

ABSTRACT

The title of the Thesis: Juridical Analysis Violations of Lower Pay Wages from Minimum Wages Under Law no. 13 Year 2003 on Manpower in Tangerang District (Case Study Case Number 687 K / Pid.Sus / 2012). This legal research analyzes and answers issues concerning the legal effect of wage payments lower than the minimum wage established by the government and legal status of article 185 Jo article 90 of Law no. 13 of 2003 concerning Manpower, if the application for suspension of payment of wages of workers under the minimum wage is granted by the Governor. This research includes normative legal research. The data source of this research is using primary data source and secondary data. Data collection techniques used, namely through literature studies include: books, legislation, through internet media and other sources related to this research. To obtain answers to this legal research qualitatively. Based on the result of criminal sanction for breach of wage payment is lower than minimum wage decided by the Supreme Court judge of Criminal Case Number 687 K / Pid.Sus / 2012 has been in accordance with Article 185 Law Number 13 Year 2003 concerning Manpower and has fulfilled the principle of legality in criminal law . Legal status article 185 Jo article 90 Law no. 13 of 2003 on Employment becomes inconsistent as a criminal act, when an Entrepreneur who violates article 90 paragraph (1) submits a request for suspension of minimum wage implementation granted by the Governor as stipulated in article 90 paragraph (2) of Law no. 13 of 2003 on Manpower. Thus, it is necessary to review the Article 90 Law no. Article 13 paragraph (2) of Article 90 Paragraph (2) of Article 90 Paragraph (1) shall be effective and violations of lower wage payment of minimum wages should be sanctioned by increasing the wages of workers higher than the minimum wage set in the current year by 30% to 50% of the minimum wage set by the government with a certain time limit.

Keywords: Breaches and Wage Pay Payments are lower than the Minimum Wage