



Legal basis for pt mitsubishi company's consideration in resolving employee grievances of labor union members

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ABSTRACT

PT Mitsubishi's Corporate Rationale for Resolving Employee Grievances of Trade Union Members is an important guideline in building harmonious and conducive working relationships. This paper outlines the principles and guidelines for company management and Trade Union officials in handling employee grievances in a fair, transparent and accountable manner. The purpose of this research is to try to provide solutions to employee union members to answer the unrest experienced by PT Mitsubishi employees. The research method in this study uses descriptive qualitative research methods using survey and interview methods. The conclusion of this study is to answer all complaints from employees of PT Mitsubishi union members.

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1. Introduction

Compliance with International Conventions PT Mitsubishi, as part of a multinational company, must comply with various international environmental conventions, such as the ASEAN Agreement on Transboundary Haze Pollution and the Stockholm Convention on Persistent Organic Pollutants. Labor disputes related to operations that cause pollution can have legal implications at the international level. Responsibilities of Multinational Corporations International law often deals with corporate social responsibility, which includes the obligation of companies to not only comply with national laws, but also pay attention to the social and environmental impacts of their operations, including in other countries. If PT Mitsubishi workers protest against policies that cause transboundary pollution, this could increase pressure to comply with international standards. In serious cases of transboundary pollution, disputes may not only be resolved at the national level but may also be brought to international forums such as the International Court of Justice or through international arbitration. This could create precedent or additional pressure for PT Mitsubishi to resolve labor disputes fairly, especially if there is a direct link between labor policies and environmental impacts. Companies should regularly review their internal regulations to ensure they are in line with applicable labor laws. Changes in labor law occur frequently, so it is important for companies to stay abreast of such developments Companies should consult with a labor lawyer or consultant to identify areas of company regulations that do not comply with national laws. The legal expert

can provide advice and recommendations on changes that need to be made Upon identifying non-conformities, the company should immediately update or align its regulations with the provisions of the law. This may involve changes to procedures, policies and other internal regulations Companies need to have a regular monitoring and evaluation mechanism to ensure that the regulations implemented remain in accordance with applicable laws and are properly implemented in the field. If there is a dispute over regulatory non-compliance, the company should have a fair and labor law-compliant resolution mechanism in place. This may include internal mediation or involving a third party. If the discrepancy relates to salaries or benefits, the company should make immediate adjustments to bring them in line with the minimum standards set by law. By following these steps, companies can reduce legal risks and create a more harmonious work environment that complies with applicable laws. PT Mitsubishi, as a large and reputable company, has a responsibility to resolve employee grievances in a fair and transparent manner. This is important for maintaining good relations with employees and labor unions, as well as creating a conducive work environment(Agus Priyanto, 2023). The following are some of the reasons PT Mitsubishi can use in resolving grievances of unionized employees. The primary basis of consideration is the Indonesian Labor Law. This law regulates the rights and obligations of workers and employers, including the right to file a grievance and the right to a fair settlement.PT Mitsubishi may also have a Collective Labor Agreement (CLA) with the labor union(Thoif, 2022). This PKB contains agreements between the company and the union on various matters, Therefore, this article explores the following research questions; How does the perspective of international law on transboundary haze pollution based on the Law of State Responsibility including dispute resolution mechanisms(Anantama et al., 2020). The company should consider the CLA in resolving grievances of employees who are union members. The company may also have company regulations governing employee grievance resolution mechanisms. These company regulations should be in line with the Labor Law and the CLA(Agustanti et al., 2021).

The Company should consider all evidence and facts relevant to the employee's grievance. This includes statements from the employee, witnesses, and relevant documents.Grievance resolution should be conducted in a fair and proper manner(Anggra et al., 2020). The Company should consider all parties involved and strive to reach a win-win solution.Grievance resolution should be done in a timely manner(Widjiastuti et al., 2024). The Company should not delay the resolution of grievances, as this may worsen the situation.The Company should communicate well with employees and trade unions during the grievance resolution process(Gunawan & Putra, 2023). This is important to maintain trust and build positive relationships. Companies should learn from employee grievances and take steps to prevent similar grievances from occurring in the future(Junaedi et al., 2023).

The term collective bargaining agreement (CLA) is a new term in employment, previously the term was Labor Agreement then replaced with the term Collective Bargaining Agreement (KKB), and after the enactment of Law No. 13 of 2003 concerning Manpower this term was replaced with Collective Bargaining Agreement (PKB). Law No. 13 of 2003 uses the term Collective Labor Agreement (CLA) because the substance of the CLA itself contains the working conditions of the rights and obligations of both parties produced through negotiations (agreements) and its contents are binding(Rivki et al., n.d.). According to Article 1 point 21 of Law No. 13 of 2003 in conjunction with Article 1 paragraph (2) of Kepmenakertrans 48/2004, PKB is an agreement that is the result of negotiations between trade unions or several trade unions registered with the agency responsible for the field of manpower and employers or several employers or associations of employers that contain working conditions, rights and obligations of both parties(Susanto, 2020).

Motivation explains what makes people do things, keeps them doing them, and helps them in completing tasks. Industrial Relations is basically a legal relationship between employers and employees. In this relationship, it will not always run smoothly in the sense that there are no problems arising from industrial relations(Bella, 2020). This is evidenced by the many news

reports in the mass media today that report disputes in industrial relations. There are many factors that cause problems or disputes in industrial relations between workers and employers, including termination of employment or layoffs or lack of fulfillment of workers' rights (SUYUTI, 2019). The existence of a labor union in a company will be beneficial not only for workers but also for employers. Labor unions will assist workers in protecting their rights as workers. For employers, the existence of labor unions can increase the productivity of workers, so that it will help entrepreneurs (Junaedi et al., 2023). Law No. 13 Year 2003 on Manpower jo. Decree of the Minister of Manpower and Transmigration No. Kep. 48/Men/IV/2004 concerning Procedures for Making and Ratification of Company Regulations as well as Making and Registration of Collective Labor Agreements, which defines company regulations made in writing by employers that contain working conditions and company rules (Latupono, 2011) (Latupono, 2011). Company regulations are made unilaterally by employers. Company regulations are prepared by employers and are the responsibility of employers (Silvy, 2021). Although the content of company regulations is determined without the participation of workers, suggestions and considerations from workers' representatives must be taken into account (Article 3 paragraph 1 Kepmenakertrans No. Kep. 48/Men/IV/2004). In addition, in formulating company regulations, employers need to consult with government officials authorized in that field to avoid the contents of company regulations that contradict the prevailing laws and regulations (Agus Priyanto, 2023).

2. Method

This research was conducted using a qualitative method with a normative legal design, where the author collected data by going directly to PT Mitsubishi, trade unions and stakeholders who handle matters of legal basis for responding to trade union complaints. Interviews Conducting interviews with company management, Trade Union officials, and several employees who are members of the Trade Union, the results of interviews from several sources can be taken as a solution that to resolve this problem there needs to be a study from the central government, especially in the field of manpower, to present several representatives from trade unions and then discuss complaints and find solutions in protecting trade unions both rights and legal protection. (Irawan, 2023).

3. Analysis and Results

The weak position of workers in an industrial relationship makes it impossible for workers to fight for their rights or goals individually without uniting themselves in a forum or association that can help them achieve their goals. To strengthen the position of workers/laborers in order to realize harmonious industrial relations in accordance with the concept of Pancasila Industrial Relations, it is necessary to form a forum or organization that can help workers fight for their rights and goals, namely in the form of trade unions (Putri et al., 2022). The source of the right to freedom of association is freedom. Philosophically, the essence of freedom lies in the ability of humans to determine their own destiny. Freedom is existential because it is something that is integrated with humans, meaning that it includes their existence as humans. Freedom is the ability to accept or reject the possibilities and values offered to humans by life (Agustanti et al., 2021).

The principle of Pancasila industrial relations adopted in Indonesia must be used as a reference in overcoming various problems that arise in the field of labor. In Pancasila Industrial Relations, any grievances that occur at the enterprise level and other labor issues that arise must be resolved by family or deliberation to reach consensus. However, not all grievances that occur between workers and employers can be resolved by family or deliberation. a) Settlement Outside the Court a. Bipartite The best dispute resolution is Settlement requires that every industrial relations dispute that occurs be resolved first through bipartite negotiations in a deliberative manner to reach a consensus (Umbas, 2014). Bipartite negotiations are negotiations between workers/laborers or trade unions/labor unions and employers to resolve industrial

relations disputes. In an industrial dispute, the parties are workers/laborers, workers' organizations/labor organizations and employers or employers' organizations. If the organization is involved, the management or a person appointed by the members must immediately conduct negotiations with the employer to find the best solution to the problem at hand (Rochmi, 2015). The procedure for bipartite settlement in the Industrial Relations Dispute Settlement Act is stipulated in Article 6 and Article 7 Negotiations to seek settlement by deliberation to reach consensus conducted by the parties must be made minutes signed by the parties. The minutes shall contain, among others: a) The names and addresses of the parties; b) Date and place of negotiation; c) Subject matter or grounds for dispute; Opinions of the parties; d) Conclusion or result of the negotiation; e) Date and signatures of the negotiating parties.

The disputing parties shall deliberate to reach a consensus without interference from other parties, so as to obtain a result that is favorable to both parties (Ermawan & Yunus, 2019). Article 3 of Law No. 2 of 2004 concerning the settlement of Industrial Relations Disputes requires a collective agreement e) If the Collective Agreement is not implemented by one of the parties, the aggrieved party may apply for execution to the Industrial Relations Court at the District Court in the area where the Collective Agreement is registered to obtain a determination of execution f) In the event that the applicant for execution is domiciled outside the District Court where the Collective Agreement is registered, the applicant for execution may apply for execution through the Industrial Relations Court at the District Court in the area where the applicant for execution is domiciled (Hukum & Volume, 2019).

To be forwarded to the Industrial Relations Court at the District Court competent to carry out the execution (Pratiwi & Suharyanti, 2020). In the bipartite settlement of industrial relations disputes mentioned above, it is clear that the agreement reached by the parties in the form of a collective agreement has a definite legal guarantee in its implementation, namely through forced efforts (fiat execution). Thus, the settlement of industrial relations disputes immediately obtains legal certainty (Lestari & Hanifuddin, 2021). Mediation Settlement through mediation is conducted through an intermediary called a mediator. Mediation is the intervention in a dispute by a third party who is acceptable, impartial and neutral and helps the disputing parties to reach an agreement voluntarily on the matter in dispute. Based on the results of the research, the types of grievances of employee members of the PT Mitsubishi Labor Union that occur most frequently are Issues related to salary and benefits (Widjiastuti et al., 2024). Employees feel that the salaries and benefits they receive are not in line with performance or industry standards. Workload Excessive workload can make employees feel stressed and overwhelmed (Khairul Habibi & Arikha Saputra, 2023). Communication Lack of effective communication between superiors and subordinates, or between employees can lead to misunderstandings and conflicts. Work environment (Agus Priyanto, 2023). An uncomfortable, unsafe, or unergonomic work environment can interfere with employee focus and productivity. Development opportunities Lack of career development and training opportunities can leave employees feeling stagnant and unmotivated (Irawan, 2023). Discrimination and harassment Discrimination and harassment in the workplace can create a hostile work environment and jeopardize employees' mental health (Alkalah, 2016).

Impact of Employee Grievances of Trade Union Member PT Mitsubishi The negative impact of employee grievances of PT Mitsubishi Trade Union members can be felt by various parties, including: a) Company: Decreased productivity, increased employee turnover, damage to the company's image, and potential lawsuits. b) Employees: Stress, anxiety, depression, and decreased performance. c) Customers: Customer dissatisfaction due to decreased product or service quality. Employee Grievance Resolution Efforts of Trade Union Member PT. Mitsubishi PT Mitsubishi has made several efforts to resolve employee grievances of Trade Union members, among others: a) Build a culture of open and transparent communication: Encourage employees to raise their grievances without fear. b) Conduct regular employee satisfaction surveys: Use the survey results to identify issues and areas for improvement. c) Provide easily accessible grievance channels: Create a system that allows employees to submit their complaints

anonymously if necessary. d) Handle complaints quickly and professionally: Show employees that you value their complaints and are committed to resolving them. e) Implement fair and transparent policies: Ensure all employees are treated fairly and in accordance with laws and regulations. f) Create a conducive work environment: Create a comfortable, safe and ergonomic work environment to improve employee productivity and well-being. g) Provide career development opportunities: Provide employees with the training and career development they need to improve their competence and motivation.

Results of Employee Grievance Settlement of Trade Union Members of PT Mitsubishi: a) A decrease in the number of employee grievances: The number of employee grievances has decreased significantly in recent years. b) Increased employee satisfaction: Employee satisfaction survey results show that employee satisfaction levels have increased. c) Decreased employee turnover: The employee turnover rate has decreased. d) Increased productivity: The company's productivity has increased. Employee grievance resolution for Trade Union members is an important investment for the company (Ermawan & Yunus, 2019). By creating a positive and open work culture, companies can increase productivity, reduce employee turnover, and build a positive company image (Ridho Hidayat & Dalimunthe, 2022).

4. Conclusion

PT Mitsubishi should tighten its environmental policy through regular internal monitoring and audits to ensure that operations do not cause pollution, including transboundary haze. This will help minimize environmental risks that could trigger complaints from employees or trade unions. Provide training to employees on the environmental impacts of company operations and ways to reduce these impacts. This not only improves compliance with international standards, but also builds awareness among employees about the importance of environmental protection. Companies should establish more open and regular communication mechanisms with trade unions. This can take the form of periodic meetings between management and union representatives to discuss important issues, including grievances regarding working conditions and environmental impacts. Involve trade unions in decision-making processes relating to operational policies that may affect the environment and employee welfare. This will increase a sense of ownership and shared responsibility for company policies. Publish an annual report outlining the company's environmental performance, including actions taken to reduce pollution impacts and resolve employee grievances. This transparency can increase public and worker trust in the company. Conduct environmental restoration projects in areas that have been affected by company operations. This can involve working with local governments and communities, which can also reduce tensions with unionized employees. Based on the results and discussion above, it can be concluded that the settlement of employee grievances of trade union members is a complex process that must be carried out carefully and carefully. The company must consider all relevant factors, including Labor Law, PKB, company regulations, evidence and facts, fairness and truth, timeliness, communication, and prevention. By resolving employee grievances in a fair and transparent manner, PT Mitsubishi can maintain good relations with employees and labor unions, and create a conducive work environment. Research can dig deeper into the organizational culture of Mitsubishi Motors Corporation, especially related to the relationship between management and workers, conflict resolution mechanisms, and employee perceptions of justice in the company. In addressing grievances of unionized employees, it is important for PT Mitsubishi Motors Corporation to not only comply with applicable laws, but also maintain open communication with the union and seek a fair resolution for all parties involved.

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