

ABSTRACT

Aiyub Anshori, 10220024, **Implications of the Decision Juridical MK / 100 / PUU-X / 2012 of the Rights of Workers (Consideration of Law Number 13 2003 about Islamic Labor Act)**. Thesis, Islamic Business Law Department, Islamic Law Faculty, Maulana Malik Ibrahim State Islamic University of Malang, Advisor: Dr. Muhammad Nur Yasin, M.Ag

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Wages was an important component of laborers world in the effort to increase productivity and quality of the labors. Businessman had to pay the labourage fully for the laborers on the date of the contract agreed. Constituent court decree No 100/PUU-X/2012 delete an applicable law of wage demanding which passed the period of time after two years contract agreed. There was a conflict of human right between businessman and the laborers in the laborers world after the decree.

This research contained some statement of the problems, such as: 1) How juridical implications of the Constitutional Court No. 100 / PUU-X / 2012 on labor rights? b) How was the Islamic law and law No 13 2003 about labourage fee-paid after constituent court decree No 100/PUU-X/2012? This research used normative method and categorized as a library research. Researcher used statue approach, case approach and conceptual approach. The law material was primary law material No 13 2003 about laborers and Islamic law. Researcher considered that this study was analyzed by descriptive qualitative method.

This research showed that labourage demand after constituent court decree No 100/PUU-X/2012 had no expired date of the fee-paid that laborers could get their rights and businessman had to pay the wages on the date of contract agreed. In the Islamic perspective of human values and the justice of labourage fee-paid to be considered and had to paid on the date of contract agreed. On the view of law No 13 2003 about labourage demand law after constituent court decree MK/PUU-X/2012, so, article No 91 was merely used that the setting of labourage determined after an agreement between businessman and the laborers or labor union cannot lower than wage rule determined on the law used.