



MAYOR OF SURAKARTA  
CENTRAL JAVA PROVINCE

**COPY**

SURAKARTA CITY REGIONAL REGULATIONS  
NUMBER 1 OF 2023  
ABOUT  
EMPLOYMENT

BY THE GRACE OF GOD ALMIGHTY

MAYOR OF SURAKARTA,

Considering: a. that employment services are part of regional development carried out in

in order to realize the fulfillment of decent work  
and fair as mandated by Article 27 paragraph (2)  
Constitution of the Republic of Indonesia  
1945 that every citizen has the right to  
work and a decent living for  
humanity;

b. that to carry out employment affairs so that employment information,  
job training,  
employment, dispute resolution  
workforce, and workforce development can  
running effectively and efficiently is necessary  
Implementation of employment services  
planned; planned;

c. that employment regulations are in Regional Regulation Number 3  
of 2014 concerning Implementation  
The current workforce is not suitable  
settings that are above it, then require  
appropriate and synchronous employment arrangements  
with the regulations above;

d. that based on considerations as follows  
referred to in letters a, b, and c, is necessary  
set Regulation Area about  
Employment;

Bearing in mind: 1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;

2. Law Number 16 of 1950 concerning Formation of Large City Regions in Environment of East Java Province, Central Java, Java West and Special Region of Yogyakarta (State Gazette Republic of Indonesia Year 1950 Number 45);

3. Law Number 13 of 2003 concerning Employment (State Gazette of the Republic of Indonesia 2003 Number 131, Supplement to the State Gazette Republic of Indonesia Number 3989) as stated amended by Substitute Government Regulation Law Number 2 of 2022 concerning Copyright Work (State Gazette of the Republic of Indonesia Year 2022 Number 238, Supplement to the State Gazette Republic of Indonesia Number 6841);

4. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic Indonesia 2014 Number 244, Supplement State Gazette of the Republic of Indonesia Number 5597) as amended several times recently with Government Regulations in Lieu of Laws Law Number 2 of 2022 concerning Job Creation (State Gazette of the Republic of Indonesia 2022 Number 238, Supplement to the State Gazette of the Republic Indonesia Number 6841);

With Mutual Consent  
SURAKARTA CITY REGIONAL PEOPLE'S REPRESENTATIVE COUNCIL  
And  
MAYOR OF SURAKARTA

DECIDE:

Establish: REGIONAL REGULATIONS CONCERNING EMPLOYMENT.

PIG

GENERAL REQUIREMENTS

article 1

In this Regional Regulation what is meant by:

1. Region is the City of Surakarta.
2. The Mayor is the Mayor of Surakarta.
3. The Regional Government is the Mayor as the organizing element  
The Regional Government leads the implementation of affairs  
government which is the authority of the autonomous region.
4. Regional Apparatus is a supporting element for the Mayor and Council  
Regional People's Representatives in administering affairs  
government which is a regional authority.
5. Department is a Regional Apparatus that organizes a field  
employment.
6. Employment management is all related matters  
with employment in accordance with the functions of the Regional Government in  
planning, service, coaching.
7. Permit is a permit for the Implementation of Employment as regulated  
in this Regional Regulation.
8. Employment is everything related to energy  
work before, during and after the work period.
9. Labor is every person who is capable of doing work  
to produce good goods and/or services to fulfill  
own needs and those of society.
10. Worker/laborer is every person who works and receives wages  
or rewards in other forms.
11. Employers are individuals, entrepreneurs, legal entities,  
or other bodies that employ workers by paying wages or other forms of compensation.
12. Apprenticeship is part of the job training system  
held in an integrated manner between training at training institutions  
by working directly under guidance and supervision

instructors or workers who are competent in the production process goods and/or services in the company in order to control certain skills or expertise.

13. Persons with Disabilities are everyone who experiences them long-term physical, intellectual, mental, and/or sensory limitations long periods of time interacting with the environment can result in obstacles and difficulties in participating fully and effectively with other citizens based on equal rights.
14. Entrepreneurs are:
  - a) an individual, partnership or legal entity that running an own company;
  - b) individuals, partnerships or legal entities that are stand alone running a company that is not his own;
  - c) individuals, partnerships or legal entities located in Indonesia represents the company as intended in the letter a and b are domiciled outside the territory of Indonesia.
15. The company is:
  - a) every form of business, whether legal entity or not, is owned by an individual individual, owned by a partnership, or owned by a legal entity, either privately owned or state owned which employs workers/laborers by paying wages or compensation in kind other;
  - b) social enterprises and other businesses that have administrators and employing other people by paying wages or compensation in another form.
16. Company Regulations are an agreement between Workers/Labourers made in writing by the Employer containing the terms and conditions Company regulations.
17. A Collective Labor Agreement is an agreement that is the result of negotiations between a worker/labor union or several workers/labor unions registered with the agency responsible in the field of employment with employers or employers' association which contains work conditions, rights and obligations of both parties.
18. Employment information is a combination, series and analysis data in the form of processed numbers, manuscripts and documents

which has meaning,  
sustainable.

certain values and meanings

19. The Employment Information System is a digital ecosystem  
become a platform for all types of public services and field activities  
employment both at the central and regional levels.
20. Manpower development is an integral part of national development, because labor  
is a subject and  
development object. Thus, labor is very  
determine the success of development and development  
considered successful if the community (workforce) can live with it  
prosperous.
21. Manpower Planning, hereinafter abbreviated to PTK, is the process of preparing  
manpower plans systematically which are used as a basis and reference in the  
preparation of policies, strategies and  
implementation of employment development programs  
sustainable.
22. Manpower Plan, hereinafter abbreviated as RTK, is the result  
workforce planning activities.
23. Employment Forum or what is called *the Skill Development Center*  
is a forum or forum formed by, of and for the people  
stakeholders *in* the region, in order to overcome employment problems in the  
region.
24. Macro Manpower Planning, hereinafter abbreviated as PTK Macro  
is the process of preparing employment plans systematically  
which includes optimal and productive utilization of labor  
to support economic or social growth, both in terms of  
national, regional and sectoral so that it can open  
the widest possible employment opportunities, increasing work productivity and  
improving the welfare of workers/laborers.
25. Micro Workforce Planning, hereinafter abbreviated to Micro PTK  
is the process of preparing employment plans systematically  
in an agency/institution, whether a government agency, the government  
provincial, district/city governments and the private sector in order  
increasing optimal utilization of labor and  
productive to support the achievement of high performance in the agency/  
institution or company concerned.

26. Job Training Institute, hereinafter abbreviated as LPK, is Government agencies, companies and the private sector that fulfill requirements for providing job training.
27. Job training is a whole activity to provide, acquire, improve and develop work competencies, productivity, discipline, attitude and work ethic at a certain level of skill and expertise in accordance with the level and qualifications of the position or work.
28. Job Training Program is the entire structured training content systematically and contains the desired work competencies achieved, theoretical and practical training materials, training period, training methods and facilities, participant and personnel requirements training as well as evaluating and determining the graduation of training participants.
29. Apprenticeship Agreement is an agreement between Apprenticeship participants with the Company made in writing.
30. Productivity is a mental attitude and work ethic that is always trying to improve the quality of life through increased efficiency, effectiveness, and quality to create added value sustainable.
31. Workforce Placement is a placement service process given to job seekers to obtain employment.
32. Expanding Job Opportunities is an effort made to create new jobs and/or develop available jobs.
33. Job Opportunities are job vacancies filled by seekers existing jobs and workers.
34. Workforce Placement Services, hereinafter referred to as PPTK is an activity to bring workers together with employers, so that workers can get jobs that suit their talents, interests and abilities, and employers can obtain workers according to their needs.
35. Private Workforce Placement Institutions hereinafter referred to LPTKS is a legal entity that obtains written permission to organize Internal Workforce Placement Services State and abroad.
36. A job exchange is a place to provide services for workforce placement activities.

37. Special Job Exchange, hereinafter abbreviated to BKK, is a unit services to secondary education units, higher education units, and job training institutions that provide placement facilitation workforce to alumni.
38. A Job Fair is an activity that brings together a number of job seekers with a number of employers at a certain time and place for the purpose of placement.
39. Work competency is the work ability of every individual includes aspects of knowledge, skills and appropriate work attitudes with established standards.
40. Work competency certification is the process of granting a certificate competencies carried out systematically and objectively through tests competencies in accordance with Indonesian National Work Competency Standards, International Standards and/or Special Standards.
41. Foreign workers, hereinafter abbreviated as TKA, are citizens foreign visa holders with the intention of working in Indonesian territory.
42. Employer of TKA is a Legal Entity established based on Indonesian law or other bodies that employ foreign workers with pay wages or other forms of compensation.
43. Plan for the Use of Foreign Workers, hereinafter referred to as RPTKA, is a plan for the use of foreign workers in certain positions and for a certain period of time.
44. Compensation Fund for the Use of Foreign Workers, hereinafter abbreviated as DKPTKA is the compensation that must be paid by the TKA Employer every foreign worker employed as non-tax state revenue or regional income.
45. A work agreement is an agreement between a worker/laborer and entrepreneur or employer which contains the work conditions, rights and obligations of the parties.
46. An employment relationship is a relationship between an entrepreneur and workers/laborers based on a work agreement, which has elements work, wages, and orders.
47. Industrial relations is a system of relationships that is formed between actors in the process of producing goods and/or services consists of elements of entrepreneurs, workers/laborers, and the government based on the values of Pancasila and the 1945 Constitution of the Republic of Indonesia.

48. Industrial relations disputes are differences of opinion resulting in conflict between entrepreneurs or joint ventures entrepreneurs with workers/laborers or trade/labor unions due to disputes regarding rights, conflicts of interest, and employment termination disputes and interpersonal disputes workers/labor unions only in one company.
49. A work strike is a planned and planned action of workers/laborers carried out jointly and/or by unions workers/labor unions to stop or slow down work.
50. Company closure (*lock out*) is an action taken by entrepreneurs to refuse workers/laborers in whole or in part to carry out work.
51. Termination of employment is the termination of an employment relationship due to a certain thing that results in the end of rights and obligations between workers/laborers and entrepreneurs.
52. Wages are the rights of workers/laborers that are received and expressed in form of money as compensation from entrepreneurs or employers to workers/laborers who are determined and paid according to a work agreements, agreements, or statutory regulations, including allowances for workers/laborers and their families for work and/or services that have been or will be performed.
53. Outsourcing Company is a business entity in the form of a legal entity who is qualified to carry out a particular job based on an agreement agreed with the providing Company work.
54. Job Loss Guarantee, hereinafter referred to as JKP is social security provided to Workers/Labourers who experience Termination of Employment in the form of cash benefits, access to job market information, and job training.
55. Social security is a form of social protection for guarantee that all people can fulfill their basic needs a decent life.
56. Casual Daily Workers are Workers who work for an Employer to do a certain job and can change in terms of time and volume of work by receiving wages based on the daily attendance of workers.

57. Unemployed is someone who has been classified as under workforce, who are actively looking for work in a certain level of pay, but can't get that job he wants.
58. Formal workers are residents who work with status main job as a business assisted by permanent workers/paid workers and laborers/employees/employees.
59. Informal workers are workers who work in an employment relationship informal sector by receiving wages and/or rewards.
60. Online is in a network, connected via a computer network, internet, and so on.
61. Offline is outside the network(s); disconnected from the computer network.
62. Employment Collaboration Forum or is a forum consisting of stakeholders and/or Employment stakeholders in Regions in order to overcome employment problems in Area.
63. Job Market Information, hereinafter abbreviated to IPK, is information relating to the Job Opportunity Exchange with The main objective is placement which is carried out through registration job seekers, designation of available vacancies as well as introduction for placement.
64. Private Workforce Placement Institutions hereinafter abbreviated LPTKS is a private institution with a legal entity that has obtained written permission to provide staff placement services Work.
65. Online Workforce Placement (*Job Portal*) is a platform that contains job seekers, job vacancies and facilitates staff placement work whose activities include providing information on job vacancies to job seekers and providing data and competency information on job seekers to employers which is carried out online.
66. Indonesian Migrant Workers, hereinafter abbreviated as PMI, are every Indonesian citizens who will, are doing, or have done work by receiving wages outside the territory of the Republic of Indonesia.
67. Prospective Indonesian Migrant Workers, hereinafter referred to as CPMI, are every Indonesian worker who meets the requirements as a searcher workers who will work abroad and are registered with the agency

district/city government responsible in the field  
employment.

68. Bipartite is industrial relations in one company

Its members consist of entrepreneurs and trade unions  
which has been recorded by the agency responsible for the field  
employment or elements of workers/laborers.

69. Tripartite is a forum for communication, consultation and deliberation regarding  
employment issues whose members consist of elements of the organization  
employers, trade unions, and the government.

## CHAPTER II

### MANPOWER PLANNING

#### Article 2

(1) In preparing strategic policies and program implementation  
sustainable employment development, the Department must  
guided by workforce planning.

(2) Manpower planning includes:

- a. PTK Macro; And
- b. Micro PTK.

(3) The Service carries out the preparation of the Macro RTK as intended in paragraph (2)  
letter a based on Basic Employment Data, Data  
Specifically for Employment, Economic Data and other Data.

(4) The RTK Macro as intended in paragraph (3) is prepared  
based on inventory calculations and labor requirements  
which includes preparing estimates and planning:

- a. labor supply;
- b. labor requirements;
- c. labor balance;
- d. investment plan; And
- e. direction of employment development policies, strategies and programs  
Area.

(5) The preparation of the RTK is carried out by the Regional PTK team, in accordance with  
provisions of statutory regulations.

### Article 3

- (1) Micro RTK as intended in Article 2 paragraph (2) letter b is mandatory prepared by employers including state-owned enterprises, agencies regionally owned businesses, private companies and other bodies.
- (2) Micro RTK as intended in paragraph (1) contains at least:
  - a. employee supplies;
  - b. employee needs;
  - c. employee balance sheet; And
  - d. employment program.
- (3) The employer who prepares the Micro RTK as referred to in paragraph (1) is responsible for implementation and reporting results implementation to the Department.
- (4) The Department provides guidance, assistance, monitoring and evaluation in preparing Micro RTK.
- (5) Preparation of Micro RTK is carried out in accordance with regulatory provisions legislation.

### Article 4

- (1) Any Employer who violates the provisions as intended in Article 3 paragraph (1) administrative sanctions are imposed in the form of:
  - a. verbal warning; And
  - b. written warning.
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to the Employer.
- (3) Employers who do not carry out verbal warnings as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.
- (4) The written warning as intended in paragraph (3) can be imposed a maximum of 3 (three) times in a row for each a period of 3 x 24 (three times twenty four) hours.

CHAPTER III

JOB TRAINING, APPRENTICESHIP, COMPETENCY CERTIFICATION, AND  
LABOR PRODUCTIVITY

Part One

Job Training, Apprenticeship and Competency Certification

Paragraph 1

Organizing Job Training

Article 5

(1) Job training is organized by:

- a. government LPK;
- b. private LPK; And
- c. company LPK.

(2) The Department can organize job training in collaboration with LPK.

(3) government LPK as intended in paragraph (1) letter a in

organizing job training can collaborate with the private sector.

(4) government LPK as intended in paragraph (1) letter a and LPK

the company as intended in paragraph (1) letter c registers  
and report its activities to the Department.

(5) Private LPK licensing as intended in paragraph (1) letter b

carried out in accordance with the provisions of statutory regulations.

(6) Implementation of job training by Training Institutions as follows

referred to in paragraph (1) must be in accordance with the job training system  
oriented to labor market needs, resource development  
people, and regional potential.

(7) Job Training is aimed at increasing the competency, productivity, welfare and  
competitiveness of the workforce carried out in a competency-based training system.

(8) Participants in job training, apprenticeship and mandatory competency certification  
get national social security protection in accordance with  
Constitution.

(9) Provisions regarding procedures for reporting LPK to the Mayor are regulated  
in the Mayor's Regulations.

## Article 6

- (1) Regional Apparatus can organize appropriate job training with his authority.
- (2) Job training as intended in paragraph (1) must be integrated through the application of one training data.
- (3) The Regional Government can form a forum as an incubator forum training consisting of stakeholders and/or *stakeholders* in the Region in order to overcome problems Employment in the Region.

## Article 7

- (1) Job training is carried out by considering needs and participant competency.
- (2) In supporting the competency of training participants, the Department prepares supporting equipment.
- (3) Regional Apparatus Organizations empower training participants who have completed training according to regional requirements.

## Article 8

- (1) Regional Governments can form Employment Collaboration Forums as a forum and/or employment forum.
- (2) Further provisions regarding the Employment Collaboration Forum further regulated in the Mayor's Regulation.

## Paragraph 2 Apprenticeship

## Article 9

- (1) Organizing apprenticeships can be carried out domestically and in overseas.
- (2) Domestic apprenticeship organizers can accept most participants 20% (twenty percent) of the number of workers in the Company.
- (3) To be able to organize an Apprenticeship, the Company must own:
  - a. Training unit;
  - b. Apprenticeship program;
  - c. Facilities and infrastructure; And

d. Apprenticeship or instructor guidance.

#### Article 10

The company providing the apprenticeship submits an application apprenticeship by attaching the apprenticeship program to the Department for organizing apprenticeships in the Region in writing.

#### Article 11

Domestic apprenticeship participants include:

- a. job seekers; And
- b. workers whose competence will be improved.

#### Article 12

- (1) The implementation of the Apprenticeship is carried out on the basis of an Agreement Apprenticeship.
- (2) The Apprenticeship Agreement as intended in paragraph (1) contains:
  - a. rights and obligations of Apprenticeship participants;
  - b. the rights and obligations of the Apprenticeship Organizer;
  - c. Apprenticeship program;
  - d. Apprenticeship period; And
  - e. pocket money amount.
- (3) Apprenticeships held without an Apprenticeship Agreement as intended in paragraph (1) is considered invalid and status Apprenticeship participants turn into Company workers organize apprenticeships.
- (4) The Apprenticeship Agreement as intended in paragraph (1) must be approved by the Department.

#### Article 13

In the event of a change in the status of an Apprentice participant to become a worker Company as intended in Article 12 paragraph (3), Organizer Apprenticeships must provide rights in accordance with regulatory provisions legislation, company regulations, or collective work agreements starting from becoming an Internship participant.

#### Article 14

Each stage in the Apprenticeship Implementation process is carried out without a fee is charged to Apprentice participants.

#### Article 15

Organizing apprenticeships for apprenticeship participants with disabilities Disability is carried out taking into account the special needs of participants Apprenticeship for Persons with Disabilities.

#### Paragraph 3

##### Competency Certification

#### Article 16

Apprenticeship Participants who have completed the entire Apprenticeship process can take a competency test to obtain a competency certificate Work.

#### Article 17

Apprenticeship Participants who have obtained an Apprenticeship certificate can:

- a. recruited directly as workers by the implementing Company Apprenticeship;
- b. work for a similar company; and/or
- c. carry out independent business or entrepreneurship.

#### Article 18

In the context of Apprenticeship, the Department can establish an information system mapping the skills and competencies of job seekers in the form of surveys and/ or online competency reporting portal .

#### Article 19

- (1) The company organizing the Apprenticeship is obliged to submit a report no later than 1 (one) month after the company finishes holding apprenticeship to the Department.
- (2) The Service carries out guidance on the Implementation of Apprenticeships in Area.

## Article 20

- (1) Every company that organizes apprenticeships and violates provisions as intended in Article 13 and Article 19 paragraph (1) subject to administrative sanctions in the form of:
  - a. verbal warning;
  - b. written warning;
  - c. freezing of business activities; And
  - d. cancellation of registration;
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to the Company.
- (3) Companies that do not carry out verbal warnings as intended in paragraph (2) will be subject to administrative sanctions in the form of written warnings.
- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Companies that do not carry out their obligations after termination the third written warning period as referred to in paragraph (4) subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as intended in paragraph (5) are imposed for a period of 1 (one) month.
- (7) Companies that do not carry out their obligations after their termination period of freezing of business activities as intended in paragraph (6) registration cancellation is imposed.

## Part Two

### Labor Productivity

#### Paragraph 1

##### Productivity Services

## Article 21

- (1) Productivity services are implemented in an integrated and harmonious manner between the Regional Government, the business world, the world of education and public.

(2) Productivity Services as intended in paragraph (1) consist of:

- a. Productivity promotion;
- b. increased Productivity; And
- c. Productivity maintenance;

(3) Productivity Promotion as intended in paragraph (2) letter a

carried out to build awareness and commitment between the Regional Government, the business world, the world of education and the community.

(4) Increased Productivity is carried out with relevant principles,

effective, efficient, measurable, environmentally friendly and sustainable.

## Paragraph 2

### Measurement of Labor Productivity

## Article 22

(1) The Mayor through the Department carries out measurements and maintenance Labor Productivity on a Regional Scale.

(2) Productivity measurement as intended in paragraph (1) consists of from:

- a. individual Productivity measurement;
- b. micro Productivity measurements; And
- c. macro productivity measurements.

(3) Productivity maintenance as intended in paragraph (1) consists of from:

- a. standardization of techniques and methods for increasing productivity; And
- b. preservation of the use of techniques and methods for increasing Productivity.

## Article 23

(1) The company measures and increases company productivity based on the company's ability to implement Employment policies in the Region.

(2) In an effort to increase and develop work productivity

There is a need for workforce training in the form of *skilling*, *upskilling* and *reskilling* to encourage workforce competency.

(3) The results of measuring and increasing company productivity are submitted

to the Department.

#### Article 24

Measurement of labor productivity as intended in Article 22 paragraph (2) is carried out with the principles of reliability, accuracy and accountable.

#### Article 25

- (1) In order to maintain the quality of maintenance of Labor Productivity as intended in Article 22 paragraph (3) needs to be done Productivity cultivation.
- (2) Cultivating Productivity as intended in paragraph (1) organized with the principles of discipline, consistency and sustainability.
- (3) Provisions regarding measurement, increasing productivity and Productivity maintenance is regulated in the Mayor's Regulation.

#### Article 26

- (1) In an effort to increase Labor Productivity, the Service may establish an Employment Technical Services Unit.
- (2) Establishment of an Employment Technical Services Unit as follows referred to in paragraph (1) to support performance by reference work achievement standards in accordance with statutory regulations.

### CHAPTER IV

## WORKFORCE PLACEMENT

### Part One

#### General

#### Article 27

Every worker has the same rights and opportunities without discrimination to obtain decent, good work and income at home and abroad according to expertise, skills, talents, interests and abilities.

#### Article 28

The Worker Placement Implementer consists of:

- a. government agencies in charge of employment affairs; And
- b. private employment placement agencies.

## Article 29

(1) The Worker Placement Executor has a Service function Workforce Placement.

(2) In carrying out the function of Labor Placement Services as intended in paragraph (1), Personnel Placement Executor Work has duties:

- a. GPA services;
- b. Position Counseling and Guidance services; And
- c. Job Intermediary services.

## Article 30

(1) IPK services as intended in Article 29 paragraph (2) letter a includes job seeker information, job vacancy information and Workforce Placement Information.

(2) The IPK services as intended in paragraph (1) contain:

- a. name, address, age and gender; And
- b. education and work competency.

(3) Job vacancy information as intended in paragraph (1) load:

- a. number of job vacancies;
- b. type of work;
- c. type of position and terms of office;
- d. workplace, working conditions, and working time;
- e. wages, social security, and other benefits;
- f. gender and age;
- g. education and/or Work Competency; and
- h. time period for fulfilling labor demand.

(4) Job vacancy information as referred to in paragraph (3) is open and can be known by every job seeker and is mandatory reported to the Department.

(5) The presentation and dissemination of the GPA must be carried out via *online media*, notice boards, electronic print media, and/or other media.

### Article 31

Counseling and position guidance services as referred to in Article 29 paragraph (2) letter b is provided to Job Seekers through services GPA and Interview.

### Article 32

- (1) Work intermediary services as intended in Article 29 paragraph (2) letter c includes:
  - a. services to job seekers;
  - b. services to employers;
  - c. search for job vacancies;
  - d. matching between Job Seekers and job vacancies;
  - e. placement of workers inside and outside the employment relationship;
  - f. follow-up Job placement; And
  - g. Periodic Labor Placement reporting.
- (2) Placement of Workers outside the employment relationship as intended in paragraph (1) letter e is implemented in accordance with the provisions of the regulations legislation.

### Article 33

- (1) Legal entity private institutions as intended in Article 28 letter b are implemented by LPTKS, Online Workforce Placement (*Job Portal*), LPPRT that has met business activity standards and/or products in the Implementation of sector risk-based business licensing Employment.
- (2) Implementing Worker Placement as intended in Article 29 paragraph (2) who carry out their activities in the Region are obliged to report to Service.
- (3) The Department carries out guidance, monitoring and evaluation of Implementing Workforce Placement.

### Article 34

- (1) Any party who violates the provisions as intended in Article 30 paragraph (4), Article 33 paragraph (2) and paragraph (6) are subject to administrative sanctions in the form of:
  - a. verbal warning;
  - b. written warning;

- c. freezing of business activities; And
- d. cancellation of registration;

- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials who have authority over any party who violates the provisions.
- (3) Any party who does not carry out the verbal warning as intended in paragraph (2) will be subject to administrative sanctions in the form of:  
written warning.
- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Any party that does not carry out its obligations after the end of the third written warning period as intended in paragraph (4) will be subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as follows referred to in paragraph (5) is imposed for a period of 1 (one) month.
- (7) Any party that does not carry out its obligations after their termination the period of freezing of business activities as referred to in paragraph (6) is subject to sanctions for cancellation of registration.

## Part Two

### Workforce Placement Service Mechanism

#### Article 35

Workforce Placement Services can be done offline or online  
Online which is integrated with the national Workforce Placement system.

#### Article 36

- (1) Job seekers who wish to work at home or abroad must register with the Department both offline and online and obtain job seeker registration proof card (AK/I).
- (2) In the event that you have not yet found a job, the Job Seeker must report it to the Department every 6 (six) months starting from the date registration.
- (3) In the event that a job has been obtained, the Job Seeker must report it to the Department no later than 1 (one) week from the date placement.

(4) Job seeker report as intended in paragraph (2) and paragraph (3) can be done offline or online.

(5) Card as proof of job seeker registration as referred to in paragraph (1) applies nationally for 2 (two) years and can be extended.

### Article 37

(1) Employers who require workers are obliged to submit information about job vacancies offline and online to the Department.

(2) The Department is the recipient of job vacancy information from the Employer as intended in paragraph (1) must be recorded in the labor request form (AK/III).

(3) Employers are obliged to report the placement of workers to the Department.

(4) Further provisions regarding reporting requirements and procedures information on workforce needs and workforce placement as intended in Article (1) is regulated in the Mayor's Regulation.

### Article 38

(1) Fulfillment of Job Vacancies as referred to in Article 36

paragraph (1) Employers must prioritize local workers who have the status of Regional residents with the following provisions:

- a. have certain skills, at least 30% (thirty percent) of the need for workers who have certain skills; And
- b. do not have certain skills, at least 70% (seventy percent) of the need for unskilled workers

certain; And

c. If the number of workers as referred to in letters a and b cannot be met, the workforce can use workers from other regions.

(2) Priority of local workers as intended in paragraph (1) adjusted to the ability to absorb labor in the region.

### Article 39

(1) The Department provides recommendations for recruiting internal workers requirements for setting up a modern shop.

(2) Further provisions regarding requirements and procedures for giving recommendations for requirements for establishing a modern shop as intended in paragraph (1) is regulated in the Mayor's Regulation.

#### Article 40

(1) Any party who violates as intended in Article 37 paragraph

(1), subject to administrative sanctions in the form of:

- a. verbal warning;
- b. written warning;
- c. freezing of business activities; and/or
- d. cancellation of registration;

(2) The imposition of administrative sanctions in the form of a verbal warning as intended in paragraph (1) letter a is delivered by the Head of Service or an authorized official to any party who violates the provisions.

(3) Any party who does not carry out the verbal warning as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.

(4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

(5) Any party that does not carry out its obligations after the end of the third written warning period as intended in paragraph

(4) subject to sanctions for freezing business activities.

(6) Administrative sanctions in the form of freezing business activities as follows referred to in paragraph (5) is imposed for a period of 1 (one) month.

(7) Companies that do not carry out their obligations after their termination the period of freezing of business activities as referred to in paragraph (6) is subject to sanctions for cancellation of registration.

### Part Three

#### Persons with Disabilities

#### Article 41

(1) Regional Governments are required to have a Disability Services Unit Employment.

(2) The Employment Disability Services Unit is organized in an effort implementation and fulfillment of the rights of persons with disabilities.

(3) Further provisions for the process of establishing a Disability Services Unit  
Employment is regulated in the Mayor's Regulation.

#### Article 42

(1) Every person with disabilities has equal opportunities and treatment  
In order to obtain a job, you must meet the requirements of the position and the qualifications of the position according to the type and degree disability.

(2) The degree of disability as intended in paragraph (1) is appropriate with the provisions of statutory regulations.

(3) Regionally owned business entities domiciled in the Region are required to employ at least 2% (two percent) of persons with disabilities from the number of employees or workers.

(4) Private companies domiciled in the Region are required to employ at least 1% (one percent) of the number of persons with disabilities employees and workers.

(5) Regionally owned business entities and domiciled private companies in the Region as intended in paragraph (3) and paragraph (4) is mandatory report the placement of workers with disabilities to Service.

#### Article 43

(1) Any party who violates the provisions as intended in Article 42 paragraphs (3) and paragraphs (4) are subject to administrative sanctions in the form of:  
a. verbal warning; And  
b. written warning.

(2) Imposing administrative sanctions in the form of a verbal warning as follows as referred to in paragraph (1) letter a is conveyed by the Head of Service or an authorized official to any party who violates the provisions.

(3) Any party who does not carry out the verbal warning as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.

(4) A written warning as intended in Paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

## Part Four

### Expansion of Job Opportunities

#### Article 44

- (1) Expansion of Job Opportunities is directed at creating and develop productive and sustainable employment opportunities by utilizing the potential of natural resources and resources humans, community institutions and appropriate technology.
- (2) Expansion of Job Opportunities can be implemented based on potential region, and adapted to the characteristics of regional communities.
- (3) The policy of expanding employment opportunities is carried out in the form of a program entrepreneurship.
- (4) The entrepreneurship program as intended in paragraph (3) is carried out with a pattern of forming and developing an independent workforce, system labor intensive, appropriate technology, utilization of volunteer labor, and/or other patterns that can encourage expansion employment Opportunity.

#### Article 45

- (1) Expansion of Job Opportunities can be carried out by Organizing Transmigration Program.
- (2) The Transmigration Program is carried out by the Government Area.
- (3) Implementation of the Transmigration Program as intended in paragraph (1) is to implement a Joint Agreement between the Regions Origin and Destination Areas and following up with the Cooperation Agreement between the Regional Service of Origin and the Regional Service of Destination.
- (4) In transmigration placement, the Service prepares prospective transmigrants with requirements in accordance with statutory provisions.
- (5) Regional Governments can provide capital assistance in the form of pocket money for prospective transmigrants according to regional capabilities.
- (6) Transmigration is carried out in accordance with the provisions legislation.

Part Five  
Special Job Fair

Article 46

- (1) Implementation of Worker Placement can be carried out by BKK.
- (2) BKK as intended in paragraph (1) is formed in secondary education units, higher education units and training institutions Work.
- (3) Placement of Workers by BKK as intended in paragraph (1) intended for alumni from secondary education units, units higher education and job training institutions concerned.
- (4) BKK as intended in (1) is prohibited from placing:
  - a. workers outside of alumni; and/or
  - b. workers abroad.
- (5) The Department carries out guidance, monitoring and evaluation of the BKK.

Article 47

- (1) Employers who require workers through BKK are obliged to submit an application to the Department for approval.
- (2) The approval as intended in paragraph (1) is submitted to the Regional Service of the BKK domicile by attaching a draft work agreement which has been ratified by the Office for the Purpose of Placement of Workers.
- (3) Procedures for granting approval as intended in paragraph (2) regulated in the Mayor's Regulation.

Article 48

- (1) Any company that violates the provisions as intended in Article 47 paragraph (1) administrative sanctions are imposed in the form of:
  - a. verbal warning;
  - b. written warning;
  - c. freezing of business activities; And
  - d. cancellation of registration.
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to the Company.

(3) Companies that do not carry out verbal warnings as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.

(4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

(5) Companies that do not carry out their obligations after termination the third written warning period as referred to in paragraph (4) subject to sanctions for freezing business activities.

(6) Administrative sanctions in the form of freezing business activities as follows referred to in paragraph (5) is imposed for a period of 1 (one) month.

(7) Companies that do not carry out their obligations after the end of the period for freezing business activities as referred to in paragraph (6) is subject to sanctions for cancellation of registration.

## Part Six

### Job Opportunity Exhibition (*Job Fair*)

#### Article 49

Job Opportunity Exhibition (*job fair*) is organized by:

- a. Service;
- b. Worker Placement Implementer;
- c. BKK; and/or
- d. Legal Entity Institution.

#### Article 50

(1) Job Opportunity Exhibition (*job fair*) organized by the Executor The placement of workers, BKK and legal entity institutions as intended in Article 49 letters b, c and d must obtain approval from the Department.

(2) Worker Placement Executor, BKK and legal entity institutions as intended in paragraph (1) must submit a letter application, by attaching:

- a. permits, or deed of establishment of a legal entity;
- b. planned number of participating companies;
- c. vacancy estimates and targeted placements; And

d. statement letter from the person in charge of exhibition activities

Job Opportunities and willingness to stop implementing activities

Job Opportunity Exhibition (*Job Fair*) if there is a violation intended.

(3) Organizing a Job Opportunity Exhibition (*Job Fair*) as follows

as intended in Article 49 it is prohibited to charge fees in any form to job seekers.

## Article 51

(1) Any party who violates the provisions as intended in

Article 50 paragraph (3) is subject to administrative sanctions in the form of:

- a. verbal warning;
- b. written warning;
- c. freezing of activities; And
- d. temporary suspension of part or all activities.

(2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials who have authority over any party who violates the provisions.

(3) Any party who does not carry out the verbal warning as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of a written warning.

(4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

(5) Any party that does not carry out its obligations after the end the third written warning period as referred to in paragraph (4) subject to suspension of activities.

(6) Administrative sanctions in the form of freezing of activities as intended in paragraph (5) is imposed for a period of 1 (one) month.

(7) Any party that does not carry out its obligations after their termination the period of freezing of activities as intended in paragraph (6) subject to sanctions of temporary suspension of part or all activities.

Part Seven  
Indonesian Migrant Workers

Article 52

- (1) Regions provide protection against CPMI or PMI.
- (2) Forms of protection against CPMI or PMI as follows  
referred to in paragraph (1) includes:
  - a. protection before work;
  - b. protection when working in coordination with the Government Province; and/or
  - c. protection after work.
- (3) Protection of CPMI before work as intended in paragraph (2) letter a by providing competency training in accordance with competency requirements in the destination country.
- (4) Protection of PMI after work or retirement as required  
referred to in paragraph (2) letter c by providing PMI empowerment Purna and his family.

CHAPTER V

USE OF FOREIGN WORKFORCE

Article 53

Every TKA Employer who employs TKA is required to have an RPTKA approved by the Central Government.

Article 54

- (1) TKA Employers include:
  - a. government agencies, representatives of foreign countries, and bodies international;
  - b. foreign trade representative offices, foreign company representative offices, and foreign news agencies conducting activities in Indonesia;
  - c. foreign private companies doing business in Indonesia;
  - d. legal entity in the form of a limited liability company or foundation established under Indonesian law or a foreign business entity registered with the authorized agency;
  - e. social, religious, educational and cultural institutions; f. impresario service business; And

g. business entities to the extent permitted by law  
using TKA.

(2) Limited liability company as intended in paragraph (1) letter d  
excluded for limited liability companies in the form of legal entities  
individual.

### Article 55

Every foreign worker employed by a foreign worker employer must:

- a. have education in accordance with the qualifications for the position being held  
occupied; occupied;
- b. have competence or work experience of at least 5 (five) years  
in accordance with the qualifications of the position to be held; And
- c. transfer their expertise to TKA Assistance Workers.

### Article 56

(1) TKA Employers can employ TKA who are currently employed  
by another TKA Employer for the same position as:

- a. directors or commissioners;
- b. TKA in the vocational education and vocational training sector;
- c. foreign workers in the digital economy sector; or
- d. TKA in the oil and gas sector for cooperation contract contractors.

(2) In the event that the TKA Employer will employ TKA as follows  
referred to in paragraph (1), each TKA Employer is required to have  
Ratification of RPTKA.

(3) Every TKA Employer as intended in paragraph (2)  
submit an application for RPTKA Ratification online to  
Director General or Director after the TKA gets it  
approval from the first TKA Employer.

(4) The period for using TKA for the RPTKA Approval application as intended in  
paragraph (3) is no later than  
expiry of the period as stated in the Endorsement  
RPTKA First TKA Employer.

### Article 57

(1) The TKA Employer submits a request for RPTKA Ratification  
online via TKA *Online* to:

- a. Director General for the number of foreign workers of 50 (fifty) people or more;  
or
- b. Director for the number of TKA less than 50 (fifty) people.

(2) Required documents for RPTKA Approval application for deeds and decision to ratify the establishment and/or change of the agency authorized to be exempted for TKA Employers:

- a. foreign trade representative offices, foreign company representative offices, and foreign news agencies conducting activities in Indonesia; And
- b. foreign private companies doing business in Indonesia.

#### Article 58

- (1) The TKA Employer submits a request for an extension of authorization RPTKA online via TKA *Online* in accordance with the provisions legislation.
- (2) Application for extension of RPTKA Ratification as intended in paragraph (1) is submitted no later than 30 (thirty) working days before the RPTKA Ratification period ends.
- (3) Application for extension of RPTKA Ratification as intended in paragraph (1) is carried out through the following stages:
  - a. filling in application data and uploading required documents extension of RPTKA Approval and TKA data.
  - b. assessment of the feasibility of the RPTKA Approval extension application;
  - c. issuance of DKPTKA payment notification letter; And
  - d. issuance of Ratification of the RPTKA extension.

#### Article 59

- (1) Employers of TKA may submit requests for changes Ratification of the RPTKA before the end of the Ratification period RPTKA.
- (2) Changes to RPTKA Ratification as intended in paragraph (1) includes changes:
  - a. TKA Employer's address;
  - b. TKA identity;
  - c. TKA work location; and/or
  - d. name of the TKA accompanying worker employed.
- (3) Changes in TKA work locations as intended in paragraph (2) letter c are given if they do not change the DKPTKA payments that have been made.

carried out by the TKA Employer, namely payment of DKPTKA as PNBP or DKPTKA payments as regional income according to location foreign worker work.

#### Article 60

- (1) TKA Employers who employ TKA are obliged to pay DKPTKA per position per person per month as regional income in the form of regional levies.
- (2) The obligation to pay DKPTKA does not apply to:
  - a. government agencies;
  - b. representatives of foreign countries;
  - c. international bodies;
  - d. social institutions;
  - e. religious institutions; And
  - f. certain positions in educational institutions.
- (3) TKA Employers who employ TKA for less than 1 (one) month must pay DKPTKA for 1 (one) full month.
- (4) DKPTKA payments as referred to in paragraph (1) as Regional income is charged for Ratification of the extended RPTKA for foreign workers who work at locations in 1 (one) region.
- (5) Employers who do not pay the DKPTKA extension in accordance with paragraph (1) be subject to sanctions in accordance with statutory provisions.

#### Article 61

- (1) DKPTKA payments are made in accordance with the Ratification period RPTKA and paid in advance.
- (2) DKPTKA payments as intended in paragraph (1) are:
  - a. PNBP is paid directly to the state treasury through perception banks; or
  - b. Regional revenues are paid through banks appointed by Local government.
- (3) DKPTKA payments as intended in paragraph (2) are paid TKA Employer based on payment notification letter DKPTKA as PNBP or DKPTKA payment notification letter as regional income issued by the Director through TKA *On line*.
- (4) Letter of notification of DKPTKA payment as regional income as intended in paragraph (3) contains at least:

- a. identity of the TKA Employer;
- b. TKA identity;
- c. bank name;
- d. account number;
- e. in the name of the account; And
- f. the amount of DKPTKA paid.

(5) DKPTKA payments as regional income as intended

in paragraph (3) validation of DKPTKA payments is carried out by the official appointed by the regional government in accordance with its authority.

(6) DKPTKA payment notification letter as referred to in

paragraph (5) is prepared in accordance with statutory regulations.

## Article 62

Guidance on the use of TKA in the Region is carried out by the Department in accordance with his authority.

## CHAPTER VI

### WORK RELATIONSHIP

#### Part One

##### General

## Article 63

(1) A work agreement is made for a certain time or an indefinite time.

(2) Work agreement for a certain time as referred to in paragraph

(1) is based on:

- a. time period; And
- b. completion of a particular job.

#### Part Two

##### Specific Time Employment Agreement

## Article 64

(1) PKWT is made in at least 2 (two) copies, which are valid the same laws, workers/laborers and entrepreneurs respectively get 1 (one) work agreement.

- (2) The agreement as intended in paragraph (1) must be registered at the Service no later than 7 (seven) working days after the agreement is signed by businessman.
- (3) PKWT workers are entitled to normative rights according to regulations legislation.

#### Article 65

Every employer is prohibited from retaining an employee's original personal documents Work.

#### Article 66

- (1) Every Employer who violates the provisions as intended in Article 64 paragraph (2) and Article 65 will be subject to administrative sanctions in the form of:
  - a. verbal warning;
  - b. written warning; And
  - c. freezing of business activities.
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to the Employer.
- (3) Employers who do not carry out verbal warnings as intended in paragraph (2) will be subject to administrative sanctions in the form of written warnings.
- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Employers who do not carry out their obligations after the end of the third written warning period as follows referred to in paragraph (4) is subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as intended in paragraph (5) are imposed for a period of 1 (one) month.

### Part Three

#### Daily Work Agreement

#### Article 67

- (1) A freelance daily work agreement can only be implemented for certain other work of the type and nature or activity

not fixed, changing in terms of time and volume of work as well  
payment of wages for workers/laborers based on attendance.

- (2) The Daily Freelance Work Agreement is made in writing.
- (3) In the event that workers/laborers work more than 21 (twenty one) days or  
for more than 3 (three) consecutive months or more then the employment agreement  
freelance daily as referred to in paragraph (2) becomes invalid and the employment  
relationship between employers and workers/laborers is for the sake of  
The law changes based on the PKWTT.

#### CHAPTER VII

##### POWER TRANSFER

###### Article 68

- (1) Work Relationship between Outsourcing Companies and Workers/Labourers  
employed, based on PKWT or PKWTT.
- (2) PKWT or PKWTT as intended in paragraph (1) must be made  
in writing and does not change the status of the employment relationship.
- (3) Protection of workers/laborers, wages, welfare, work conditions, etc  
Disputes that arise are carried out in accordance with the provisions  
statutory regulations and responsibility  
Outsourcing Company.
- (4) Protection of workers/laborers, wages, welfare, work conditions, etc  
disputes arising as intended in paragraph (3) are regulated  
in the Employment Agreement, Company Regulations, or Employment Agreement  
Together.

###### Article 69

- (1) In the event that the Outsourcing Company employs Workers/Labourers based on PKWT,  
the Work Agreement must require the transfer of rights protection for Workers/Labourers  
in the event of  
change of Outsourcing Company and throughout the object of the work  
still there.
- (2) Requirements for the transfer of rights protection as referred to in  
paragraph (1) is a guarantee for continuity of work for  
Workers/Labourers whose employment relationship is based on PKWT in  
Outsourcing Companies.

(3) In the event that the Worker/Labourer does not receive a guarantee of continuity work as intended in paragraph (2), Outsourcing Company responsible for fulfilling the rights of workers/laborers.

#### Article 70

- (1) The outsourcing company must be a legal entity and must comply with business permits issued by the Central Government.
- (2) Terms and procedures for obtaining business permits are implemented in accordance with the provisions of the relevant laws and regulations norms, standards, procedures and business licensing criteria determined by the Central Government.
- (3) Outsourcing Companies that carry out activities in the Region report to the Department.
- (4) The Department carries out monitoring, evaluation and guidance on Outsourcing companies operating in the Region.

#### Article 71

- (1) Any company that violates the provisions as intended in Article 70 paragraph (1) administrative sanctions are imposed in the form of:
  - a. verbal warning;
  - b. written warning;
  - c. freezing of business activities; And
  - d. cancellation of registration.
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to the Company.
- (3) Companies that do not carry out verbal warnings as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of a written warning.
- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Companies that do not carry out their obligations after termination the third written warning period as referred to in paragraph (4) subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as intended in paragraph (5) are imposed for a period of 1 (one) month.

(7) Companies that do not carry out their obligations after their termination the period of freezing of business activities as referred to in paragraph (6) is subject to sanctions for cancellation of registration.

## CHAPTER VIII

### PROTECTION, WAGES AND WELFARE

#### Part One

##### Protection

###### Paragraph 1

###### Child Protection

###### Article 72

(1) Entrepreneurs are prohibited from employing children

(2) The provisions as intended in paragraph (1) can be excluded for children aged between 13 (thirteen) years to 15 (five).

twelve) years to do light work as long as no interfere with physical, mental and social development and health.

(3) Entrepreneurs who employ children in light work as intended in paragraph (1) must fulfill the following requirements:

- a. written permission from parents or guardians;
- b. work agreement between the entrepreneur and parents or guardians;
- c. maximum working time 3 (three) hours a day;
- d. carried out during the day and does not interfere with school time;
- e. occupational Health and Safety;
- f. the existence of a clear working relationship; And
- g. receive wages in accordance with applicable regulations.

(4) The provisions as intended in paragraph (2) letters a, b, f and g are excluded for children who work in businesses his family.

(5) The work agreement as intended in paragraph (2) letter b is made 3 (three) copies, which have the same legal force, workers children, entrepreneurs, and the Department each get 1 (one) employment agreement.

### Article 73

- (1) Children can do work to develop their talents and abilities his interest.
- (2) Entrepreneurs who employ children as referred to in paragraph (1) must fulfill the following requirements:
  - a. under the direct supervision of a parent or guardian;
  - b. maximum working time of 3 (three) hours a day; And
  - c. working conditions and environment do not interfere with physical development, mental, social, and school time.
- (3) Further provisions regarding children who work for develop talents and interests as intended in paragraph (1) and paragraph (2) is in accordance with the provisions of statutory regulations.

### Article 74

In the event that children are employed together with adult workers/laborers, then the child's workplace must be separated from the worker/laborer's workplace adults and children's rights are fulfilled.

### Article 75

- (1) Every person/company is prohibited from employing and involving children in the worst jobs.
- (2) The worst work as intended in paragraph (1) consists of from:
  - a. any work in the form of slavery or the like;
  - b. any work that utilizes, provides, or offering children for prostitution, production of pornography, pornographic performances, or gambling;
  - c. any work that utilizes, provides, or involves children for the production and trade of alcoholic beverages, narcotics, psychotropic substances, and other addictive substances; and/or
  - d. all work that endangers health, safety, child morals.
- (3) Types of work that endanger health, safety, The child's morals as referred to in paragraph (2) letter d are determined in accordance with the provisions of statutory regulations.

Paragraph 2

Woman

Article 76

(1) Entrepreneurs are prohibited from employing pregnant female workers/laborers which according to the doctor's statement is dangerous for the health and safety of her womb and herself if she works between 23.00 WIB until 07.00 WIB.

(2) Further provisions regarding female Workers/Labourers are appropriate with the provisions of statutory regulations.

Paragraph 3

Working time

Article 77

(1) Every Entrepreneur is obliged to implement working time provisions.

(2) Provisions for working time for Workers/Labourers in the Company are regulated in Work Agreement, Company Regulations or Collective Work Agreement.

(3) The working time provisions as intended in paragraph (1) are implemented based on statutory regulations.

Article 78

(1) Every entrepreneur who violates the provisions as intended in Article 73 paragraph (2), Article 76 paragraph (1), Article 77 paragraph (1) are subject to sanctions administrative form:

- a. verbal warning;
- b. written warning;
- c. freezing of business activities; And
- d. cancellation of registration.

(2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to Entrepreneurs.

(3) Entrepreneurs who do not carry out verbal warnings as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.

- (4) A written warning as intended in Paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Entrepreneurs who do not carry out their obligations after their termination the third written warning period as referred to in paragraph (4) subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as follows referred to in paragraph (5) is imposed for a period of 1 (one) month.
- (7) Entrepreneurs who do not carry out their obligations after their termination the period of freezing of business activities as referred to in paragraph (6) is subject to sanctions for cancellation of registration.

Part Two  
Remuneration

Article 79

- (1) The Regional Government carries out guided wage obligations on Central Government policy.
- (2) Wage policy is in accordance with the provisions of statutory regulations invitation.
- (3) Determination of Wages is determined based on:
  - a. time unit; and/or
  - b. unit of output.

Article 80

- (1) Determination of the amount of wages based on the unit of time worked guided by the structure and wage scale.
- (2) The wage structure and scale must be prepared by the Employer taking into account class, position, length of service, education and competency.
- (3) Wages stated in the wage structure and scale are wages principal.
- (4) The Basic Wage as intended in paragraph (1) is a reward basis paid to workers according to level or type work whose amount is determined based on agreement.

- (5) Determination of the structure and Wage Scale as intended in paragraph (3) carried out by entrepreneurs based on the company's capabilities and must pay attention to the applicable minimum wage.
- (6) The Wage structure and scale are used as guidelines for Entrepreneurs determine wages for workers/laborers who have worked for 1 (one) year or more.
- (7) The Department carries out monitoring, evaluation, coaching and mentoring as well as facilitating the preparation and implementation of wage structures and scales to companies in the region.

#### Article 81

- (1) The Mayor has the authority to form a Wages Council Area.
- (2) Further provisions regarding the establishment of a Wage Council Areas are regulated in Mayor Regulations.

#### Article 82

- (1) The Regional Wage Council prepares a minimum percentage formula increase in the amount of wages based on the City Minimum Wage in the system company wages for workers who have worked for more than 1 (one) year.
- (2) The Regional Wage Council carries out monitoring and evaluation implementation of the City Minimum Wage.
- (3) Apart from monitoring and evaluating implementation as intended in paragraph (2) The Regional Wage Council carries out monitoring and evaluation implementation of the company's Wage Scale Structure for workers who have work period of more than 1 (one) year.

Part Three

Welfare

Paragraph 1

Holiday allowance

Article 83

- (1) Employers are obliged to provide religious THR to workers/laborers who have had a continuous work period of 1 (one) month or more.
- (2) Religious THR as intended in paragraph (1) is given to workers/laborers who have an employment relationship with the entrepreneur based on PKWTT or PKWT.
- (3) In the event that the same religious holiday occurs more than 1 (one) time within 1 (one) year, Religious THR is given in accordance with implementation of Religious Holidays.
- (4) Workers/laborers who have worked continuously for 1 (one) month continuously but less than 12 (twelve) months given THR regularly proportional to the length of service, with the calculation (years of service)/12 x 1 (one) month's wages.
- (5) Workers who have worked for 12 (twelve) months or more continuously receive a THR of at least 1 (one) month's wages.
- (6) One month's wages as intended in paragraph (4) and paragraph (5) are basic salary plus fixed allowances.
- (7) The time for THR payment is given no later than 7 (seven) calendar days before religious holidays and paid in full except in certain circumstances.

Paragraph 2

Welfare Facilities

Article 84

- (1) Every company organizes or provides facilities worker/labor welfare, including:
  - a. lactation room;
  - b. work uniform facilities according to the field of work;

- c. occupational safety and health facilities;
- d. adequate and representative worship facilities
  - by the number of workers/laborers;
- e. adequate and representative sports venues;
- f. canteen;
- g. health facilities and polyclinics;
- h. recreational facilities at least 1 (one) time every year;
- i. rest facilities;
- j. facilitating the formation of cooperatives; And
- k. adequate and representative parking space in the company area.

(2) Implementation of worker/labor welfare facilities as follows

as intended in paragraph (1) is implemented by taking into account the needs of workers/laborers and in accordance with the company's capabilities.

### Article 85

- (1) Workers/laborers have the right to carry out worship and his belief.
- (2) Entrepreneurs are obliged to provide sufficient opportunities to workers/laborers to carry out their worship and beliefs.
- (3) Sufficient opportunities as intended in paragraph (1) are realized by providing time, place and infrastructure to carry out their worship and beliefs.

### Article 86

- (1) Every entrepreneur who violates the provisions as intended in Article 83 paragraph (1) and Article 85 paragraph (2) are subject to administrative sanctions in the form of:
  - a. verbal warning; And
  - b. written warning;
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials authorized to Entrepreneurs.
- (3) Entrepreneurs who do not carry out verbal warnings as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of written warning.

(4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

Paragraph 3  
Job Loss Guarantee

Article 87

(1) Employers are obliged to include Workers/Labourers as Participants in Job Loss Insurance program.

(2) Terms, membership and registration procedures are in accordance with provisions of statutory regulations.

Article 88

(1) Every entrepreneur who violates the provisions as intended in Article 87 paragraph (1) administrative sanctions are imposed in the form of:

- written warning; And
- do not receive certain public services.

(2) Imposition of administrative sanctions in the form of a written warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or authorized Official to the Entrepreneur.

(3) A written warning as intended in paragraph (2) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.

(4) Entrepreneurs who do not carry out their obligations after their termination the period of the third written warning as intended in paragraph (3) subject to administrative sanctions in the form of not receiving services certain public.

CHAPTER IX  
SOCIAL SECURITY

Article 89

(1) Every employer other than a state administrator, including the Agency Regionally-Owned Enterprises and those implementing construction services are required to register themselves and/or their workers in the social security program at BPJS Employment and BPJS Health.

(2) Every non-wage worker is obliged to register himself in Social Security program to BPJS Employment Branch Offices and BPJS Health or BPJS Employment Services Office and BPJS Health in the Region according to membership as regulated in statutory regulations.

(3) In the event that the employer as in paragraph (1) has not registered and pay contributions so that if there is a risk to the worker, Employers are obliged to provide workers with rights in accordance with provisions in statutory regulations.

#### Article 90

(1) The Department ensures the participation of companies in the Region as participants National Social Security Program.

(2) In implementing the provisions as intended in paragraph (1) The Department can collaborate with related agencies.

#### Article 91

Any employer who violates the provisions in Article 89 paragraph (1), paragraph (2) and paragraph (3) are subject to administrative sanctions in accordance with regulatory provisions legislation.

### CHAPTER X

## INDUSTRIAL RELATIONS

### Part One

#### General

#### Article 92

(1) Employers, workers, and/or trade/labor unions implement a partnership pattern in industrial relations in company.

(2) In carrying out industrial relations between entrepreneurs/organizations entrepreneurs and workers/laborers and/or trade/labor unions mutual respect for each other's rights and obligations to create harmonious and dynamic work climate.

### Article 93

Industrial Relations is implemented through the following facilities:

- a. trade unions/labor unions;
- b. employers' organizations;
- c. bipartite cooperation institutions;
- d. tripartite cooperation institutions;
- e. company regulations;
- f. collective labor agreement;
- g. labor laws and regulations; And
- h. industrial relations dispute resolution institution.

### Part Two

#### Industrial Relations Facilities

##### Paragraph 1

###### Trade Unions/Labour Unions

### Article 94

Employers provide opportunities for workers/labor unions to carry out activities related to improvement efforts welfare of workers/laborers.

### Article 95

The Regional Government provides activity program facilities to the Union Workers/Labourers in accordance with statutory provisions.

##### Paragraph 2

###### Employers' Organization

### Article 96

- (1) Every Entrepreneur has the right to form and become a member of an organization businessman.
- (2) Provisions regarding Entrepreneur organizations are implemented in accordance with provisions of statutory regulations.

### Article 97

The Department encourages employment institutions between Entrepreneurs and Worker Organizations that are expected to be able to accommodate independence, and the productivity of workers' and employers' organizational institutions.

#### Paragraph 3

##### Bipartite Cooperation Institute

### Article 98

- (1) Every company that employs 50 (fifty) workers/ workers or more are obliged to form a Bipartite Cooperation Institution.
- (2) Every company that employs less than 50 (fifty) workers/laborers can form Bipartite Cooperation Institutions.
- (3) Bipartite Cooperation Institution as intended in paragraph (1) functions as a forum for communication and consultation regarding matters employment in the company.
- (4) Composition of membership of bipartite cooperation institutions as follows referred to in paragraph (2) consists of an Entrepreneur element and a Worker/ Workers appointed by Workers/Labourers democratically to represent the interests of workers/laborers in the company concerned.
- (5) Provisions regarding the membership composition of the Bipartite Cooperation Institution as intended in paragraph (1) are in accordance with the provisions legislation.

### Article 99

- (1) Any party who violates the provisions as intended in this article Article 98 paragraph (1), subject to administrative sanctions in the form of:
  - a. verbal warning;
  - b. written warning; And
  - c. freezing of business activities and/or cancellation of registration.
- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Officials who have authority over any party who violates the provisions.
- (3) Any party who does not carry out the verbal warning as stated referred to in paragraph (2) will be subject to administrative sanctions in the form of a written warning.

- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Any party that does not carry out its obligations after the end the third written warning period as referred to in paragraph (4) subject to sanctions of freezing business activities and/or cancellation of registration.
- (6) Administrative sanctions in the form of freezing of business activities and/or cancellation of registration as intended in paragraph (5) is imposed for a period of 1 (one) month.

#### Article 100

Bipartite Cooperation Institutions that have been formed must be notified for recording to the Department no later than 14 (fourteen) working days after formation.

#### Paragraph 4

Tripartite Cooperation Institute

#### Article 101

- (1) Regional Governments can form and optimize Institutions Tripartite cooperation.
- (2) All operational activities and institutional activities as follows referred to in paragraph (1) is financed by the Revenue and Expenditure Budget Area.
- (3) The tripartite LKS provides considerations, suggestions and opinions to government and related parties in formulating policies and solving employment problems.

#### Paragraph 5

Company regulations

#### Article 102

- (1) Entrepreneurs who employ at least 10 workers/laborers (ten) people are required to make Company Regulations.

(2) Obligation to make company regulations as intended  
in paragraph (1) does not apply to companies that already have  
collective labor agreement.

(3) Company regulations at least contain:

- a. rights and obligations of entrepreneurs;
- b. rights and obligations of workers/laborers;
- c. work conditions;
- d. company regulations;
- e. the period of application of the Company Regulations;
- f. retirement age;
- g. implementation of working hours;
- h. severance payment;
- i. the period of validity of the warning letter; And
- j. urgent violations.

(4) Company regulations come into force after being ratified by the Department.

(5) Company regulations are valid for 2 (two) years from the time they are ratified by  
Service.

### Article 103

Any party who violates the provisions of Article 102 paragraph (1) will be subject to sanctions  
in accordance with statutory regulations.

### Article 104

Further provisions recognize the procedures for making, ratifying,  
company regulations, and registration in accordance with regulatory provisions  
legislation.

### Paragraph 6

#### Collective labor agreement

### Article 105

(1) Collective Labor Agreements are negotiated by trade unions  
workers or several registered workers/labour unions  
to regional apparatus in charge of Manpower.

(2) Collective Labor Agreement negotiations must be based on good faith and  
free will of both parties.

- (3) Negotiation of the Collective Work Agreement as referred to in paragraph (2) is carried out by deliberation to reach consensus.
- (4) The duration of the Collective Labor Agreement negotiations as follows referred to in paragraph (1) is determined based on the agreement of the parties and stated in the negotiation rules.

#### Article 106

- (1) In one company only 1 (one) Employment Agreement can be made Together which applies to all workers/laborers in the company concerned both PKWT and PKWTT.
- (2) The main Collective Work Agreement contains generally applicable provisions adapted to company conditions.
- (3) In the event that the company is in the form of a branch/work unit/representative, the company reports the applicable parent Collective Labor Agreement to the Department.
- (4) In the event that the company is in the form of a branch/work unit/representative, the company has made a derivative Collective Bargaining Agreement registered with the Department.

#### Article 107

- (1) In the event that several companies are incorporated into 1 (one) group and each company is its own legal entity, then a Collective Labor Agreement is made and negotiated by each employer and their respective workers/labor unions company.
- (2) In the event that 1 (one) company has 1 (one) worker/union workers, then a Collective Labor Agreement is made and negotiated by the company and the workers/labor unions.
- (3) In the event that several companies as intended in paragraph (1) have 1 (one) worker/labor union, then the Work Agreement Jointly created and negotiated by several companies with 1 (one) worker/labor union.
- (4) In the case of several companies as intended in paragraph (1) there are more than 1 (one) worker/labor union, then Collective Bargaining Agreements are created and negotiated by several companies with several workers/labor unions.

(5) Collective Work Agreement as referred to in paragraphs (1) to with paragraph (4) is reported to the Department.

### Article 108

The Collective Labor Agreement must at least contain:

- a. name, place of domicile and address of the trade union/labour union;
- b. name, domicile and address of the company;
- c. number and date of registration of the trade union/labour union on Service;
- d. rights and obligations of entrepreneurs;
- e. rights and obligations of trade unions and workers/laborers;
- f. the period and date of entry into force of the Collective Labor Agreement;

And

- g. signature of the parties making the Collective Labor Agreement.

### Article 109

(1) The Collective Work Agreement is signed by the board of directors or management company, chairman and secretary of the trade union/labour union in company.

(2) In the case of a Collective Work Agreement as intended in paragraph (1) signed by the deputy director or deputy head of the company, must attach a special power of attorney.

### Article 110

(1) The validity period of the Collective Labor Agreement is 2 (two) years starting since the signing of the Collective Labor Agreement.

(2) In the event that negotiations on the Collective Labor Agreement have not yet been reached agreement, then within 30 (thirty) days the validity period of the Collective Labor Agreement ends, it can be extended 1 (one) time for a maximum of 1 (one) year with the agreement of the parties.

(3) In the event that the Collective Labor Agreement negotiations do not reach agreement and validity period for the extension of the Collective Labor Agreement has expired, then the applicable Collective Labor Agreement is Previous Collective Labor Agreement, up to the Collective Labor Agreement newly agreed upon.

### Article 111

- (1) Entrepreneurs, workers/labor unions, and workers/laborers must implement the provisions contained in the Collective Labor Agreement.
- (2) Employers and workers/labor unions are obliged to notify the contents Collective Labor Agreement or its amendments to all workers/laborers.

### Paragraph 7

#### Settlement of Industrial Relations Disputes

### Article 112

- (1) Settlement of Industrial Relations Disputes must be carried out by employers and workers/laborers or trade/labor unions through deliberation to reach consensus and/or resolved bipartitely.
- (2) Every industrial relations dispute resolution as follows referred to in paragraph (1), a minute must be prepared which is signed by the parties.
- (3) In terms of deliberation to reach consensus in a bipartite manner as intended in paragraph (1) an agreement cannot be reached, then one party or both parties register a dispute to the Department by attaching the minutes of Bipartite negotiations.
- (4) Provisions regarding methods and procedures for resolving disputes industrial relations, carried out in accordance with regulatory provisions legislation.

### Part Three

#### Prevention of Industrial Relations Disputes

### Article 113

- (1) Regions organize early detection teams and prepare early detection designs and prevention of Industrial Relations disputes on the basis fulfillment of indicators for conditions of harmonious Industrial Relations and fair.
- (2) Regions build information systems that can collect data Industrial Relations in the Region with indicators of completeness of facilities Industrial Relations.

#### Article 114

(1) The early detection team as intended in Article 113 paragraph (1) consists of from elements:

- a. Local government;
- b. TNI;
- c. POLRI;
- d. Academics;
- e. Labor Inspector; and/or
- f. representatives of employers' organizations and representatives of union organizations workers/labor unions.

(2) The results of the work of the early detection team as intended in paragraph (1) written down in the form of minutes and reported to the Mayor.

(3) Establishment of an early detection team as intended in paragraph (1) determined by Mayor's Decree.

#### Article 115

(1) The Department prepares a labor literacy program agenda as an effort preventing industrial relations disputes at the regional level.

(2) Formulation of an Industrial Relations literacy program agenda for community to provide an understanding of the implementation of employment relations and the implementation of the rights and obligations of the parties (employers and workers).

#### Article 116

(1) Companies in the Region that have at least 10 employees (ten) people, are obliged to prepare and implement work conditions.

(2) The work conditions as intended in paragraph (1) are submitted to Service.

(3) The Department forms an accompanying group for preparation and implementation working conditions at the Company.

(4) The accompanying group as intended in paragraph (3) is for evaluating and coaching work conditions in the company.

#### Article 117

(1) Any company that violates the provisions as intended in Article 116 paragraph (1) administrative sanctions are imposed in the form of:

- a. verbal warning;
- b. written warning;

- c. freezing of business activities; And
- d. cancellation of registration.

- (2) Imposing administrative sanctions in the form of a verbal warning as follows referred to in paragraph (1) letter a is submitted by the Head of Service or Authorized officials or Officials authorized to the Company.
- (3) Companies that do not carry out verbal warnings as intended in paragraph (2) will be subject to administrative sanctions in the form of written warning.
- (4) A written warning as intended in paragraph (3) may be imposed a maximum of 3 (three) times in a row each for a period of 3 x 24 (three times twenty four) hours.
- (5) Companies that do not carry out their obligations after the end of the third written warning period as intended in paragraph (4) will be subject to sanctions for freezing business activities.
- (6) Administrative sanctions in the form of freezing business activities as follows referred to in paragraph (5) is imposed for a period of 1 (one) month.
- (7) Companies that do not carry out their obligations after their termination period of freezing of business activities as intended in paragraph (6) registration cancellation is imposed.

#### Part Four

##### Strike

###### Article 118

- (1) Work strike is a basic right of workers and union workers workers/labor unions are carried out legally, orderly and peacefully as as a result of failed negotiations.
- (2) Workers/laborers and trade unions/labour unions are obliged to notify employers and the Department in writing with a copy to the local police, no later than 7 (seven) working days before the strike is held.
- (3) Notification as intended in paragraph (2) is at least load:
  - a. time (day, date and hour) the strike begins and ends;
  - b. place of strike;
  - c. the reasons and reasons why you have to go on strike; And

d. signature of the chairman and secretary and/or each chairman and the secretary of the trade union/labor union as guarantor answer the strike.

(4) In the event that a strike will be carried out by workers/laborers who are not

If you are a member of a trade union/labor union, you will be notified as intended in paragraph (2) is signed by the worker/labor representative appointed as coordinator and/or guarantor answer the strike.

### Article 119

(1) In the event that a work strike is not carried out legally, orderly and peacefully as intended in Article 114 paragraph (1), entrepreneurs can take temporary action by:

- a. prohibit striking workers/laborers from being on site production process activities; or
- b. if deemed necessary, prohibit workers/laborers from striking located at the company location.

(2) The action as intended in paragraph (1) is carried out for the sake of saving production equipment and company assets.

(3) Everyone is prohibited from obstructing workers/laborers and trade/labor unions from exercising their right to strike.

carried out lawfully, orderly and peacefully.

(4) Everyone is prohibited from arresting and/or detaining towards workers/laborers and workers/labor union officials who carry out a strike legally, orderly and peacefully with the provisions of statutory regulations.

### Article 120

(1) In the event that workers/laborers who carry out a legal strike are demanding normative rights which are seriously violated by employers, workers/laborers have the right to receive wages.

(2) Payment of wages for workers/laborers who are on legal strike as intended in paragraph (1) does not eliminate the provisions imposition of sanctions on entrepreneurs who commit violations normative rights.

## Article 121

- (1) The Service is obliged to make efforts to resolve relationship disputes industry before the strike is carried out.
- (2) When receiving notice of a work strike as stated as intended in Article 120 paragraph (2) the Service is obliged to check the contents of the letter the notification and provide proof of receipt as proof that a strike will be carried out by workers/laborers or The trade/labor union is legal and in accordance with the provisions legislation.
- (3) The Department is obliged to carry out supervision during a work strike to see whether the strike was carried out safely and orderly as planned in the notification letter.

## Part Five

### End of employment relationship and its consequences

## Article 122

Termination of Employment can occur for reasons:

- a. Companies carry out mergers, consolidations, takeovers, or separation of the Company and the Worker/Labourer is unwilling to continue the Employment Relationship or the Employer is unwilling to accept Workers/Labourers;
- b. The company carried out efficiency followed by the closure of the company or not followed by the resulting closure of the Company The company experiences losses;
- c. The company closed because the company experienced continuous losses for 2 (two) years;
- d. Company closes due to force *majeure*;
- e. The company is in a state of postponement of debt payment obligations;
- f. Bankrupt company;
- g. there is a request for Termination of Employment Relations submitted by Workers/Labourers on the grounds that the Employer is carrying out acts as following:
  1. abuse, rudely insult, or threaten workers/ Laborer;

2. persuade and/or order workers/laborers to do so  
acts that are contrary to statutory regulations  
invitation;
3. not paying wages at the specified time during  
3 (three) consecutive months or more, even if an entrepreneur  
pay wages on time thereafter;
4. not carrying out obligations that have been promised to  
Workers/Labourers;
5. order workers/laborers to carry out work on  
beyond what was agreed upon; or
6. provide work that endangers life, safety,  
health, and morals of the Worker/Labourer while the work is not stated in the  
Work Agreement.

- h. the existence of a decision by an industrial relations dispute resolution institution  
which states that the Entrepreneur did not carry out such actions  
referred to in letter g regarding the application submitted by  
Workers/Labourers and Entrepreneurs decide to do so  
Work termination;
- i. Workers/Labourers resign of their own accord and must  
qualify:
  1. submit a written resignation request no later than  
no later than 30 (thirty) days before the start date of the resignation  
self;
  2. not bound by official ties; And
  3. continue to carry out its obligations until the start date  
resignation;
- j. Workers/Labourers are absent for 5 (five) working days or more in a row  
participate without written information which is accompanied by valid evidence  
and has been properly summoned by the Employer 2 (two) times and  
written;
- k. Workers/Labourers violate the provisions stipulated in  
Employment Agreement, Company Regulations, or Collective Labor Agreement  
and had previously been given the first, second, and warning letters  
three consecutively each valid for a maximum of 6  
(six) months unless otherwise stipulated in the Employment Agreement, Regulations  
Company, or Collective Labor Agreement;

- I. Workers/Labourers cannot do work for 6 (six) months as a result of being detained by the authorities for allegedly committing criminal act;
- m. Workers/Labourers experience prolonged illness or disability as a result work accident and unable to do his job after beyond the 12 (twelve) month limit;
- n. Workers/Labourers are entering retirement age; or
- o. Worker/Labourer dies.

### Article 123

(1) Entrepreneurs, Workers/Labourers, Trade Unions/Labour Unions, and The government must make efforts to prevent termination of employment.

(2) In the event that Termination of Employment is unavoidable, meaning and the reasons for Termination of Employment are notified by the Employer to Workers/Labourers and/or Trade Unions/Labour Unions The person concerned is a member of the Workers' Union/Labor Union.

(3) Notification of Termination of Employment is made in the form of a letter notification and delivered legally and appropriately by the Employer to Workers/Labourers and/or Trade Unions no later than 14 (fourteen) working days before Termination of Employment.

(4) In the event that Termination of Employment is carried out within the period trial, the notification letter is submitted no later than 7 (seven) working days before Termination of Employment.

(5) In the event that the Worker/Labourer has received a notification letter and not refuse Termination of Employment, Employers must report termination of employment to the Department.

### Article 124

In the event of termination of employment, workers obtain rights in accordance with statutory provisions.

### Article 125

For workers/laborers who apply for Termination of Relations Work as stated in Article 118 letter g, obtain rights according to the provisions legislation.

Part Six  
Company Closure (*Lock Out*)

Article 126

- (1) Closure of the company (*lock out*) is the basic right of the Employer to refuse workers/laborers in part or in whole to carry out work as a result of failed negotiations.
- (2) Entrepreneurs are not permitted to close the company (*lock out*) as a countermeasure in connection with the normative demands of workers/laborers and/or workers/labor unions.
- (3) The action of closing the company (*lock out*) must be carried out in accordance with provisions of statutory regulations.

Article 127

- (1) Employers are obliged to notify workers/laborers in writing and/or trade/labor unions, and Departments of at least 7 (seven) working days before company closure (*lock out*) implemented.
- (2) Before and during the company closure, the Service immediately resolve the problem that caused it closing the company by bringing together and negotiating with the disputing parties
- (3) In the case of negotiations as intended in paragraph (2), no produce an agreement, then employees from the Department who responsible in the field of employment immediately submit problems that cause company closure (*lock out*) to the industrial relations dispute resolution institution.

Article 128

Every entrepreneur who violates the provisions as referred to in Article 127 paragraph (1) is subject to sanctions in accordance with the provisions of statutory regulations invitation.

CHAPTER XI

EMPLOYMENT INFORMATION

Article 129

(1) The Department is responsible for carrying out management Employment. information

(2) Management of Employment information as referred to in paragraph (1) includes activities of collecting, processing, analyzing, storage, presentation and dissemination of Employment information accurately, completely and continuously.

Article 130

(1) The service as intended in Article 129 paragraph (1) needs to be developed and developing employment information systems.

(2) Development of the employment information system as intended in paragraph (1) is an electronic-based system and information media other.

(3) Further provisions regarding information system development as intended in paragraph (2) is regulated in the Mayor's Regulation.

CHAPTER XII

COACHING

Article 131

(1) The Service carries out guidance on the elements and activities that related to employment.

(2) In carrying out guidance, the Service can make visits to Company.

(3) Employment development aims to increase employers'/workers' understanding of field norms employment.

(4) Employment development as intended in paragraph (1) is possible carried out through technical coaching activities, outreach, training, consultation meetings, discussions, mentoring and monitoring.

### Article 132

(1) Employment development as intended in Article 131 paragraph (1) is carried out continuously regarding the implementation of the provisions laws and regulations in the field of employment.

(2) The objects of guidance as intended in paragraph (1), include:

- a. Workforce Planning
- b. Workforce training and productivity;
- c. workforce placement;
- d. use of foreign workers;
- e. work relationship;
- f. job seekers, employers and workers with disabilities;
- g. child labor; h. female workers; i. working time;
- j. remuneration;
- k. industrial relations disputes;
- l. bipartite cooperation institutions;
- m. tripartite cooperation institutions;
- n. company regulations;
- o. collective work regulations; p. trade unions/labor unions; and q. employers' organization.

### CHAPTER XIII

### SYNERGITY

### Article 133

In carrying out Regional Employment Implementation, synergize with the central government and provincial government in accordance with statutory regulations.

### CHAPTER XIV

### REPORTING

### Article 134

(1) Reporting on the performance of employment administration is prepared by the Department.

(2) Reporting on the performance of employment administration as follows

referred to in paragraph (1), at least contains:

- a. number of companies;
- b. number of workers;
- c. job vacancy information;
- d. workforce placement;
- e. implementation of PKWT and PKWTT;
- f. training and apprenticeship;
- g. use of TKA; And
- h. implementation of Industrial Relations.

(3) The Department submits a report on the implementation of employment

as intended in paragraph (1), at least 1 (one) time in 1 (one) year.

(4) Manpower Implementation Report as referred to in

paragraph (3), as a database for *the* employment information system.

#### CHAPTER XV

#### FINANCING

#### Article 135

(1) Financing for the Implementation of Employment can be sourced from

Regional Revenue and Expenditure Budget.

(2) Apart from sources from the Regional Revenue and Expenditure Budget

as intended in paragraph (1), can be sourced from other funds

which is valid in accordance with the provisions of statutory regulations.

#### CHAPTER XVI

#### CLOSING

#### Article 136

With the enactment of this Regional Regulation, the Regional Regulation of the City of Surakarta

Number 3 of 2014 concerning the Implementation of Employment (Gazette

2014 Region Number 3 Supplement to the Surakarta City Regional Gazette

Number 27) is revoked and declared invalid.

Article 137

Mayor's Regulations as implementing regulations for Regional Regulations  
This is determined no later than 1 (one) year after this Regional Regulation  
set.

Article 138

This Regional Regulation comes into force on the date of promulgation.

So that everyone knows, order the promulgation of Regulations  
This area is placed in the Surakarta City Regional Gazette.

Set in Surakarta  
on February 7, 2023  
MAYOR OF SURAKARTA,

signed

GIBRAN RAKABUMING RAKA

Promulgated in Surakarta  
on February 7, 2023  
REGIONAL SECRETARY OF SURAKARTA CITY,

signed

AHYANI

SURAKARTA CITY REGIONAL GAZETTE OF 2023 NUMBER 1

NOREG REGIONAL REGULATIONS OF THE CITY OF SURAKARTA, CENTRAL JAVA PROVINCE  
(1-28/2023).

The copy corresponds to the original  
HEAD OF LEGAL SECTION  
SURAKARTA CITY REGIONAL SECRETARIAT

YENI APRILIAWATI

EXPLANATION  
ON  
SURAKARTA CITY REGIONAL REGULATIONS  
NUMBER 1 OF 2023  
ABOUT  
EMPLOYMENT

I. GENERAL

In accordance with the Preamble to the 1945 Constitution which states that The Unitary State of the Republic of Indonesia (NKRI) was founded with the aim "to protect the entire Indonesian nation and all of Indonesia's bloodshed and to advance general welfare, to make the nation's life more intelligent." This constitutional basis was then explained in more detail in several articles in the 1945 Constitution, one of which is article 27 paragraph (2), which states clearly and emphatically that "Every citizen has the right to work and a living worthy of humanity." Paragraph

This contains recognition and guarantees for Indonesian citizens to get a job and achieve a decent standard of living humanity.

Law Number 23 of 2014 concerning Regional Government that employment is a mandatory regional government matter that must be implemented. In Attachment Letter G to Law Number 23 In 2014 concerning Regional Government, the field of employment was handed over to regional governments consisting of: (1) Job Training and Productivity Labor; (2) Workforce Placement; (3) Industrial relations.

With the issuance of Regulations in lieu of Law Number 2 of the Year 2022 concerning Job Creation which amends Law Number 13 of the Year 2003 concerning Employment; Law Number 40 of 2004 concerning National Social Security; Law Number 24 of 2011 concerning Social Security Administering Bodies; and Law Number 18 2017 concerning National Migrant Worker Protection. At the moment regulations regarding the implementation of employment in the City of Surakarta still regulated in Regional Regulation Number 3 of 2014 concerning Employment.

Based on changes to the regulations above, regulations are required Regional regulations regarding employment that are in accordance with the regulations above or parallel, which will replace Regional Regulation Number 3

2014 concerning Employment, and which can guarantee certainty law and a sense of justice.

The principle of organizing employment is based on principles justice, openness, non-discrimination, legal certainty. The purpose of regional regulations to create an efficient employment management system that meets good principles; increasing local workforce absorption; improve energy skills Work.

## II. ARTICLE BY ARTICLE

### article 1

Quite clear.

### Article 2

Paragraph (1)

Quite clear.

Paragraph (2)

What is meant by workforce planning is a process preparation of a systematic employment plan which is used as a basis and reference in the preparation of policies, strategies and implementation of development programs sustainable employment.

Paragraph (3)

Quite clear.

Paragraph (4)

Quite clear.

Paragraph (5)

Quite clear.

### Article 3

Quite clear.

### Article 4

Quite clear.

## Article 5

Paragraph (1)

Quite clear.

Paragraph (2)

What is meant by LPK consists of government agencies, legal entities or individuals who meet the requirements for organize job training.

Paragraph (3)

Quite clear.

Paragraph (4)

Quite clear.

Paragraph (5)

Quite clear.

Paragraph (6)

Quite clear.

Paragraph (7)

Quite clear.

Paragraph (8)

Quite clear.

Paragraph (9)

Quite clear.

## Article 6

Paragraph (1)

What is meant by Regional Apparatus is the Guardian's supporting elements City and DPRD in carrying out government affairs which is a regional authority.

Paragraph (2)

Quite clear.

Paragraph (3)

Quite clear.

## Article 7

Quite clear.

## Article 8

Quite clear.

Article 9

Quite clear.

Article 10

Quite clear.

Article 11

Quite clear.

Article 12

Quite clear.

Article 13

Quite clear.

Article 14

Quite clear.

Article 15

Quite clear.

Article 16

Quite clear.

Article 17

Quite clear.

Article 18

Quite clear.

Article 19

Quite clear.

Article 20

Quite clear.

Article 21

Quite clear.

Article 22

Quite clear.

Article 23

Paragraph (1)

Quite clear.

Paragraph (2)

What is meant by *Upskilling* is increasing capacity a person's skills to fill current or future job needs; and *Reskilling* is a method employee development by training employees new abilities to do different jobs.

Paragraph (3)

Quite clear.

Article 24

Quite clear.

Article 25

Quite clear.

Article 26

Quite clear.

Article 27

Quite clear.

Article 28

Quite clear.

Article 29

Quite clear.

Article 30

Quite clear.

Article 31

Quite clear.

Article 32

Quite clear.

Article 33

Paragraph (1)

What is meant by LPPRT is a Domestic Worker Distribution Agency that has received a permit.

Paragraph (2)

Quite clear.

Paragraph (3)

Quite clear.

Article 34

Quite clear.

Article 35

Quite clear.

Article 36

Quite clear.

Article 37

Quite clear.

Article 38

Quite clear.

Article 39

Quite clear.

Article 40

Quite clear.

Article 41

Quite clear.

Article 42

Quite clear.

Article 43

Quite clear.

Article 44

Paragraph (1)

Quite clear.

Paragraph (2)

Expansion of employment opportunities can be in the form of "empowered villages" namely "we workers excel together in efforts" as strategy to expand employment opportunities on a potential basis region, or similar activities that have a program

The same.

Paragraph (3)

Quite clear.

Paragraph (4)

Quite clear.

Article 43

Quite clear.

Article 44

Quite clear.

Article 45

Quite clear.

Article 46

Quite clear.

Article 47

Quite clear.

Article 48

Quite clear.

Article 49

What is meant by the Department is the Regional Apparatus, which consists of: supporting elements for the Mayor and DPRD in the administration of affairs government which is a regional authority.

Article 50

Quite clear.

Article 51

Quite clear.

Article 52

Quite clear.

Article 53

The criteria for TKA employers include agencies governments, representatives of foreign countries, and international bodies, the Office foreign trade representatives, foreign news agencies carrying out activities in Indonesia, foreign private companies doing business in Indonesia, Legal entity in the form of a limited liability company or foundation established under Indonesian law or a foreign legal entity registered with the competent authority; Social, religious, educational and cultural institutions; Impresario service business, business entity to the extent permitted by law to use TKA, and limited liability companies are excluded for limited liability companies which are in the form of individual legal entities, and companies which are in the form of Civil Partnership, Firm (Fa), Limited Partnership and Trading Businesses (UD) are prohibited from employing foreign workers.

Article 54

Quite clear.

Article 55

Quite clear.

Article 56

Quite clear.

Article 57

Quite clear.

Article 58

Quite clear.

Article 59

Quite clear.

Article 60

Quite clear.

Article 61

Quite clear.

Article 62

Quite clear.

Article 63

Quite clear.

Article 64

Paragraph (1)

Quite clear.

Paragraph (2)

The employment agreement must be made in writing at least  
load:

a. name, gender, age and address of the worker/laborer; b. position or  
type of work; c. place of work; d. the  
amount of wages and  
method of payment;

- e. work conditions containing rights and obligations  
entrepreneurs and workers/labourers;
- f. start and term of validity of the employment agreement;
- g. place and date the employment agreement was made; And
- h. signatures of the parties to the employment agreement.

Paragraph (3)

What is meant by the normative rights of PKWT Workers are:  
receive compensation money at the time  
the end of the PKWT.

#### Article 65

What is meant by personal documents can be a diploma,  
Certificate, Resident Identity Card (KTP), Family Card (KK), Deed  
Birth, Marriage Certificate, Passport, Visa.

#### Article 66

Quite clear.

#### Article 67

Quite clear.

#### Article 68

Paragraph (1)

Quite clear.

Paragraph (2)

What is meant is not changing the status of the employment relationship, namely  
PKWTT status which cannot be changed to PKWT just because the nature of  
the work is permanent and different vendors.

Paragraph (3)

Quite clear.

Paragraph (4)

Quite clear.

#### Article 69

Quite clear.

Article 70

Quite clear.

Article 71

Quite clear.

Article 72

Quite clear.

Article 73

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Article 74

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Article 131

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Article 132

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Article 133

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Article 134

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Article 135

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Article 136

Quite clear.

Article 137

Quite clear.

Article 138

Quite clear.

SUPPLEMENT TO SURAKARTA CITY REGIONAL GAZETTE NUMBER 133