

ANALISIS KEBIJAKAN HUKUM TENAGA KERJA ASING (TKA) YANG DATANG KE INDONESIA DI MASA PANDEMI COVID 19

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ABSTRAK

Sejak tahun 2020 dunia dikagetkan dengan adanya virus Covid 19 dan telah menjadi pandemi global, jenis virus ini merupakan virus baru dan oleh *World Health Organization* (WHO) telah ditetapkan sebagai pandemi. Akibat Virus Covid 19 beberapa Negara menetapkan kebijakan Lockdown baik secara nasional maupun Internasional dikarenakan virus ini bersifat menular dan mematikan dan oleh karena kebijakan lockdown tersebut menyebabkan beberapa sektor terkena dampak salah satunya adalah pada sektor perekonomian suatu Negara karena kebijakan lockdown tersebut sangat membatasi kehidupan terutama dari segi bisnis. Dalam menghadapi Pandemi ini Pemerintah Indonesia juga menerapkan beberapa kebijakan agar dapat menjaga kestabilan perekonomian akibat virus Covid-19. Meskipun begitu tidak banyak juga para pengusaha dan perusahaan dalam skala kecil maupun menengah yang mengalami kesulitan dalam beroperasi sehingga mengalami kerugian bisnis di masa pandemi ini akibat terbatasnya kegiatan masyarakat sehingga mendadak melakukan Pemutusan Hubungan Kerja (PHK) secara massal sehingga banyak sekali tenaga kerja yang tidak memiliki pekerjaan akan tetapi meskipun begitu ada juga Tenaga Kerja Asing tetap berdatangan ke Indonesia untuk menjalankan kontrak kerja dengan beberapa perusahaan.

Maka dari itu berdasarkan hal tersebut di atas muncul permasalahan dalam penelitian ini, yaitu: *pertama*, bagaimana kebijakan hukum Pemerintah Indonesia terhadap perusahaan/pengusaha yang akan mendatangkan Tenaga Kerja Asing (TKA) ke Indonesia di masa pandemi Covid19?, *Kedua*, apa dampak di datangkannya Tenaga Kerja Asing (TKA) yang dipekerjakan diluar proyek strategis nasional selama masa pandem Covid19 bagi pekerja di Indonesia dan bagaimana pengawasan pemerintah?

Kata Kunci : Covid-19, Tenaga Kerja Asing, Kebijakan Pemerintah

ANALYSIS OF LEGAL POLICY ON FOREIGN WORKERS (TKA) WHO COME TO INDONESIA DURING THE COVID-19 PANDEMIC

ABSTRACT

Since 2020 the world got shock because of “ the Covid-19 virus”, and now this virus become a global pandemic and has been had declared by the World Health Organization (WHO), because of that virus, several countries have set Lockdown policies both nationally and internationally because this virus is contagious and deadly and because of this lockdown policy, several sectors are affected, one of which is the economic sector of a country because the lockdown policy greatly limits the lives of people, especially from business side. In dealing with this pandemic, the Indonesian government has also implemented several policies in order to maintain economic stability due to the Covid-19 virus. Even so, there are not many entrepreneurs and companies on a small or medium scale who experience difficulties in operating so have business losses during this pandemic due to limited community activities so that suddenly mass layoffs (PHK) are carried out so that a lot of workers do not have jobs. However during this pandemic there are also foreign workers who still come to Indonesia to carry out work contracts with several companies.

Based on this description, problems arise in this research, namely: first, what is the legal policy of the Indonesian government towards companies who will bring in foreign workers (TKA) to Indonesia during the Covid-19 pandemic? Second, What is the impact of the arrival of Foreign Workers (TKA) employed outside of national strategic projects during the COVID-19 pandemic for workers in Indonesia and how about government's surveillance?

Keywords: Covid-19, Foreign Workers, Government Policy