

BAB VI

IMPLEMENTATION

A. Implementation of Tools / Systems

In the implementation phase, based on the results of the analysis of the author while carrying out practical work in Boncake Gallery, the writer will design an agreement or employment contract that can be implemented in the Boncake Gallery in accordance with the topic of the Job Training report at the Boncake Gallery, with title **"Execution Work Contracts Between Employees And Employers At Boncake Gallery Batam."**

The things that the author did during this practical work are as follows:

1. The author does practical work directly to the Boncake Gallery in order to collect data - data needed for writing practical work reports and in order to find problems that occur;
2. The author explains to the company regarding the laws and regulations regarding Manpower so that the company Boncake Gallery can carry out its business without violating existing laws and regulations;
3. The author makes a work contract in accordance with the needs of the company which has been discussed with the employee based on the results of interviews and field observations and provides advice and enter the company regarding the clauses that should be included in the employment contract in accordance with the laws and regulations. Law number 13 of 2003 concerning Manpower;

4. The author disseminates to the company and employees about the work contract that has been made and explains the clause by clause of the contents of the agreement that has been designed.

This Contract of Work was designed by the author and was implemented at the Boncake Gallery on Monday, April 15th, 2019, first of all the author conducted an outreach to the company as well as a Boncake Gallery employee where the author explained the purpose of the work contract and the reasons why there must be an application of the contract or work agreement even according to the Boncake Gallery, contract or work agreement that the author has made is accordance with the needs of the company and the contract or work agreement is expected to be a basis for the company and employees to minimize any disputes that might arise due to the absence of a contract or work agreement in accordance with the provisions of Law number 13 of 2003 concerning Manpower, even the employees of Boncake Gallery greatly appreciate the existence of a work contract designed. It has been clearly written about the things and obligations of the both parties from the company or employees so that it is expected to create a more harmonious working atmosphere due to the existence of the contract.

B. Condition Before Implementation

Before the employment contract have been issue at Boncake Gallery always have faced problem within the company like:

1. There were frequent losses caused by company employees who unilaterally left the company without notifying the management that then impacted on the company's operations which resulted in the reputation of the company because the company is engaged in services factory;

2. The losses that arise due to the absence of a contract or employment agreement in Boncake Gallery because in the absence of an agreement or employment contract, the employee feels able to leave his work whenever he wants because the employee feels not bound by the employment agreement;
3. For the employees didn't know about rights that they should claim

C. Condition After Implementation

The work contract between Boncake Gallery and its designed employees has been implemented since April 15th,2019 and has received a fairly positive response from the employee and Boncake Gallery because it has a positive impact on the parties. Therefore, with an employment agreement then it can make employees become bound by agreements made by both parties, namely employees and companies so as to increase the sense of responsibility of future employees and prospective employees and with the contract or work agreement is expected to also be able to improve the performance and performance of future employees to become better.

The work contract that has been designed by the author is expected to provide benefits for Boncake Gallery as follows:

1. The work contract is designed based on discussion and agreement between the both parties from Boncake Gallery and Employees, which based on interviews and direct research into Boncake Gallery provides legal certainty for both parties through a work contract that has been agreed by both parties.

2. Explain in detail the rights and responsibilities of the parties in Boncake Gallery and include it in the compiled employment contract.
3. As the Principle of the Pacta Sunt Servanda for both parties.
4. Minimize losses that can arise in the future either for management or employees.
5. Minimizing the emergence of industrial relations problems going forward with the existence of employment contracts that have been agreed by both parties so as to create conducive and productive employment.

D. Implementation Constraints

During the contract design of course there are obstacles that will be faced by the author. The following are obstacles encountered by the author in making a

project design process :

1. Lack of awareness of the preventive actions taken by the company and the parties of the employee in the case of a written work agreement. The parties feel the agreement verbally fulfills their rights and obligations, but in this case it is still unable to fully protect both parties when viewed from a legal perspective;
2. Lack of legal awareness for both parties, especially awareness of labor laws. Both parties' concern about the applicable law will only be used if there has been a problem that must require a law to solve it;
3. The inability of employees to prosecute the company regarding rights that have been violated by the company. This is due to the lack of sufficient evidence to follow up on the problems that had been occurred.