

## **ABSTRAK**

### **PERANAN PENYIDIK KEIMIGRASIAN TERHADAP PENYALAHGUNAAN IZIN KERJA OLEH TENAGA KERJA ASING (Studi Di Wilayah Kerja Kantor Imigrasi Kelas II Belawan)**

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Kantor Imigrasi Kelas II Belawan sebagai suatu instansi terdepan dalam bidang keimigrasian di Provinsi Sumatera Utara umumnya dan di Kota Medan khususnya memiliki fungsi penegakan hukum terhadap penyalahgunaan izin kerja oleh tenaga kerja asing. Fungsi penegakan hukum ini menjadi sangat penting dalam kerangka tugas Kantor Imigrasi Kelas II Belawan dimana dengan penegakan hukum tersebut akan didapat manfaat bagi kesejahteraan rakyat, bangsa, dan negara Republik Indonesia. Permasalahan yang diajukan dalam penelitian ini adalah tentang bagaimanakah peran penyidik keimigrasian terhadap penyalahgunaan izin kerja oleh tenaga kerja asing di wilayah kerja Kantor Imigrasi Kelas II Belawan, bagaimana kewenangan Kantor Imigrasi dalam pengawasan izin kerja terhadap tenaga kerja asing dan bagaimanakah hambatan-hambatan dalam penegakan hukum terhadap tenaga kerja asing yang melanggar izin kerja di Kantor Imigrasi Kelas II Belawan.

Penelitian ini menggunakan pendekatan yuridis normatif dan pendekatan yuridis empiris. Pendekatan yuridis normatif dimaksudkan sebagai penelaahan dalam tataran konsepsional tentang arti dan maksud berbagai peraturan hukum nasional yang berkaitan dengan penegakan hukum terhadap penyalahgunaan izin kerja oleh tenaga kerja asing, sedangkan pendekatan yuridis empiris adalah penelitian ini bertitik tolak dari permasalahan dengan melihat kenyataan yang terjadi di lapangan, kemudian menghubungkannya dengan peraturan perundang-undangan yang berlaku..

Hasil penelitian dan pembahasan dapat disimpulkan bahwa peran penyidik keimigrasian terhadap penyalahgunaan izin kerja oleh tenaga kerja asing di Wilayah Kerja Kantor Imigrasi Kelas II Belawan adalah sebagaimana yang diatur dalam Pasal 106 Undang-Undang No. 6 Tahun 2011 tentang Keimigrasian dan Kantor Imigrasi berwenang dalam pengawasan terhadap tenaga kerja asing sekaligus menerbitkan izin tinggal. Hambatan-hambatan dalam penegakan hukum terhadap tenaga kerja asing yang melanggar izin kerja meliputi kurangnya koordinasi dengan instansi terkait serta kurangnya personil PPNS maka dapat disarankan bahwa peran penyidik keimigrasian dapat diperluas kewenangannya sehingga pengawasan terhadap tenaga kerja asing yang menyalahi izin kerja dapat lebih maksimal dan koordinasi dengan instansi terkait dapat rutin dilakukan serta penambahan kualitas personil penyidik keimigrasian di Kantor Imigrasi Kelas II Belawan.

**Kata Kunci:** Penyidik, Keimigrasian, Penyalahgunaan, Izin Kerja, Tenaga Kerja Asing.

## **ABSTRACT**

### **INVESTIGATORS ROLE OF IMMIGRATION ABUSE BY WORK PERMIT FOREIGN WORKERS (Work Area Study at Immigration Office Class II of Belawan)**

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Immigration Office Class II of Belawan as a leading institution in the field of immigration in the province of North Sumatra in Medan city has the function of law enforcement against abuse of the work permit by foreign labor. Law enforcement function becomes very important within the framework Immigration Office Class II of Belawan assignments where the enforcement of the law will get welfare benefits for the people, the nation, and the Republic of Indonesia. The problems posed in this study was about how the role of immigration investigators to abuse of work permits by migrant workers in the working area of the Immigration Office Class II of Belawan, how the authority of the Immigration Office under the supervision of work permits to foreign workers and how barriers in law enforcement against foreign workers who violate work permit at the Immigration Office Class II of Belawan.

This study uses normative and empirical juridical approach. Normative juridical approach is intended as a review of the level of conceptual meaning and purpose of various national legislation related to the enforcement of the law against abuse of work permits to foreign workers, while the juridical empirical approach is the study starts from the problems with the fact occurs in the field, then connect with the legislation in force.

By results of research and discussion, it can be concluded that the role of immigration investigators to abuse of work permits by migrant workers in the working area the Immigration Office Class II of Belawan is referred to in article 106 of law Number 6 of 2011 about Immigration for into be restricted to a residence permit in case of abuse of the work permit, the immigration investigator will coordinate with the competent authority in taking a stance on the abuse of permits employment and immigration authorities in the supervision of the Office of the foreign labor issue a residence permit at the same time. Obstacles in the enforcement of the law against foreign workers who violate work permit include a lack of coordination with the relevant agencies and the lack of PPNS personnel, so it can be recommended that the role of immigration investigators can be expanded for the authority to supervise the foreign workers who violate work permit can be maximized and coordination with related agencies can be routinely performed as well as improve of the quality of personnel of the immigration investigator in Immigration Office Class II of Belawan.

Keywords: Investigator, Immigration, Abuse, Work Permits, Foreign Labor