OVERSEAS WORKERS POLICIES

(PLACEMENT AND PROTECTION)

Anjar Prihantoro B Winarso
Bangkok June 14, 2012
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I. BACKGROUND
History of Indonesian Overseas Workers

End of 19th century

Sending workers from Java to Suriname (sugar, coffee & cotton plantations)

Male dominant workers

Beginning of 20th century

…. from Java to New Caledonia (coffee plantations)

Late 1970s to Early 2000s

to Middle East, M’sia, S’pore, HKong, Korea, And Taiwan (dom workers)

Approx. 70% female workers

Feminization

2008

→Extended to new destination countries,
→More skilled & professional (formal workers)

More balance Between F & M
Population: 237 M

Labor Force: 119,39 M

Employment: 111,28 M (93.20%)

Unemployment: 8,11 M (6.8%)

Labor Force (119,39)
- M: 72,25 M (60.51%)
- F: 47,13 M (39.48%)
- <=SD: 57,03 M (47.76%)
- SLTP: 23,02 M (19.28%)
- SLTA: 29,42 M (24.64%)
- D1–D3: 3,74 M (3.14%)
- UNIV: 6,15 M (5.15%)
<table>
<thead>
<tr>
<th>Region</th>
<th>Unemployment 2009</th>
<th>Unemployment 2010</th>
<th>Unemployment 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(8,14 %)</td>
<td>(7,41 %)</td>
<td>(6,79 %)</td>
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<tr>
<td>Indonesia</td>
<td>9.258.964</td>
<td>8.592.490</td>
<td>8.117.631</td>
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<tr>
<td>Sumatera</td>
<td>1.792.132</td>
<td>1.650.737</td>
<td>1.577.481</td>
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<tr>
<td>Jawa</td>
<td>6.017.312</td>
<td>5.508.072</td>
<td>5.217.498</td>
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<tr>
<td></td>
<td>(64,99 %)</td>
<td>(64,10 %)</td>
<td>(64,27 %)</td>
</tr>
<tr>
<td>Bali, west NT , east NT</td>
<td>250.505</td>
<td>281.796</td>
<td>241.671</td>
</tr>
<tr>
<td></td>
<td>(2,71 %)</td>
<td>(3,28 %)</td>
<td>(2,98 %)</td>
</tr>
<tr>
<td>Kalimantan/Borneo</td>
<td>459.687</td>
<td>437.141</td>
<td>432.428</td>
</tr>
<tr>
<td></td>
<td>(4,96 %)</td>
<td>(5,09 %)</td>
<td>(5,33 %)</td>
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<tr>
<td>Sulawesi</td>
<td>576.130</td>
<td>556.126</td>
<td>479.923</td>
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<tr>
<td></td>
<td>(6,22 %)</td>
<td>(6,47 %)</td>
<td>(5,91 %)</td>
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<tr>
<td>Maluku, Papua</td>
<td>163.198</td>
<td>158.618</td>
<td>168.630</td>
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<tr>
<td></td>
<td>(1,76 %)</td>
<td>(1,85 %)</td>
<td>(2,08 %)</td>
</tr>
</tbody>
</table>

Source: BPS.
Structure of Flow of Indonesian Migrant Workers

**INDONESIA: SENDING COUNTRY**

- High unemployed
- High underemployed
- Wage differential
- High incidence of poverty
- Crisis pressures

**Push Factors**

**RECEIVING COUNTRY**

- Changing demographics
- Economic growth
- Labor shortage
- Accelerator of international trade in services
- Lesser stricter MNP across the borders

Established inter-country networks based on family, culture and history
LABOUR LAW

A. INDONESIAN LABOR LAW (Act 13/2003)
The aim is to manage labor sector domestically which is also regulate foreign workers who work in the country

Labor Law

Developed – based on the ILO Core Conventions (Fundamental Rights at Works)
- C 29 – 1930 Force Labour
- C 87 – 1948 Freedom of Association and Protection of the Right to Organise
- C 98 – 1949 the Right to Organise and Collective Bargaining
- C 100 – 1951 Equal Remuneration
- C 105 – 1957 Abolition of Force Labor
- C 111 – 1958 on the Discrimination employment and Occupation
- C 138 – 1973 the Minimum Age
- C 182 – 1999 the Worst Forms of Child Labour
- UN convention 158 – 1990 (Protection of the rights of all migrant workers and members of their families)
- (ratified April 12, 2012)
II. ADMINISTRATION STRUCTURE

[Map of Indonesia]

Boundary representation is not necessarily authoritative.
is the government institution, which is responsible for optimizing the benefits of the country’s overseas employment program.

This institution was created in 2006 through Presidential Regulation no. 81 of 2006 to promote, placement, protection and to monitor the Indonesian migrant workers. Based on this Regulation, BNP2TKI is organized, included the following functions: To respond to changing markets and economic condition through the development of market intelligence within the Indonesian Embassy; and to strengthen the worker's protection and domestic-regulatory components of the overseas employment program.
Vision
The realization of IMW Quality, Competitive and Dignified

Mission

• Creating broadly work opportunity a broad.
• Improving skills and placement service.
• Improving Security, Protection and Empowerment of migrant workers.
• Increasing Capacity Placement and Protection Agency TKI.
• Increasing Capacity Supporting Institutions for Training and Health.
Duties and function:

• implementing government policy in the placement and protection of migrant workers;
• carry out the placement based on a written agreement between the government and state government (G to G) or the user's legal status (G to P);
• provide services, coordinate and conduct oversight of:

  ➢ Document,
  ➢ Pre departure orientation;
  ➢ Departure to repatriation;
  ➢ Improving the quality of prospective migrant workers;
  ➢ The sources of financing;
  ➢ implementing quality placement
Memorandum of Understanding

G to G

• South Korea
• Japan (I-JEPA)
• Timor Leste

G to P

• Penang (manufacture)
• New Zealand (Agriculture)

MOU:

• Malaysia
• Taiwan (TETO – IETO)
• Jordan
• UEA
• Qatar
• Kuwait
DESTINATION COUNTRIES

ASIA PASIFIC

CURRENT:
1. KOREA
2. TAIWAN
3. SINGAPORE
4. HONGKONG
5. MALAYSIA
6. JAPAN
7. BRUNEI
8. NEW ZEALAND

FUTURE:
1. AUSTRALIA
2. JAPAN
3. FIJI
4. MACAU
5. RDTLeaste

DESTINATION COUNTRY

MIDDLE EAST & AFRICA

CURRENT:
1. S. ARABIA
2. KUWAIT
3. YORDAN
4. QATAR
5. UEA
6. BAHRAIN
7. OMAN

FUTURE:
1. LIBANON
2. TURKY
3. YAMAN
4. TUNISIA
5. MAROCCO
6. S. AFRICA

EU & USA

CURRENT:
1. NETHERLAND
2. ITALY
3. GEECE
4. CYPRUS

FUTURE:
1. USA
2. CANADA
3. SPAIN
4. POLAND
III. Placement and Protection
PLACEMENT BASED ON ONLINE SYSTEM

1. Indonesia Mission (Endorsed Job Order & Placement Doc)
2. Nat’l Board (Recruit Licence)
4. IRA (Input IMW, proposal, Update data)
5. Health Center (Medical report, photo, fingerprint)
6. Immigration (Passport)
7. Training center (21 days (200 lesson hours))
8. Insurance (card member)
9. BP3TKI/Reg Off (PDO, W. contract, IMW Card)
10. Competency test (Update certificate data)
11. Embarkation (Validation Card)

DATABASE IMW (www.bnp2tki.go.id)
Manpower Skills Availability

• Agriculture and Plantation workers
• Transportation: SEAFARERS – PILOT - CREWS
• Health Services: NURSES - CAREGIVERS
• Hospitality: HOTEL & RESTOURANT PERSONNEL
• Tourism: SPA TERAPIST
• Industry: COMPUTER - IT PERSONNEL - CRAFTER
• Industry: TECHNICIAN/MANUFACTURING - ENGINEER
• Construction: DRAFTER, DESIGNER, GENERAL WORKERS
• Others: FINANCE & BANK PERSONNEL
  MINING & OIL DRILLING PERSONNEL, WELDER/PLUMBER, AUTOMOTIF, ELECTRICIAN ETC.
Example IOW card
<table>
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<th>ID TKI</th>
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<td>Nama</td>
<td>AAM AMANAH</td>
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COMPLAINT SERVICE OF IMW
(CALL CENTER)

Hallo TKI

0800 1000 (TOLL FREE DOMESTIC/local)
+62 21 2924 4800 (OVERSEAS)
Fax. 021-2924 4810-11
SMS 7266 (ACA#TKI#Name of IMW#containt report)
halotki@bnp2tki.go.id
MECANISM OF COMPLAINT IMW

NAT’L BOARD PP IMW

DATABASE:
1. EMABARKATION (IMW CARD)
2. ARRIVAL

FRONT OFFICE
(ON LINE & OFF LINE)
Information and complaint service

BACK OFFICE
FOLLOW UP COMPLETION

FOLLOW UP
INVESTIGATION / LEGAL AID & EMERGENCY / DELIVERY tasking

MONITORING + ALERT SYSTEM

IMW
EMPLOYER
FAMILY
ADVOCATE
OTHERS

MOFA INDONESIA MISSION
MINISTRY OF MANAPOWER
MINISTRY OF HOME AFFAIRS
MINISTRY OF HEALTH
IMMIGRATION
MINISTRY OF SOCIAL
POLICE
WOMEN EMP & CHILD PRTC
BNP2TKI /NAT’L BOARD PP
BP3TKI, REGIONAL
DIRECT COMPLAINT SERVICE ROOM

Front Office Offline
VALIDATION & CALRIFICATION COMPLAINT ROOM

Back Office
NATIONAL BOARD FOR
THE PLACEMENT AND PROTECTION OF
INDONESIAN OVERSEAS WORKERS (BNP2TKI)

THANK YOU

BNP2TKI - SERVE FOR THE BETTER FUTURE