

**PEMUTUSAN HUBUNGAN KERJA SEPIHAK OLEH PERUSAHAAN STARTUP  
PADA MASA PANDEMI COVID -19**

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**ABSTRAK**

Perlindungan hak karyawan dalam proses pemutusan hubungan kerja (PHK) pada perusahaan start-up berdasarkan Pasal 154 A huruf b Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan jo. Undang-Undang No 11 Tahun 2020 Tentang Cipta Kerja (UU Ketenagakerjaan). Bahwa beberapa perusahaan termasuk perusahaan start-up melakukan PHK sebagai bagian dari upaya efisiensi yang dilakukan selama pandemi Covid-19 yang dimulai pada tahun 2019. Namun, keputusan PHK harus dilakukan dengan memperhatikan hak-hak karyawan yang diatur dalam undang-undang. Perusahaan *startup* harus memastikan bahwa prosedur PHK dilakukan dengan benar, termasuk memberikan pemberitahuan kepada karyawan minimal 7 (tujuh) hari sebelum PHK dilakukan, sebagaimana diatur dalam Pasal 37 ayat 4 Peraturan Pemerintah No 35 Tahun 2021 tentang Perjanjian Kerja Waktu Tertentu, Alih Daya, Waktu Kerja dan Waktu Istirahat, dan Pemutusan Hubungan Kerja. Selain itu, perusahaan juga harus memberikan kesempatan kepada karyawan untuk memberikan tanggapan dan memberikan hak-hak yang sesuai dengan undang-undang.

**Kata Kunci** : Pemutusan Hubungan Kerja, Perlindungan Hukum, Covid-

***ACTION OF UNILATERAL TERMINATION OF EMPLOYMENT BY STARTUP COMPANIES DURING THE COVID-19 PANDEMIC***

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**ABSTRACT**

*Protection of employee rights in the process of termination of employment (layoff) in start-up companies based on Article 154 A letter b of Law Number 13 of 2003 concerning Manpower in conjunction with Law Number 11 of 2020 concerning Job Creation (the Manpower Law). It is noted that several companies, including start-up companies, have conducted layoffs as part of their efficiency efforts during the Covid-19 pandemic that began in 2019. However, the decision to conduct layoffs must take into account the rights of employees as regulated by the law. Start-up companies must ensure that the layoff procedures are carried out correctly, including providing a minimum of 7 (seven) days' notice to employees before conducting layoffs, as stipulated in Article 37 paragraph 4 of Government Regulation No. 35 of 2021 concerning Fixed-Term Employment, Outsourcing, Working Hours and Rest Time, and Termination of Employment. In addition, companies must also provide employees with an opportunity to respond and provide rights in accordance with the law.*

***Keywords: Termination of Employment, Legal Protection, Covid-19***