

Bipartite Industrial Relations Dispute Settlement Counseling At Pt Asri Jewel Villas And Spa

¹I Made Adiwidya Yowana, ²Ni Kadek Ayu Wirantini

^{1,2}STISPOL Wira Bhakti

Email : adiwidayowana@gmail.com

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Abstract

This Community Service aims to provide understanding to workers and employers at PT Asri Jewel Villa and Spa regarding the resolution of industrial relations disputes, especially bipartite. The location of the community service was chosen deliberately, on the grounds that PT Asri Jewel Villa and Spa is a company engaged in the tourism sector where disputes between workers and employers are very vulnerable considering that Bali is a world tourist destination that requires workers in the tourism sector to work professionally. The target audience for this Community Service activity is workers and employees at PT Asri Jewel Villa and Spa, totaling 26 people, one entrepreneur and 25 workers. In this Community Service, data is analyzed using qualitative analysis, namely the data and facts found will be described. The results obtained from the community service activity of bipartite dispute resolution counseling for workers and employers at PT Asri Jewel Villas and Spa are increased insight and knowledge of counseling participants regarding the resolution of industrial relations disputes, especially settlements without a third party. With this counseling, workers and employers can understand the legal aspects and mechanisms of bipartite dispute resolution. This allows for faster resolution of disputes between workers and employers.

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Corresponding Author:

I Made Adiwidya Yowana

STISPOL Wira Bhakti

Email : adiwidayowana@gmail.com

1. INTRODUCTION

PT. Asri Jewel Villas and Spa is a luxury serviced villa complex located 2.9 km from Garuda Wisnu Kencana Cultural Park, 6 km from Jimbaran Beach, and 10 km from Circus Waterpark Bali. The elegant one- and two-bedroom villas feature vaulted ceilings and offer free Wi-Fi, flat-screen TVs, and DVD and CD players. Other amenities include fully equipped kitchens, spacious bathrooms with soaking tubs, and tropical gardens with private pools. Breakfast and shuttle service to the airport and local beaches are complimentary. There is also a spa and 24-hour security.

PT. Asri Jewel Villas and Spa is located on Jalan Goa Gong, Jimbaran, South Kuta, Badung. Its proximity to the tourist center of Badung Regency is a plus point, which is why tourists choose to stay or relax at PT. Asri Jewel Villas and Spa. As a professional villa and spa service provider, PT. Asri Jewel Villas and Spa has 25 employees who are always ready to provide the best service.

Labor is a very important thing in business and economic activities in Indonesia. Good economic growth will be achieved with the availability of reliable and qualified workers. Therefore, companies must prioritize legal protection for workers, especially in tourism areas with a high level of professionalism. Disputes often arise between employers and professional workers. This is because workers understand their rights and obligations. Consequently,

employers are forced to implement detailed labor regulations. This situation is highly susceptible to disputes.

Disputes between employers and employees, or industrial relations disputes, are common within companies. Differences in interpretation between the two parties can lead to disputes that are often resolved through legal mechanisms. In Indonesia, dispute resolution procedures must begin with amicable efforts, followed by the judicial process. Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes clearly stipulates that dispute resolution can be divided into two types: non-litigation and litigation.

Philosophically, the existence of non-litigation institutions in industrial relations dispute resolution is intended to ensure peaceful and expeditious resolution. A swift process protects workers both economically and socially. From the employer's perspective, reconciliation accelerates the companies refocus on its core objective: generating profits. Therefore, reconciliation is the best approach for the disputing parties.

As regulated in Law Number 2 of 2004, there are two types of peace efforts, namely bipartite and tripartite. Bipartidism is an effort to achieve peace between workers and employers without a third party. Meanwhile, tripartite is an attempt to make peace with a third party. In this case, bipartisanship is the first step that must be taken when a dispute occurs. If bipartite fails, then continue with tripartite. However, if the bipartite is successful, then the dispute can be resolved more quickly.

Considering that PT. Asri Jewel Villas and Spa have 25 professional employees who provide excellent service; it is deemed necessary to provide counseling regarding dispute resolution, bipartite. This counseling is important because disputes often arise between workers and employers. For a resolution to occur amicably, bipartite to be successful, procedures and mechanisms must be understood and implemented. This allows disputes to be resolved as early as possible, automatically benefiting all parties.

2. IMPLEMENTATION METHOD

This Community Service was carried out at PT Asri Jewel Villas and Spa. The location of the community service was chosen deliberately, for the following reasons: (1) PT Asri Jewel Villas and Spa has 25 employees/workers who must be legally protected in the event of a dispute; and (2) PT. Asri Jewel Villas and Spa is located in a tourism area, so good management is needed, including in resolving industrial relations disputes. The target audience for this Community Service activity is the workforce and entrepreneurs at PT Asri Jewel Villas and Spa, totaling 26 people. 25 employees and one entrepreneur.

In an effort to provide understanding to workers and employers at PT Asri Jewel Villas and Spa, counseling on resolving industrial relations disputes was carried out in a bipartite manner. So that workers and employers understand the mechanism of *bipartite* both legally and empirically. Data is analyzed qualitatively, describing the data and facts found. They are then reviewed based on existing references or logic.

3. RESULTS AND DISCUSSION

This community service activity is principally intended to provide understanding to workers and employers at PT Asri Jewel Villas and Spa regarding bipartite dispute resolution. The community service implementation team conducted the counseling on November 13, 2025. The presentation by the resource person lasted for 60 minutes, followed by a question-and-answer discussion. The community service participants appeared enthusiastic in participating in this counseling, as evidenced by the discussion during the question-and-answer session. Overall, the counseling lasted 120 minutes.

The outreach process went well. The employer had prepared a very comfortable location and facilities for the outreach. During the outreach, the workforce was organized in such a way that they followed the activities attentively without disrupting their usual work. This environment ensured that the workforce felt unburdened during the entire outreach process.

In their remarks, the business owners outlined the current situation and conditions of PT Asri Jewel Villas and Spa. Highlights included the number of employees, the company's financial condition, the average number of monthly guests, and past disputes between the business owners and employees. They also expressed their appreciation for this outreach program, which aims to educate employees on how to resolve disputes peacefully. They hope the outreach materials can be implemented when disputes arise.

After the entrepreneur delivered his speech, the implementing team then presented the material. The material started from basic things such as the definition of labor, the concept of industrial relations, and the resolution of industrial relations disputes. According to Article 1 paragraph (2) of Law Number 13 of 2003 concerning Manpower, labor is every person who can do work to produce goods and/or services, either to meet their own needs or for the community. Industrial relations in a company will provide benefits for workers, employers, and the government.

Based on the provisions of Article 1, number 10 of Law Number 2 of 2004, what is meant by bipartite negotiations is "negotiations between workers/laborers or workers' unions/labor unions with employers to resolve industrial relations disputes." Bipartite dispute resolution is regulated in Articles 3 to 7 of Law Number 2 of 2004.

Bipartite negotiations are mandatory to resolve industrial relations disputes, regardless of the type. Bipartite efforts are undertaken with the aim of enabling workers and employers to resolve disputes through deliberation and ultimately reach a settlement. Minutes of each negotiation must be drawn up and signed by both parties. According to Article 6, paragraph (2), the minutes of negotiations must contain at least the following:

- 1) Full names and addresses of the parties.
- 2) Date and place of negotiations.
- 3) The main problem or reason for the dispute.
- 4) Opinions of the parties.
- 5) Conclusion or result of the negotiations.
- 6) Date and signatures of the parties conducting the negotiations.

Settlement through bipartite negotiations can be said to be a negotiated settlement; the word negotiation comes from English. *Negotiation*, which means negotiation or deliberation. Garry Good Paster stated that negotiation is a process of interaction with dynamic and varied communication, and is nuanced according to the circumstances or what people can achieve. Based on this definition, bipartite can be interpreted as out-of-court negotiations conducted by the parties to reach an agreement without the intervention of a third party. Bipartite settlement remains an ideal settlement concept because it is nuanced on a *win-win solution based* on the spirit of deliberation and consensus, and the essence of Pancasila values reflected in the spirit of this model of resolution, and without interference from any party.

Every company employing 50 (fifty) workers/laborers or more is required to establish a bipartite cooperation institution. The duties of this bipartite cooperation institution are as follows.

- 1) Conducting meetings periodically every month and/or at any time if necessary.
- 2) Communicating employer policies and channeling worker/laborer aspirations regarding worker/laborer welfare and business continuity.
- 3) Conducting early detection and addressing industrial relations problems in the company.
- 4) Providing suggestions and considerations to entrepreneurs in determining company policies.
- 5) Convey suggestions and opinions to workers/laborers and/or workers' unions.

Efforts to resolve disputes through bipartite means must be completed within a maximum of 30 (thirty) working days from the date of commencement of negotiations. If, within 30 days, one of the parties refuses to negotiate or negotiations have been held but do not produce an agreement, then the bipartite negotiations have failed. If bipartite efforts fail, then one or both parties register their dispute with the agency responsible for the field of employment by attaching evidence that efforts to resolve the dispute through bipartite means have been made. "After

receiving the registration from one or both parties, the local agency responsible for the field of employment is obliged to offer the parties to agree to choose a resolution through conciliation or arbitration." If the parties do not determine the choice of resolution through conciliation or arbitration within 7 (seven) working days, then the agency responsible for the field of employment delegates the resolution of the dispute to a mediator."

If bipartite negotiations succeed in reaching an agreement, a joint agreement is made and signed by the parties. The joint agreement is binding and becomes law and must be implemented by the parties. The joint agreement must be registered by the parties who entered into the agreement with the Industrial Relations Court at the District Court in the area where the parties entered into the joint agreement. If the joint agreement is not implemented by one of the parties, then the injured party can file an execution request. "If the execution applicant is domiciled outside the District Court where the Joint Agreement was registered, the execution applicant goes through the Industrial Relations Court at the District Court in the area where the execution applicant is domiciled to be forwarded to the Industrial Relations Court at the District Court competent to carry out the execution.

Industrial relations need more attention to create harmony between workers and employers. In reality, industrial relations do not always run smoothly and disputes or disharmony can arise between workers and companies. For this reason, industrial relations dispute resolution mechanisms must be implemented effectively to ensure a balance between workers and employers when disputes arise.

4. CONCLUSION

The results of the bipartite dispute resolution outreach program for workers and employers at PT Asri Jewel Villas and Spa include increased insight and knowledge of participants regarding industrial dispute resolution, particularly non-third-party settlement. This outreach program enables workers and employers to understand the legal aspects and mechanisms of bipartite dispute resolution. Therefore, if a dispute arises between workers and employers, it can be resolved in a shorter time.

5. SUGGESTION

Following bipartite dispute resolution counseling, workers and employers can communicate effectively regarding workers' rights and obligations. This is possible because workers and employers understand the mechanics of bipartite dispute resolution in the event of a disagreement. It is hoped that coordination and relations between the two parties will be open and democratic, so that workers and employers feel comfortable in running the company.

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