

## **ABSTRACT**

**M. Yusuf Subkhi, 08220048, 2012, Protection of Employment Outsourcing (Outsourcing) Perspective of Law Number 13 Year 2003 concerning Manpower And Islamic Law, Thesis, Sharia Business Legal Studies Program, Faculty of Sharia, Islamic University Maulana Malik Ibrahim Malang. Supervisor: Harry Musleh, SH, M. Hum.**

### **KEYWORDS: Protection, Outsourcing (Outsourcing)**

Outsourcing (Outsourcing) is used by companies to reduce production costs and in response to a competitive business environment. These measures are used to make the company more efficient, effective and productive. One of the company's production cost savings is through labor efficiency by giving work to other companies. The efficiency of the workforce would have an impact on the decline in the fulfillment of the rights of workers, for economic interests (profits) is always different from the principle of legal interests (the fulfillment of the right of workers to the fullest). An impairment of the right of workers indicate an employer abuses against workers. The focus of the research is how the outsourcing of labor protection in accordance with Law No. 13 Year 2003 on Employment and Islamic law, and what the similarities and differences in the protection of both.

Type of research is normative research. Legal materials in the form of primary legal materials of Law Number 13 Year 2003 concerning Manpower and Islamic law. While the secondary legal materials include documents and supporting books. The analysis is descriptive qualitative comparative, which outline clearly and concisely to the protection of labor outsourcing (outsourcing) in employment law and Islamic law, while the comparative conducted to compare the two labor protection laws to know the similarities and differences.

The results obtained were Although the Act No. 13 of 2003 does not regulate the protection of workers' power over, but the provisions of the Social Security Act Labor Law Occupational Safety and Health, and Government Regulation on the Protection of Wages can be applied to companies that using outsourced labor services (outsourcing). In the Islamic system of power used over the countries currently be used along with the rules for not

eliminate and reduce the Islamic values of justice, honesty and mutual assistance. Outsourced

labor protection related to basic rights of workers in Islam in the form of fair wages, good treatment of workers, worker health and safety, and social security.