

STRENGTHENING TRADE UNION AMIDST THE PRESSURE OF THE JOB CREATION LAW AND COVID-19



2022

Table of Contents

TABLE OF CONTENTS	2
PREFACE	3
INTRODUCTION	4
TURC IN FIGURES	6
STRATEGI AND ACHIEVEMENT 2022	7
A. Labor Union Advocacy Based on Evidence at the Factory Level	7
B. Core Group on Woman's OSH Advocacy	10
C. Home-based worker Collective Action During COVID-19	11
D. Implementation of Job Loss Insurance Policy post Omnibus Law	15
E. Global-Level Campaign: Pay Your Worker, Respect Labor Right	16
F. Building Palm Oil Trade Union in South Kalimantan	18
INSTITUTIONAL	20
Strengthening internal organization	20
TESTIMONI	22
OUR TEAM	23

PREFACE

To all esteemed stakeholders and colleagues,

Warm greetings from the TURC Executive Team. On this occasion, I am proud to present to you our Annual Report with the theme "Strengthening Trade Unions amidst the Pressure of the Job Creation Law and COVID-19."

The past year has been filled with challenges and trials for trade unions in Indonesia. The impact of the COVID-19 pandemic, which has affected the entire world, has hit the job sector and the economy at large, including in our country. Amidst these difficult circumstances, the implementation of the controversial Job Creation Law has added additional pressure on trade unions in their efforts to protect workers' rights.

This report is a reflection of the struggles and achievements we have made in the face of these challenges. We are committed to strengthening trade unions, giving voice to workers, and protecting their rights in this uncertain time.

In this report, we explore the impact of the Job Creation Law and the COVID-19 pandemic on trade unions. We analyze the challenges faced by trade unions in carrying out their duties and share the strategies and steps we have taken to strengthen the role of trade unions in creating a fair and just working environment.

We also highlight our accomplishments throughout the year. Through collaborative efforts with other trade unions, the government, and strategic partners, we have successfully launched strong advocacy campaigns, raised public awareness, and advocated for positive policy changes for workers.

Of course, none of these achievements would be possible without the cooperation, dedication, and courage of TURC members, work partners, and supporters. We would like to express sincere gratitude to those who have contributed and supported us on this journey.

Through this report, we hope to broaden the understanding of the importance of strengthening trade unions amidst the pressure of the Job Creation Law and the COVID-19 pandemic. We also hope that this report can serve as a source of inspiration and guidance for trade unions, the government, civil society organizations, and other partners to work together in creating a fair, safe, and prosperous working environment for all workers.

Thank you for your support and trust in TURC. We are committed to moving forward, combating all forms of injustice, and advocating for workers' rights in Indonesia.

In solidarity,
Andriko Otang
Executive Director

INTRODUCTION

The significant decrease in economic activity, particularly in the industrial sector, due to the implementation of work from home policies and large-scale social restrictions as a response to COVID-19, has had serious implications for the labor sector, especially for workers. The impact of COVID-19 is not limited to formal and informal workers but also affects migrant workers. According to data from the Ministry of Manpower, there are 34,179 prospective Indonesian migrant workers who are unable to depart, and 465 Indonesian trainee workers in Japan who have been repatriated. Additionally, the Indonesian Migrant Worker Protection Agency (BP2MI) reported that around 34,300 Indonesian Migrant Workers are predicted to return to Indonesia between May and June 2020 due to the global COVID-19 pandemic.

The findings of an online survey conducted by the Trade Union Rights Centre (TURC) from May 1st to 15th, 2020, involving 700 formal worker respondents, provide a more detailed picture of their conditions amid the COVID-19 pandemic. The survey revealed that 21% of workers were furloughed without receiving full wages, 9% continued working with reduced wages, 7% experienced layoffs without receiving severance pay, 6% worked from home with reduced wages, 38% continued working with full wages, 2% were furloughed but still received full wages, 16% worked from home with full wages, and 1% faced layoffs with severance pay. These data depict that workers during this pandemic face three main problems: income reduction, job loss, and uncertainty regarding health conditions due to company pressure to continue working. Thus, the impact of COVID-19 on the labor sector, whether related to formal, informal, or migrant workers, has created serious and complex issues.

Criticism on Government Efforts

Although the government has provided incentives to support struggling industries, there are policies that tend to be disadvantageous for workers. First, the Ministry of Manpower issued a Circular Letter that provides companies with flexibility in deferring holiday allowances. This policy was first issued in 2020 and repeated in 2021 when the textile, garment, and footwear sectors began to recover, albeit not fully.

Second, the government issued Minister of Manpower Regulation No. 2 of 2021 regarding the Implementation of Wages in Integrated Work Systems during the COVID-19 Pandemic. This regulation has the potential to create new problems, such as integrated work wages falling below the minimum wage. Additionally, this regulation provides opportunities for unaffected companies to reduce workers' wages. These policies reflect opportunities for businesses to exploit the pandemic situation as a reason to obtain government incentives and reduce wages under the pretext of COVID-19.

Third, the government issued Government Regulation No. 35 of 2021 concerning outsourcing, employment status, Fixed-Term Employment Agreements, outsourcing, working hours, rest periods, and termination of employment. This regulation opens the possibility for companies to rehire new workers or previously terminated workers under fixed-term employment status. Workers under fixed-term employment tend to be reluctant to join labor unions for fear of their contracts not being renewed. As a result, labor union positions may weaken, membership and contributions decrease.

Fourth, the issuance of Government Regulation No. 36 of 2021 concerning Wages is also a concern. Conceptually, this PP tends to lean towards policies promoting cheap labor. This can be seen from several articles, such as Article 25 paragraph (1), which sets the Minimum Wage for District/City under certain conditions, such as regional economic growth or inflation. The word "or" in this article means optional and not cumulative, which implies the possibility of reducing the minimum wage. Another serious issue in this PP is the removal of the Decent Living Survey indicators in determining the minimum wage, as well as the absence of Sectoral Minimum Wages. The absence of UMSK can lead to wage disparities between sectors, which impact the practice of cheap labor and income uncertainty for workers, especially in sectors with high value-added such as automotive or mining. In other words, the wages of workers in the mining or automotive sector should be different and not equated with the wages of workers in the garment, textile, and footwear sectors.

Fifth, the government issued a Government Regulation in Lieu of Law (Perpu) on Job Creation in response to the Constitutional Court's decision stating that the Job Creation Law has several unconstitutional articles. This policy indicates that the government does not consider labor and labor unions as one of the political control forces against the government.

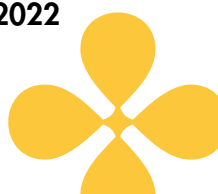
The aforementioned government policies depict that labor and labor unions between 2020 and 2022 faced dual pressures, namely the Job Creation Law and its derivative regulations, as well as the impact of numerous layoffs due to the COVID-19 pandemic. Meanwhile, business groups tend to try to exploit the situation for their benefit. The state's position tends to adapt to business interests to prevent investment from moving to other countries and to utilize more flexible labor in the future. Consequently, labor regulations are made with an investment-friendly orientation, including flexible employment status and a tendency to implement cheap labor policies.

Back to Factory

Workers need to find a way out or change labor movement strategies to avoid being oppressed by the conditions of COVID-19 and the Job Creation Law and its derivative regulations. First, workers need to reposition the labor movement by organizing workers at the factory level who are not yet affiliated with labor unions, so that factory-level unions have strong bargaining power against employers. This effort is crucial because TURC data in 2020 showed that labor union leaders were more focused on advocating cases as a result of the pandemic, rather than organizing. This has been one of the factors contributing to the decline in membership of Workers' Unions at the factory level.

Furthermore, this organization is also important because TURC data in 2020 found that workers' success in obtaining the full 100% holiday allowance without installment by the company was due to the strong bargaining position of the factory-level labor union. The strength and weaknesses of the labor union's bargaining position are partly determined by the number of union members who join at the factory level.

Second, workers need to make efforts to renegotiate the Collective Labor Agreement (PKB) at the factory level. The renegotiation of the PKB is expected to result in a better agreement between workers and company management, which addresses the provisions of the derivative regulations of the Job Creation Law and ensures the protection of workers' rights in accordance with the applicable regulations amid the COVID-19 conditions.



TURC IN FIGURES

TURC's Partners in 2022

A. Labor Unions



National Workers Union (SPN)



Garment and Textile Workers Union (Garteks)



Textile, Apparel, and Leather Workers Union (TSK SPSI)



National Workers Union Confederation (KSPN)



South Kalimantan Palm Oil Workers Union Alliance (Serbusaka)



Indonesian Trade Union Alliance (GSBI)



Congress of The Indonesian Labor Union Alliance (KASBI)



Federation of Labor Unions of Indonesia (FSBPI)



Indonesian Home Workers Network (JPRI)

B. Member of Initiative



Gender Network Platform



Clean Clothes Campaign (CCC)



Asia For Wage (AFWA)



Multi Actor Partnership - Health



Koalisi Buruh Sawit



C. Funding Sources in 2022



FNV Mondiaal



Laudes Foundation



FEMNET Germany



Kurawal Foundation

STRATEGIES AND ACHIEVEMENTS IN 2022

A. Workers Driven Monitoring and Evidence Based Advocacy in Collective Bargaining

The Data Academy program is a collaborative initiative involving four institutions: the Trade Union Right Centre (TURC), FNV Mondiaal, Wageindicator Foundation, and Gajimu.com. The program has been running from 2020 to 2022. In the context of implementing the program in Indonesia, TURC and Gajimu.com play important roles. Gajimu.com's role is to collect, provide, and analyze data from various surveys, such as the Decent Work Check (DWC) survey, COVID-19 surveys, collecting Collective Bargaining Agreements (CBA) documents, as well as minutes of bipartite negotiations.

In the process of collecting data for the Decent Work Check survey, the program involves nine interviewers representing their respective labor unions, including FSP-TSK SPSI, FSP-TSK SPSI Reconciliation, FSB-Garteks SBSI, and SPN. These four labor unions are program partners in terms of data collection for the academy. Meanwhile, TURC is responsible for conducting education in the factories surveyed by Gajimu.com, which are partner labor unions.

The involvement of union members as interviewers and facilitators in each training session and workshop aims to make the program participatory. In other words, the program is implemented "by workers, for workers, and with workers." This is because it is understood that only the workers themselves truly understand their working conditions. Consequently, the survey data obtained becomes clearer and can be used for advocacy purposes.

Based on this spirit, the program is designed with the aim of strengthening the knowledge capacity of labor unions in implementing evidence-based advocacy methods and gender mainstreaming approaches in the process of social dialogue at the factory level, particularly in bipartite negotiations and Collective Bargaining Agreements (CBA). By strengthening the knowledge capacity of union members and providing comparative data through the Decent Work Check survey, it is hoped that the collective bargaining process at the factory level will become more equitable. Ultimately, workers and labor unions can influence factory management policies to comply with the legal norms stipulated in the Labor Law, thereby bringing about changes in working conditions.

To date, the program has trained 352 workers from partner labor unions in 78 factories. Of this total, there are 166 female (47.2%) and 186 male (52.8%). Based on Figure 1, men still dominate in terms of the number of workers. The factors contributing to this male dominance can be observed by TURC. First, there are few leadership positions filled by women in the labor union's organizational structure. Second, some female workers face difficulties in obtaining permission from their husbands. Additionally, household chores are still considered the primary responsibility of women.



The issue of double burden experienced by female workers has not received sufficient attention from labor union organizations in addressing it. Third, participant delegation by partner labor unions tends to remain unchanged on several occasions. In other words, a person can attend training more than once. This third factor indicates problems in the democratization of knowledge within labor union organizations. This needs to be an important consideration for labor unions that aim to become democratic, inclusive, and independent organizations. Information and knowledge distribution are essential requirements for trade union organization.

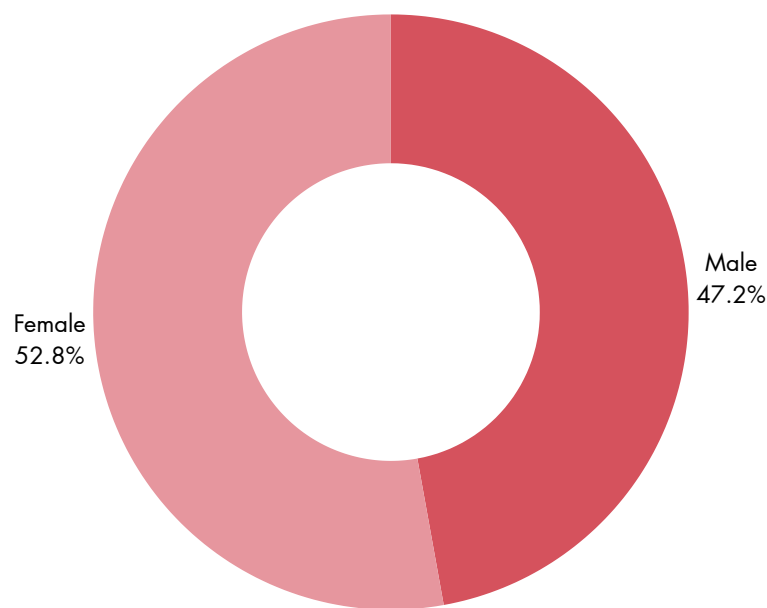


Image 1. Total participants of training and workshop programs at the Data Academy from 2020-2022.

The three dominant factors previously mentioned do not imply that TURC has never paid attention to them. TURC has taken several steps, such as setting terms and conditions that consider gender and gender composition in each training, as well as conducting performance evaluations together with organizational tools. However, these steps have not become a common understanding. For the future, it is necessary to reiterate the shared commitment so that all individuals with diverse personal characteristics (such as race, gender, religion, sexual orientation, ethnicity, class, experience, and education) can actively participate.

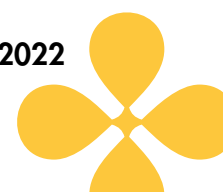
Re-designing CBA: More Gender Sensitive and Say No to Omnibus Law

The COVID-19 pandemic and the implementation of the Job Creation Law (known as the Omnibus Law) have become important moments for changes in labor law and politics in Indonesia. The impact of COVID-19 has disrupted the economy and the flow of goods and services. In such a situation, employers have implemented various efficiency measures to protect their profits, such as massive layoffs, worker furloughs, implementing a 15-day work and 15-day furlough policy (on-off), wage cuts, and wage suspensions.

Amidst the chaos, the Indonesian government issued the Job Creation Law with the aim of making the labor market more flexible. Upon reviewing the substance of the Job Creation Law, particularly in the labor cluster, it is evident that the reduction of workers' rights is reflected in several articles, such as those concerning employment contracts, overtime hours, the elimination of sectoral minimum wage provisions, the reduction of provisions and compensations, and the absence of restrictions on transferrable types of work. All these reductions in labor rights are included in the content of the Job Creation Law.

The presence of the Job Creation Law provides an opportunity for employers to revise Collective Bargaining Agreements (CBA) in their factories. Previously, factory management in the TGSL Industry was difficult to engage in CBA negotiations with labor unions. They provided various reasons, such as pursuing production targets, factory management not being on-site, or reasons related to COVID-19 restrictions on communication. However, after the Job Creation Law was enacted, several companies actively invited labor unions to engage in CBA negotiations. In fact, in 2021, APINDO conducted training for HR professionals with the theme "Redesigning CBAs" tailored to the content of the Job Creation Law. In response to this phenomenon, TURC, together with partner labor unions, redesigned training and workshop activities with the theme "Redesigning CBAs without the Omnibus Law".

Between 2020 and 2022, the training involved 68 factories from partner labor unions. The cumulative number of workers employed in these 68 factories reached 158,704 individuals as indirect beneficiaries. Meanwhile, the number of direct participants in the training was 93 individuals. Out of this total, 15 individuals (16.1%) were female workers, while 78 individuals (83.9%) were male workers. The dominance of male workers still remains an issue that requires special attention from labor unions.



B. Core Group on Woman's OSH Advocacy

The COVID-19 crisis has further exposed the close relationship between health and work. However, the Occupational Safety and Health (OSH) situation for women workers in the garment, footwear, and leather industries remains worrisome. Several factors contribute to this condition. Firstly, there is limited knowledge regarding the connection between purchasing and production practices and the health and safety of women workers, as well as a lack of data-based studies covering specific regions and sectors on this topic. Secondly, power imbalances and the lack of capacity of rights holders and their representatives to participate in existing multi-stakeholder structures. Thirdly, the loss of structured Multi-Stakeholder Initiatives (MSIs) in producer countries and the disconnection between MSIs within and between producer and consumer countries. Fourthly, the lack of systematic collective action by brands and suppliers addressing gender-sensitive OSH.

In response to these challenges, TURC collaborates with FEMNET and SÜDWIND from Germany, as well as CIVIDEP India, in the Multi-Actor Partnership (MAP) initiative. In this initiative, TURC has undertaken several interventions, including knowledge development through research related to Women's OSH issues in the footwear and leather sector. This research was conducted in three export-oriented shoe manufacturing factories located in Serang and Tangerang, Banten Province. Additionally, research was also conducted on home-based workers or informal workers involved in footwear production, located in North Jakarta.

The findings of the Women's OSH research study revealed four main points. Firstly, female workers in factories face pressure on their health and safety due to high production targets and domestic burdens. The high production targets lead to decreased productivity and force female workers to continue working despite feeling tired. Secondly, the wage calculation system based on minimum wage rather than a living wage compels female workers to seek additional income to meet their family's needs. They have to incur debts, work overtime, sell sanitary pads in the factory, or sell products through online platforms. Overtime work, in particular, poses potential threats to workers' health.

Thirdly, there are differences in the usage of the terms "menstrual rest and leave," which are actually just language policies created by policymakers. There are differing paradigms between labor unions and the government. The government views menstruation from a legalistic perspective, while labor unions perceive it as a human rights issue. Not recognizing menstruation as an inherent basic right of women's bodies aims to ensure smooth production.

Fourthly, the fast-paced work cycle with high production targets makes workers in the lowest positions, such as operators, the most vulnerable to verbal abuse from their

superiors. Fifthly, the lack of official recognition from the government regarding the status of home-based workers is a major issue that causes home-based workers to face complex vulnerabilities, including related to wages, working hours, social security, and OSH.

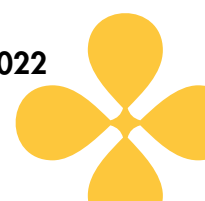
The next step taken by TURC is stakeholder mapping to facilitate the formation of a core working group. This working group consists of various stakeholders such as non-governmental organizations (NGOs), Labor Union Organizations (LUOs), Indonesian Home-based Workers Network (JPRI), government, and company management. The objective of forming this working group is to collectively develop OSH guidelines that consider gender aspects. These guidelines will be adopted in workplaces as an effort to improve and enhance the OSH conditions for women workers.

However, there are several challenges faced in this initiative. One of them is the limited information regarding the OSH conditions of women workers in the footwear sector from the government's perspective. This is due to the lack of integration between labor departments and labor inspectors, resulting in limited information available. Additionally, some company managements are still unwilling to provide information regarding the OSH conditions of women workers in their factories, making data and information from the management perspective incomplete. Therefore, TURC's partners, FEMNET and SÜDWIND, engage in dialogues with relevant brands to convey the findings in producer countries. The purpose of these dialogues is to encourage the brands to urge their suppliers to improve the OSH conditions of women workers in producer countries.

C. Home-based worker Collective Action During COVID-19

In Indonesia, the number of informal workers dominates the national labor composition. According to data from the Central Statistics Agency, in 2022, there were 81.33 million people working in the informal sector, which increased by 0.35% compared to 2021. Within the informal sector, home-based workers are one of the most vulnerable groups. The definition of this type of work has been regulated by ILO Convention No. 177 of 1996, which aims to reduce the power gap between employers and workers working from home. According to the ILO Convention, home-based workers are those who (a) work in their own homes or in other locations of their choice, not at employer-provided workplaces, (b) work for wages, and (c) produce goods or services as specified by the employer, regardless of who placed the order. In Indonesia, there are various types of home-based work, ranging from the footwear sector, rattan weaving, sewing, to the assembly of food wrappers. Data from HomeNet Indonesia (2021) recorded 7,434 home-based workers spread across 7 provinces in Indonesia. However, it is estimated that the actual number is higher but has not been nationally documented.

Unfortunately, the Indonesian government has not taken steps to guarantee decent working conditions for home-based workers. The government has also not ratified



Convention 177 concerning home-based workers. Under Indonesian labor law, home-based workers are not recognized as workers in an employment relationship, which leads to various forms of exploitation experienced by home-based workers. They often work long hours without receiving overtime pay, do not receive social benefits from employers, and lack occupational health and safety protection due to insufficient government oversight.

The COVID-19 pandemic has further increased the vulnerability of home-based workers, especially women. A quantitative study conducted by TURC in 2021, involving 1,991 respondents who were home-based workers in the putting-out system, showed the vulnerable conditions they face. Firstly, 97.64% of home-based workers experienced wage reductions due to a lack of orders or even a complete loss of orders. Secondly, 35.33% of respondents did not receive benefits from government welfare programs. Thirdly, 31.26% of respondents stated that their membership in the National Health Insurance (JKN) was inactive. A qualitative study conducted by TURC in 2022 found that women home-based workers were not paid by employers under the BP Jamsostek program and were unable to afford self-payment of membership fees, resulting in their membership being inactive.

In response to the issues arising during the crisis, TURC has undertaken a series of interventions through the Informal Workers COVID-19 Response (INCORE) program. This program is designed and implemented by the consortium of the Trade Union Rights Centre (TURC) in collaboration with the Indonesian Migrant Workers Union (SBMI) and supported by the Kurawal Foundation. The goal of this program is to build collective strength among informal workers to achieve social inclusion and decent work during the COVID-19 pandemic, particularly for home-based workers and Indonesian migrant workers. TURC is responsible for implementing this program, primarily for home-based workers in 10 beneficiary regions, namely North Sumatra, DKI Jakarta, Tangerang, Serang, Sukabumi, Cirebon, Semarang, Sukoharjo, DI Yogyakarta, and Malang, as well as expanding the coverage area to Solo in 2022.

Success in COVID-19 Response and Organizational Governance Development

During the pandemic, home-based workers have adopted various forms of utilizing digital technology as a means of adaptation and organization. To prevent the spread of COVID-19, they have used Google Forms as an online questionnaire to gather data on home-based workers affected by the pandemic. In North Jakarta, home-based workers have even volunteered in the COVID-19 response and used the WhatsApp platform to collect data on patients undergoing self-isolation. After receiving training, home-based workers have also become more skilled in using Microsoft Word to create employment contracts. With the existence of employment contracts, home-based workers in Semarang no longer need to worry about the risk of employers neglecting their responsibilities.

Economic Empowerment through Cooperatives

TURC provides assistance in economic empowerment to the Indonesian Home-based Workers Network (JPRI), which includes training and monitoring the development of cooperatives. Several JPRI cooperatives in the regions of North Sumatra, Jakarta, Cirebon, Sukoharjo, East Java, and Semarang have successfully conducted Annual General Meetings (AGMs). All JPRI cooperatives have increased their capacity in cooperative management and entrepreneurial innovation. Each region has conducted self-assessment of JPRI cooperatives that align with the challenges and potentials in their respective areas. As a good example in North Jakarta, home-based workers have established networks and conducted joint training sessions to produce soap from used cooking oil, resulting in useful products with market value.

The presence of cooperatives for home-based workers has reduced the risk of engaging in illegal activities during the pandemic. For instance, JPRI Cirebon noted that members of the home-based workers' cooperative no longer need to borrow money from roving banks in their villages, as there is a savings and loan unit within the cooperative that provides convenience for its members. The borrowing process does not require collateral as needed by roving banks. This benefit is not only limited to home-based workers but is also felt by local community members who join as cooperative members. As a result, home-based workers and local residents are able to meet their daily needs and pay for education expenses, including digital devices for their children's online education.

Struggling for Recognition

Efforts for legal empowerment have been made and have resulted in some positive changes, such as the judicial review of Law No. 13 of 2003 on Employment at the Constitutional Court. Through regional and national consolidation, constitutional losses experienced by home-based workers regarding issues in Indonesia's labor laws, along with evidence and simulation efforts in joint court hearings with the home-based worker petitioners, have been identified. In these efforts, strategies were employed by involving legal experts in developing the petition documents and engaging expert witnesses and factual witnesses with different expertise in court hearings. Although the Constitutional Court rejected the petition, it responded in its considerations that home-based workers can be regulated through relevant ministerial regulations and/or regulations at the provincial and local levels.

Through campaigns, litigation advocacy efforts have also gained public support from civil society organizations, media, academics, and students. During 2022, the campaign produced several publications, including comic strips, infographics, and photo stories on Instagram. Among these types of publications, the photo stories had the most significant reach, reaching 2,835 people, receiving 372 likes, and being shared 213 times. The infographics on the Judicial Review of Home-based Workers, on average, reached 914



people, received 71 likes, and were shared 15 times. Furthermore, the dissemination of information about home-based workers has also become more widespread through mass media coverage. Throughout 2022, at least 15 news reports covered the judicial review process of Article 1, point 14 of Law No. 13 of 2003 on Employment. The live broadcast of the Judicial Review hearing was also viewed by 3,400 viewers through the Constitutional Court's YouTube account.

The Successful of Home-based worker Solidarity Towards Recovery

During the intervention period through the INCORE program, monitoring results identified several lessons learned and success stories. Firstly, the effectiveness of efforts to increase vaccination rates was achieved through a combination of health, spiritual, and psychological approaches. By involving doctors and religious figures, home-based workers who were previously hesitant due to hoaxes have now accessed vaccines and even mobilized other home-based workers and their families. The 2021 monitoring results recorded that around 90% of home-based workers in each region have been vaccinated with complete doses.

Secondly, the collaborative approach in monitoring and documenting good practices of home-based workers also succeeded in publishing the book "Solidarity Against the Storm: Agency of Home-based Women Workers During the COVID-19 Pandemic." In data collection in the regions and its writing, partner organizations supporting home-based workers and JPRI were involved in the process.

Another success was achieved in the use of databases for social assistance advocacy. In almost all regions, there were cases of inaccuracies in the distribution of social assistance and the absence of vulnerable groups of home-based workers on the beneficiary lists. JPRI Sukabumi successfully advocated to the local village government by engaging in dialogue using data on home-based workers. As a result, the village government reallocated village funds that were originally for infrastructure to provide social assistance to home-based workers based on the submitted database. Similar efforts were made by JPRI Jakarta. However, the issue of owning a Jakarta ID card (KTP DKI Jakarta) posed a challenge. In the end, another strategy was implemented, which achieved new success in the distribution of social assistance. This involved repackaging the collected aid packages into larger packages so that they could be distributed to more COVID-19-affected home-based workers. The advocacy and management of social assistance helped meet the daily needs of families, particularly those of home-based workers who had to undergo self-isolation.

D. Implementation of Job Loss Insurance Policy Post Omnibus Law.

Social security for workers is a form of protection and safety net provided to workers and their families to address and mitigate the impact of risks in the labor market. This is in line with the spirit outlined in the International Labor Organization (ILO) Convention No. 102 of 1952 on Minimum Standards of Social Security. In Indonesia, rules regarding social security are regulated by Law No. 40 of 2004 concerning the National Social Security System (SJSN). This law governs the implementation of the social protection system for workers.

The Indonesian government operates four social protection programs for workers in accordance with the SJSN Law. These programs include Work Accident Insurance (JKK), Old-Age Insurance (JHT), Death Insurance (JKM), and Pension Insurance (JP). Additionally, after the implementation of the Omnibus Law No. 11 of 2020, the Job Loss Insurance (JKP) program was also introduced as a new program. Therefore, Indonesia currently has five social security programs for employment.

The JKP program is specifically regulated by Government Regulation No. 37 of 2021 concerning the Implementation of the Job Loss Insurance Program. This regulation establishes three main benefit coverage areas of the JKP program, namely cash benefits, training, and access to job search information for participants. The funding sources for these three program benefits come from the restructuring of JKK and JKM contributions. Each contribution amounts to 0.14 percent and 0.10 percent of wages, respectively. The central government also subsidizes the remaining amount by 0.22 percent. Thus, the total JKP contribution becomes 0.46 percent with an upper limit calculated based on an income of IDR 5 million.

Findings on the Implementation of JKP in the Field

TURC has been monitoring the implementation of the Employment Social Security programs through an initiative called Social Protection for Equality (SCALE). This initiative aims to reduce the vulnerability of workers and their families in the Informal Labor Sector (TGSL), particularly in the ready-made garment industry. The objective of this initiative is to encourage factories' compliance in registering their workers for the five social security programs.

This initiative was conducted in three provinces, namely Banten, West Java, and Central Java, involving thirty factories. Out of the total number of participating factories, eight were located in Central Java, while the remaining twenty-two factories were in West Java and Banten. The data collection process from these thirty factories involved four labor union federations, namely PP FSP TSK SPSI, DPP SPN, FSB GARTEKS KSBSI, and FKSPN. The

collected data revealed that four out of the thirty factories had not registered their workers for the pension insurance program.

Furthermore, field findings also revealed that many workers had health insurance membership under the Recipient of Contribution Assistance (PBI) scheme. This health insurance membership status under the PBI scheme resulted in workers missing the opportunity to be registered as participants and receive benefits from the Job Loss Insurance (JKP) program. Another finding was the existence of the Partial Listing by Companies (PDS) practice in the employment social security program in some factories. The PDS practice is a common violation committed by companies.

E. Global-Level Campaign: Pay Your Workers, Respect Labor Rights

10% of workers in the garment industry may have been laid off since the beginning of the pandemic. Millions of others are at risk of being fired and have not received full wages for months. The majority of these workers are women who are in jobs that do not fully respect their rights as workers. This situation highlights a significant power imbalance in the industry.

The Trade Union Rights Centre (TURC) together with the CCC Indonesia Coalition, which consists of 7 organizations including trade unions and labor NGOs, namely the Indonesian Trade Union Confederation (GSBI), Confederation of Indonesian People's Struggle (KASBI), National Workers Union (SPN), Garteks KSBSI, Indonesian Workers Union Federation (FSBPI), and Sedane Labor Information Institute (LIPS), have agreed to engage in a campaign initiative with the tagline #PayYourWorkers, RespectLabourRights!

#PayYourWorkers is an initiative aimed at urging brands and retailers to sign binding agreements with trade unions for three main purposes. First, to pay workers who make their clothes full wages during the pandemic. Second, to ensure that workers never lose their wages (money) if their factory goes bankrupt, by signing negotiated severance pay guarantees. Third, to protect workers' rights to organize and collectively bargain.

In 2022, the #PayYourWorkers campaign called on the renowned sportswear brand Adidas SE to ensure that their suppliers pay outstanding wages or severance payments to workers during the pandemic. The #PayYourWorkers' demands are not impossible for Adidas to fulfill, as in its report, Adidas stated that in the first quarter of 2022, the corporation made a net profit of €310 million euros. However, both Adidas and its suppliers in Indonesia have shifted the burden of the Covid-19 crisis onto workers without considering providing assistance for workers to meet their daily food and livelihood needs.





Source: GSBI, #PayYourWorkers Campaign Action during Car Free Day Urges Adidas to Pay Workers' Wages at PT. Panarub Industry.

Adidas, as a brand claiming to be socially responsible, has abandoned the workers who produce their clothing and shoes. During the pandemic, many workers did not know when they would receive their next wages, how much they would be paid, or if they would face layoffs. Millions of workers were furloughed without notice and received little or no payment when their factories closed during lockdowns. Most of the workers who permanently lost their jobs have still not received severance pay to this day.



Source: Emelia Yanti, General Secretary GSBI

One of the cases highlighted in the #PayYourWorkers campaign is the wage cuts experienced by workers at PT. Panarub Industry during the Covid-19 pandemic. Coinciding with the opening of the 2022 World Cup, the workers at PT. Panarub Industry, supported by the CCC

Indonesia Coalition, demanded payment for the wages that were cut in 2020. PT. Panarub Industry, as one of Adidas' partner companies for shoe production, implemented wage cuts twice, in June-July and August-September 2020.

Now, as the pandemic has subsided and orders have returned to normal, the workers are demanding the remaining wages that were previously cut by the company. However, until now, PT. Panarub Industry and Adidas Corporation have shown no signs of meeting the workers' demands. Nevertheless, the workers' demands have gained significant attention from the public, with 26k retweets and 55.3k responses, becoming viral on social media. The struggle to pressure Adidas to intervene and take responsibility is still ongoing.

F. Building Palm Oil Trade Union in South Kalimantan

Based on BPS data, South Kalimantan has a total area of oil palm plantations reaching 426,445 hectares, consisting of 313,545 hectares owned by private companies, 6,489 hectares owned by state-owned companies, and 106,441 hectares managed by smallholders, with a total production of Crude Palm Oil (CPO) reaching 1,130,745 tons per year. The main center of oil palm plantations and processing is located in Kotabaru Regency.

Major private companies dominating the palm oil industry in South Kalimantan include PT Agro Astra Lestari Tbk (Astra Group), PT Smart Tbk (Sinar Mas Group), PT Golden Agri Resources (GAR), Hasnur Group, PT Eagle High Plantations, Tbk (EHP Group), and Jhonlin Group. In addition, there is one state-owned company, PT Perkebunan Nusantara XIII (PTPN 13), and the rest are smallholder plantations.

In addition to being the main center of oil palm plantations and Palm Oil Mills (PKS) producing Fresh Fruit Bunches (TBS), Kernel, and Crude Palm Oil (CPO), Kotabaru Regency also has three Advanced Processing Plants (Refineries) that produce derivative products of CPO such as biodiesel, cooking oil, and other CPO derivatives.

The palm oil industry, which mainly encompasses oil palm plantations, TBS processing (PKS), and CPO processing (Refineries), is a labor-intensive industry. Furthermore, oil palm plantations mostly require unskilled labor without specific educational qualifications. With such a large cultivation area, the palm oil industry, particularly the plantations owned by large private companies, requires around 200,000 workers. The need for a large number of non-formal workers cannot be met by the local government of South Kalimantan, so they have to recruit and bring in workers from outside the region, such as NTB, NTT, East Java, Central Java, and West Java.

The significant need for labor in the palm oil sector is a potential source of employment. However, this has also become a bad practice for some individuals who engage in recruitment without proper procedures. The impact of this is reflected in the status of palm

oil workers as Daily Casual Laborers (BHL). With this status, workers are greatly disadvantaged as there is no job security or fair wages.

The demanding work conditions with high work targets and weak occupational health and safety protection make palm oil workers vulnerable to work accidents and receive inadequate wages. This situation has made some palm oil workers realize the importance of unity and solidarity. From 2008 to 2014, in several plantation locations, palm oil workers began organizing themselves by forming labor unions. The main obstacles to unionization are limited access to information, lack of education, and the vast geographical span of workplaces. The establishment of labor unions is not always welcomed by company management. Negative perceptions and psychological pressure are often experienced by some union leaders, including threats of transfers, demotions, and even layoffs.

By the end of 2022, palm oil labor unions in South Kalimantan have organized themselves into 48 Union Work Units (PUK/Serikat) affiliated with 5 federations, with a total membership of 16,000 workers. The significant development of palm oil labor union organizations in South Kalimantan cannot be separated from the presence of TURC as an NGO for Labor Study and Advocacy, which has been supporting labor unions since early 2018 in strengthening their organizations and enhancing the capacity of union leaders.

Together with TURC, union leaders learn to identify issues, potentials, and plan organizational activities, thereby building trust among union members in the role of labor unions. Training on understanding labor regulations, negotiation techniques, and the importance of organization has enabled union leaders to engage in social dialogue with employers to voice labor rights. Bipartite and tripartite meetings have become forums for unions to convey aspirations and improve labor relations. In some cases, unions have resorted to demonstrations or work stoppages when social dialogue does not yield results.

Recognizing the issues concerning labor rights and the role of labor union organizations, it is evident that their role is not only limited to internal matters related to labor-management relations, such as wages, occupational health and safety, and worker welfare. Union leaders have also become aware of the changing dynamics of regulations and government policies. The five federations of palm oil labor unions have agreed and committed to forming an alliance for advocacy and establishing communication with stakeholders in the palm oil industry in South Kalimantan through the Palm Oil Labor Union Alliance of Kalimantan (Serbusaka) and establishing communication within the national network of palm oil labor unions through the Palm Oil Labor Coalition (KBS).

Effective consolidation within labor union organizations has enabled palm oil workers to change their mindset and advocate for labor rights, influencing government policy to pay attention to and protect labor rights. Awareness and independence within the organizations must continue to be developed to make labor unions a means of advocating for decent working conditions and wages, thus achieving the welfare of workers in a sustainable palm oil industry.

Palm oil workers, union leaders, and palm oil labor unions have a social responsibility to engage and participate in voicing and fighting for the protection of human dignity and human rights in all conditions and situations. Palm oil workers and labor unions must strengthen their networking to have bargaining power and influence policies in a sustainable and just palm oil industry.



INSTITUTIONAL

Strengthening internal organization

Since its establishment in 2004, TURC has grown and evolved into one of the organizations consistently providing education and advocacy to workers and labor unions in addressing various dynamics of labor issues. As we approach the 20th anniversary of TURC, we are committed to furthering our growth as a more professional and credible organization in supporting workers and labor unions, as well as becoming a catalyst for labor issues that is far better than the present. To achieve this great vision, TURC is currently undertaking several efforts to strengthen our internal organization, which include:

1. Building a strategic plan at the organizational level is crucial to maximize the effectiveness of our programs.

We recognize the importance of a "big picture of change" that aligns with TURC's vision, which involves empowering a strong and independent labor movement in Indonesia by establishing a solid organizational foundation and direction. In our efforts towards improvement, TURC will leverage existing capabilities to facilitate more intensive internal discussions, analysis, and program implementation management that are geared towards the organization's long-term goals.

2. Improvement of monitoring, evaluation, reporting, and learning systems.

The documentation of various capacity-building programs and support provided to workers and labor unions by TURC has been an essential aspect that needs to be consistently managed by the organization. Enhancing the reporting, monitoring, evaluation, and learning systems of program activities will greatly assist TURC in establishing milestones of achievements and serve as a crucial foundation to determine the future direction of the organization. Furthermore, documenting the lessons learned and best practices from our experiences can be processed into diverse information that enriches the study of labor issues.

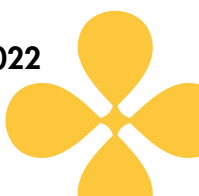
3. Formulation of a more innovative financial strategy as an effort for organizational sustainability and independence.

One of the challenges commonly faced by non profit organizations is the difficulty in creating diversified revenue streams that do not solely rely on grant funding. Therefore, in our ongoing efforts for improvement, TURC will focus on mobilizing financial resources and

implementing innovative fundraising ideas. Focusing on targeted groups, along with a dedicated team, will be key investments to realize TURC's aspirations of becoming financially independent and sustainable as an organization.

Through several assessments of organizational capacity and culture, TURC is characterized by a prominent "clan culture" type. This type of organization emphasizes teamwork, a sense of family, participation, and a high level of mutual trust. The clan culture is clearly reflected in the current staff members who have joined TURC, where "teamwork" is a deeply-held value of the organization. While there are many positive aspects of this clan culture, there are also challenges that require TURC to venture slightly beyond its comfort zone in order to grow more progressively as a nonprofit organization. One such challenge is to become more innovative in our work. We will strive to address this through our organizational improvement agenda, encompassing methodological implementation, human resource development, as well as documentation of learning and added value derived from our activities.

In addition to the aforementioned, we are also committed to creating a safe and comfortable working environment for staff and all partners collaborating with TURC. This is achieved through the revision of organizational policies and the introduction of a new policy called the Safeguarding Policy. The Safeguarding Policy aims to ensure that those working at or in contact with TURC, whether directly or indirectly through our work, especially vulnerable adults and children, are protected from any harm. This policy promotes TURC's values and principles of upholding human rights in a culture that emphasizes equality, non-discrimination, and mutual respect, wherein all TURC staff and affiliates can feel safe and comfortable in raising concerns to TURC and have confidence that TURC will respond to complaints confidentially and in a timely manner while maintaining a victim-centered approach.



TESTIMONI



" Since our collaboration with TURC, we have gained valuable experiences that will guide our organization, the National Workers Union, to be more progressive and impactful in our organizing efforts and in enhancing the resources of our members and officials. TURC has undertaken many innovative initiatives through educational programs, research, and training. The establishment of the Women Workers' School or Woman Worker Academy has particularly motivated women workers. Our message to TURC for the future is to continue their work in assisting Indonesian workers to thrive and achieve greater well-being through training."

Iwan Kusmawan–, Chairperson of the Foreign Affairs Division of the National Workers Union (SPN); Chairperson of IndustriALL Indonesia.



From TURC, we gained many valuable experiences and lessons. The presence of TURC not only expanded our social networks but also instilled the courage to take action against undesirable behaviors. We learned how to address, handle, and prevent various types of violence in our community, including sexual violence. Through TURC, we were able to address such incidents by providing support to the victims, imposing sanctions on the perpetrators according to cultural norms, and even making firm decisions in the workplace to prevent similar occurrences.

Yosefina Blegur–, Members of Palm Oil Trade Union FSPM AP South Kalimantan Province

OUR TEAM

Management



Andriko Otang
Executive Director



Didit Saleh
Deputy Program
Director



Dinda Z Wahid
Deputy Institutional
Director

Finance Team



Tuti Nurhayati
Head of Finance &
GA Division



Mardinah
Finance Officer



Suci Rachmawati
Finance and
Accounting



Rulianti Meilanur
Finance, Admin &
GA



Melinda Tri Handayani
Finance and
Accounting

Palm Oil Team



Mohammad Setiawan
Palm Division
Coordinator



Harwanto
Local Staff in South
Kalimantan



Aqila Reinata
Program Officer

OUR TEAM

Makin Terang Team



Syaukani Ichsan
Project Coordinator



**Adrianus Venda
Pratama Putra**
Data Analyst



**Biko Nabih Fikri
Zufar**
Comdev



Riefqi Zulfikar
Trainer Specialist

MAP Team



**Rizki Amalia
Fatikhah**
Project Officer



**Danardianingtyas
Nitya Swastika**
Project Officer

Communication Team



Degin Adenessa
Communication
Officer



Ai Sli Rahayu
Social Media
Officer

Scale Team



**Angga Perwira
Sukmawinata, S.H.**
Project Coordinator

Elevate Team



**Reza Tri
Pamungkas**
Program Officer

MEL Team



Kamalia
Planning,
Monitoring, Evaluation
Learning Specialist