

The background of the slide is a light gray gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance.

PRECARIOUS WORK PRACTISE IN INDONESIA

CONTRACT WORKER (PKWT)

FREELANCE WORK

INTERNSHIPS

OUTSOURCING

TABULATION OF WORKING FORM IN INDONESIA

FORM	DESCRIPTIONS	REGULATION
CONTRACT WORKER (PKWTT)	<ul style="list-style-type: none">• once the work is finished or the temporary nature ;• work expected completion in the not too long and not later than 3 (three) years ;• the work is seasonal ; or work related to new products , new activities , or additional products that are still in the experimental or exploratory	Laws No 13/2003 article 59
FREELANCE WORK	For jobs that are not routine	Laws No 13/2003
INTERNSHIP	<ul style="list-style-type: none">• Training for prospective employment• Not working on production processes that are sold	Laws No 13/2003

FORM	DESCRIPTIONS	REGULATION
OUTSOURCING	<ul style="list-style-type: none">• done separately from the main activity;• done by direct or indirect command of the employer;• is supporting the activities of the enterprise;• not inhibit the production process directly.• Only for supporting job: Health, Safety, Diner, Driver, Mining	UU No 13 tahun 2003 pasal 64-66

THREATS TO PRECARIOUS WORKER

- COMPANIES CAN MORE EASILY TERMINATE EMPLOYEES WHO ARE CONSIDERED UNPRODUCTIVE;
- COMPANIES DO NOT HAVE TO PAY THE COST OF SEVERANCE WHEN TERMINATING EMPLOYEES;
- COMPANIES CAN MORE EFFICIENTLY MANAGE THEIR EMPLOYEES BECAUSE THEY DO NOT HAVE TO DEAL WITH A WIDE RANGE OF EMPLOYEE BENEFITS SUCH AS HEALTH BENEFITS, THR, ETC.
- AMID THE ECONOMIC AND POLITICAL TURMOIL UNSTABLE, VERY EASY AND INEXPENSIVE IF AT ANY TIME SHOULD BE REQUIRED DOWNSIZING EMPLOYEES.
- MANY MORE

PROBLEMS OF PRECARIOUS WORKER

WORKPLACE DISCRIMINATION COMPARED WITH PERMANENT EMPLOYEES IN THE SAME FACTORY INCLUDING:

- LOWER SALARY
- NO ACCESS TO SOCIAL SECURITY INCLUDING HEALTH CARE
- EXTRA COSTS SUCH AS UNIFORM AND TRANSPORT
- SHORT TERM CONTRACTS
- NOT COVERED BY CBA
- UNION MEMBERSHIP RESTRICTED

METHOD OF SETTLEMENT

- **MAKE CLEAR RULES →**

LAW NO 13/2003 (LIMIT OS ONLY FOR SUPPORTING THE WORK)

- **ESCORT →**

ADVOCACY AGAINST VIOLATIONS OF RULES, SET IN THE CBA,
(LITIGATION AND ACTION), SOCIALIZATION (SEMINARS, DIALOGUES,
CAMPAIGNS)

STRATEGY OF STRUGGLE

CONCEPT: SEMINARS, WORKSHOPS, DISCUSSIONS, AND DRAFT PROPOSALS AND BASIC THOUGHTS

LOBBY : EXPLANATION & HEARINGS WITH RELATED PARTIES (DPR, GOVERNMENT, COMMUNITY LEADERS, POLICE, TNI) AND SOCIALISATION (MEDIA, KONSOLIDATION)

ACTION: DEMONSTRATIONS, STRIKES, FACTORY RAID

FACTORY RAID 2011-2012

SURROUNDED THE PLANT BY UNION MEMBERS CONTINUOUSLY UNTIL THERE IS A COLLECTIVE AGREEMENT THAT WILL ELEVATE MANAGEMENT OUTSOURCING WORKERS WHO VIOLATE THE RULES BECOME PERMANENT



➤ **JAKARTA**

➤ **WEST JAVA**

➤ **BATAM**

➤ **EAST JAVA**

RESULTS OF STRUGGLE 2012

REGION	RESULTS
JAKARTA	300 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum Wage + OT + Transport + Lunch + health security
BEKASI, KARAWANG, PURWAKARTA	35,000 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum Wage + OT + Transport + Lunch + health security
BATAM	500 Outsourced Workers became Permanent or Direct Contract Workers Wages → Minimum wage + OT + Transport + Lunch + health security

SURVEY FOR 600 WORKERS

CONTRACT FREQ	PERCENTAGE
1 time	31,60%
2 times	28,60%
3 times	10,70%
4 – 15 times	29,10%
TOTAL	100,00%

Data taken from FSPMI & Akatiga Research, 2010

CONCLUSION

- THE SITUATION IS MUCH BETTER :

THERE IS GREATER AWARENESS OF THE ISSUE AMONG WORKERS, EMPLOYERS AND GOVERNMENT

THOUSANDS OF CONTRACT WORKERS HAVE BEEN MADE PERMANENT

THOUSANDS OF OUTSOURCING WORKERS HAVE BEEN MADE PERMANENT

- BUT SUCCESS HAS HAD SOME NEGATIVE CONSEQUENCES :

SOME COMPANIES HAVE USED VIOLENT INTIMIDATION AND UNION BUSTING TACTICS TO STOP CAMPAIGN AGAINST OS

LAW ENFORCEMENT HAS BEEN INEFFECTIVE – LABOR & CRIMINAL

- NATIONAL ELECTIONS APRIL 2014 – UNIONS WILL LOBBY
- INDONESIAN UNIONS WILL CONTINUE TO STRUGGLE ON THIS ISSUE AND STILL NEED INTERNATIONAL SUPPORT

OUTSOURCING PRACTICES IN A STATE-OWNED COMPANY

- CURRENTLY ABOUT 280,000 WORKERS WHO WORK IN STATE OWNED ENTERPRISES THROUGH OUTSOURCING AGENCIES. SOME HAVE WORKED FOR MANY YEARS UNDER THESE OS CONTRACTS.
- AS MANY AS 3081 OUTSOURCING WORKERS (STATE ELECTRICITY COMPANY) HAS BEEN A MEMBER OF SPEE - FSPMI
- AS MANY AS 150 OUTSOURCING WORKERS (STATE FARMACY COMPANY) HAS BEEN A MEMBER OF SPAI FSPMI INDONESIA

WORKING RISK



TO STRENGTHENING MOVEMENT

FSPMI AND OTHER TRADE UNION FEDERATIONS HAVE FORMED A COALITION NAMED " JOINT MOVEMENT OF UNION / WORKER IN SOE (GEBER BUMN)" SINCE MARCH 2013, TO FIGHT FOR THE STATUS OF THE OS INTO PERMANENT WORKERS IN SOE

GEBER BUMN

JOINT MOVEMENT OF
UNION / WORKER IN SOE

seminar



Press conference



consolidation

ACTIONS OF COALITION (GEBER BUMN)

INSTITUTIONS	ACTIONS	OUTCOMES
ELECTRICITY (PLN) OFFICE	Demonstration	<ul style="list-style-type: none"> • Demanding the implementation of Recommendation about OS SOE of commission IX • Demanded that no layoffs
SOE MINISTER OFFICE	Audience Demonstration	Circular on the follow-up recommendation Panja OS SOE Commission IX of House Representative
WISMA ANTARA (NATIONAL OFFICE NEWS)	Seminar	Recommendations Results of Seminar for State Enterprises Minister
JAKARTA LEGAL AIDS AGENCY	Meetings, discussions Press Conference	<ul style="list-style-type: none"> • Develop action plans • Publication problem OS SOE
FACULTY OF LAW (TRISAKTI UNIVERSITY)	Audience Seminar	Legal Study on the OS in SOEs
HOUSE OF REPRESENTATIVE (DPR)	Audience Demonstration Meetings	<ul style="list-style-type: none"> • working meeting with the ministry bum • issued a recommendation for bum os so appointed as permanent workers bum

MEETING WITH HOUSE OF REPRESENTATIVE



DEMONSTRATION WHEN PRESIDEN JOKOWI WAS SWORNED TO BE PRESIDENT



DEMONSTRATION IN FRONT OF MINISTRY OF SOE OFFICE



DEMONSTRATIONS



GOVERNMENT ACTIONS

- MANPOWER AND MINISTRY OF STATE OWNED ENTERPRISES FORMED A JOINT TASK FORCE FOR THE COMPLETION OF THE OS IN THE COMPANY AT THE REQUEST OF THE COMMITTEE OS SOE SOE HOUSE OF REPRESENTATIVES
- SUPERVISION DIRECTORATE HAS ISSUED A MEMORANDUM SUPERVISORY AGAINST 19 STATE-OWNED COMPANY
- TASK FORCE CHAIRED BY SAHAT SINURAT (PHI DIRECTOR & JAMSOS) CONSISTING OF SUPERVISORS AND THE IRC AND FROM MINISTRY OF STATE OWNED ENTERPRISES
- THE WHOLE OF DIRECTORS OF STATE (19 COMPANIES) HAVE BEEN CALLED TASK FORCE

CURRENT CONDITIONS

- ELECTRICITY COMPANY (PLN) HAD FIRED 544 OUTSOURCING WORKERS
- FARMACY COMPANY (INDOFARMA) HAD FIRED 150 OUTSOURCING WORKERS
- ELECTRICITY COMPANY (PLN) FORM SUBSIDIARY (HALEYORA) TO DO PLN'S JOB AND MAKE CONTRACT WITH VENDOR (ALL OS WORKERS BE PERMANENT WORKERS FOR VENDOR). EACH VENDOR HAS JOB CONTRACT WITH SUBSIDIARY FOR 5 YEARS.
- HOUSE OF REPRESENTATIVE WILL CONDUCT JOINT MEETING (COMMISSION 9 AND COMMISSION 6) TOGETHER MINISTRY OF SOE AND LABOR MINISTRY TO DISCUSS ABOUT SOLUTION