of assistive devices for disabled persons and acceptability for persons with disabilities.

Keywords: *Labor, Fulfillment of Workers' Rights, Disability Workers.*