



BUPATI NGANJUK  
PROVINSI JAWA TIMUR

REGIONAL REGULATION OF NGANJUK REGENCY  
NUMBER 10 OF 2024  
CONCERNING  
THE PROVISION OF EMPLOYMENT SERVICES AND PROTECTION

WITH THE GRACE OF GOD ALMIGHTY  
THE BUPATI OF NGANJUK,

- Considering :
- a. that the fulfillment of the right to work and to a decent livelihood for humanity in order to realize a prosperous, just, and equitable society constitutes an objective to be achieved in accordance with the values of Pancasila and the Constitution of the Republic of Indonesia of 1945;
  - b. that the implementation of labor services and protection which are able to guarantee the fundamental rights of workers/laborers and ensure equal opportunities as well as equal treatment without discrimination needs to be optimized;
  - c. that pursuant to the provisions of Annex letter G of Law Number 23 of 2014 concerning Regional Government, the manpower sector constitutes one of the mandatory affairs delegated to Regency/Municipal Governments;
  - d. that based on the considerations as referred to in letter a, letter b, and letter c, it is necessary to stipulate a Regional Regulation concerning the Implementation of Labor Services and Protection;
- Remembering :
1. Article 18 paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
  2. Law Number 12 of 1950 concerning the Establishment of Districts within the Province of East Java, as amended by Law Number 2 of 1965 concerning the Modification of the Boundaries of the Surabaya Municipality and the Surabaya Level II Region, amending Law Number 12 of 1950 and Law Number 16 of 1950 concerning the Establishment of Major Cities within the Provinces of East Java, Central Java, West Java, and the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia Year 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);
  3. Law Number 1 of 1970 concerning Work Safety (State Gazette of the Republic of Indonesia Year 1970 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 2918)
  4. Law Number 7 of 1981 concerning Mandatory Manpower Reporting in Companies (State Gazette of the Republic of Indonesia Year 1981 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 3201);
  5. Law Number 1 of 2000 concerning the Ratification of ILO Convention Number 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child

- Labour) (State Gazette of the Republic of Indonesia Year 2000 Number 30, Supplement to the State Gazette of the Republic of Indonesia Number 3941);
6. Law Number 21 of 2000 concerning Trade Unions/Labour Unions (State Gazette of the Republic of Indonesia Year 2000 Number 131, Supplement to the State Gazette of the Republic of Indonesia Number 3989);
  7. Law Number 13 of 2003 concerning Manpower (State Gazette of the Republic of Indonesia Year 2003 Number 39, Supplement to the State Gazette of the Republic of Indonesia Number 4279) as amended several times, most recently by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856)
  8. Law Number 21 of 2003 concerning the Ratification of ILO Convention No. 81 Concerning Labour Inspection in Industry and Commerce (ILO Convention No. 81 concerning Labour Inspection in Industry and Commerce) (State Gazette of the Republic of Indonesia Year 2003 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 4309);
  9. Law Number 2 of 2004 concerning Settlement of Industrial Relations Disputes (State Gazette of the Republic of Indonesia Year 2004 Number 6, Supplement to the State Gazette of the Republic of Indonesia Number 4356);
  10. Law Number 40 of 2004 concerning the National Social Security System (State Gazette of the Republic of Indonesia Year 2004 Number 150, Supplement to the State Gazette of the Republic of Indonesia Number 4456) as amended several times, most recently by Law Number 4 of 2023 concerning the Development and Strengthening of the Financial Sector (State Gazette of the Republic of Indonesia Year 2023 Number 4, Supplement to the State Gazette of the Republic of Indonesia Number 6845);
  11. Law Number 12 of 2011 concerning the Establishment of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended several times, most recently by Law Number 13 of 2022 concerning the Second Amendment to Law Number 12 of 2011 concerning the Establishment of Laws and Regulations (State Gazette of the Republic of Indonesia Year 2022 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 6801);
  12. Law Number 6 of 2012 concerning the Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (State Gazette of the Republic of Indonesia Year 2012 Number 115, Supplement to the State Gazette of the Republic of Indonesia Number 5314);
  13. Law Number 23 of 2014 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
  14. Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia Year 2017 Number 242, Supplement to the State Gazette of the

- Republic of Indonesia Number 6141) as amended several times, most recently by Law Number 6 of 2023 concerning the Stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (State Gazette of the Republic of Indonesia Year 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
15. Government Regulation Number 34 of 2021 concerning the Utilization of Foreign Workers (State Gazette of the Republic of Indonesia Year 2021 Number 44, Supplement to the State Gazette of the Republic of Indonesia Number 6646);
  16. Government Regulation Number 35 of 2021 concerning Fixed-Term Employment Agreements, Outsourcing, Working Hours and Rest Periods, and Termination of Employment (State Gazette of the Republic of Indonesia Year 2021 Number 45, Supplement to the State Gazette of the Republic of Indonesia Number 6647);
  17. Government Regulation Number 36 of 2021 concerning Wages (State Gazette of the Republic of Indonesia Year 2021 Number 46, Supplement to the State Gazette of the Republic of Indonesia Number 6648) as amended by Government Regulation Number 51 of 2023 concerning the Amendment to Government Regulation Number 36 of 2021 concerning Wages (State Gazette of the Republic of Indonesia Year 2023 Number 146, Supplement to the State Gazette of the Republic of Indonesia Number 6899);
  18. Government Regulation Number 37 of 2021 concerning the Implementation of the Job Loss Security Program (State Gazette of the Republic of Indonesia Year 2021 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 6649);
  19. Government Regulation Number 59 of 2021 concerning the Implementation of the Protection of Indonesian Migrant Workers (State Gazette of the Republic of Indonesia Year 2021 Number 94, Supplement to the State Gazette of the Republic of Indonesia Number 6678);
  20. Regulation of the Minister of Manpower and Transmigration Number PER.32/MEN/XII/2008 concerning Procedures for the Establishment and Composition of Membership of Bipartite Cooperation Institutions;
  21. Regulation of the Minister of Home Affairs Number 80 of 2015 concerning the Establishment of Regional Legal Products as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 concerning the Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 concerning the Establishment of Regional Legal Products (State Gazette of the Republic of Indonesia Year 2018 Number 157);
  22. Regulation of the Minister of Manpower Number 35 of 2016 concerning Procedures for the Provision, Requirements, and Types of Additional Service Benefits in the Old-Age Security Program (State Gazette of the Republic of Indonesia Year 2016 Number 1848) as amended by Regulation of the Minister of Manpower Number 17 of 2021 concerning the Amendment to Regulation of the Minister of Manpower Number 35 of 2016 concerning Procedures for the Provision, Requirements, and Types of Additional Service Benefits in the Old-Age Security Program (State Gazette of the Republic of Indonesia Year 2021 Number 1107);
  23. Regulation of the Minister of Manpower Number 6 of 2020 concerning the Implementation of Apprenticeships in the Country (State Gazette of the Republic of Indonesia Year 2020 Number 351);

24. Regulation of the Minister of Manpower Number 7 of 2021 concerning Procedures for the Registration of Participants and the Implementation of Contribution Recomposition in the Job Loss Security Program (State Gazette of the Republic of Indonesia Year 2021 Number 300);
25. Regulation of the Minister of Manpower Number 8 of 2021 concerning the Implementing Regulation of Government Regulation Number 34 of 2021 concerning the Utilization of Foreign Workers (State Gazette of the Republic of Indonesia Year 2021 Number 301);
26. Regulation of the Minister of Manpower Number 15 of 2021 concerning Procedures for the Provision of Job Loss Security Benefits (State Gazette of the Republic of Indonesia Year 2021 Number 864);
27. Regulation of the Minister of Manpower Number 6 of 2024 concerning Procedures for the Registration of Activities of Government Training Institutions and Company Training Institutions (State Gazette of the Republic of Indonesia Year 2024 Number 249);

By Mutual Agreement  
REGIONAL HOUSE OF REPRESENTATIVES OF NGANJUK REGENCY  
and  
THE BUPATI OF NGANJUK

DECIDES:

Establishes : REGIONAL REGULATION CONCERNING THE IMPLEMENTATION OF LABOR SERVICES AND PROTECTION

CHAPTER I  
GENERAL PROVISIONS

Article 1

In this Regional Regulation, the following definitions apply:

1. Region shall mean Nganjuk Regency.
2. Regional Government shall mean the Government of Nganjuk Regency.
3. Regent shall mean the Regent of Nganjuk.
4. Province shall mean East Java Province.
5. Governor shall mean the Governor of East Java.
6. Regional Apparatus shall mean the Regional Apparatus of Nganjuk Regency in charge of manpower affairs.
7. Manpower shall mean all matters relating to workers before, during, and after the employment period.
8. Worker shall mean any person who is capable of performing work in order to produce goods and/or services either to meet their own needs or those of the community.
9. Foreign Worker, hereinafter abbreviated as FWC, shall mean a foreign national holding a visa for the purpose of working within the territory of Indonesia.
10. Manpower Planning, hereinafter abbreviated as MP, shall mean a systematic process of formulating manpower plans which serve as the basis and reference in the formulation of policies, strategies, and the implementation of sustainable manpower development programs.
11. Manpower Plan, hereinafter abbreviated as MP, shall mean the

- outcome of manpower planning activities.
12. Macro Manpower Planning, hereinafter referred to as Macro MP, shall mean a systematic process of formulating manpower plans that contain the optimal and productive utilization of manpower to support economic or social growth at the national, regional, or sectoral levels, thereby creating wider employment opportunities, improving work productivity, and enhancing the welfare of workers/laborers..
  13. Micro Manpower Planning, hereinafter referred to as Micro MP, shall mean a systematic process of formulating manpower plans within an institution/agency, whether a government institution, provincial government, regency/municipal government, or the private sector, in order to enhance the optimal and productive utilization of manpower to support the achievement of high performance within the respective institution/agency or company.
  14. Macro Manpower Plan, hereinafter referred to as Macro MP Plan, shall mean the outcome of macro manpower planning activities.
  15. Micro Manpower Plan, hereinafter referred to as Micro MP Plan, shall mean the outcome of micro manpower planning activities.
  16. Worker/Laborer shall mean any person who works by receiving wages or other forms of remuneration.
  17. Employment Relationship shall mean the relationship between an employer and a worker/laborer based on an employment agreement, which contains elements of work, wages, and orders.
  18. Industrial Relations shall mean a system of relations established among the parties involved in the production process of goods and/or services consisting of employers, workers/laborers, and the government, based on the values of Pancasila and the Constitution of the Republic of Indonesia of 1945.
  19. Employer shall mean:
    - a. an individual, partnership, or legal entity that operates its own company;
    - b. an individual, partnership, or legal entity that independently operates a company not belonging to it;
    - c. an individual, partnership, or legal entity domiciled in Indonesia representing a company as referred to in letter a and letter b which is established outside the territory of Indonesia.
  20. Company shall mean:
    - a. any form of business, whether incorporated or not, owned by an individual, partnership, or legal entity, whether privately or state-owned, which employs workers/laborers by paying wages or other forms of remuneration;
    - b. social enterprises and other enterprises which have management and employ other persons by paying wages or other forms of remuneration.
  21. Indonesian Migrant Worker, hereinafter abbreviated as IMW, shall mean any Indonesian citizen who is about to, is currently, or has performed work by receiving wages outside the territory of the Republic of Indonesia.
  22. Trade Union/Labor Union shall mean an organization established from, by, and for workers/laborers, whether within a company or outside a company, which is free, open, independent, democratic, and responsible, with the purpose of striving for, defending, and protecting the rights and interests of workers/laborers as well as improving the welfare of workers/laborers and their families.
  23. Foreign Worker Utilization Plan, hereinafter abbreviated as FWUP, shall mean a plan for the utilization of foreign workers in certain positions prepared by the foreign worker employer for a certain period of time and ratified by the Minister or an appointed official.
  24. Bipartite Cooperation Institution, hereinafter referred to as Bipartite LKS, shall mean a forum for communication and consultation on matters related to industrial relations within a

- company, whose members consist of employers and trade unions/labor unions registered with the manpower authority or representatives of workers/laborers.
25. Apprenticeship shall mean a part of the job training system organized in an integrated manner between training at a training institution and working directly under the guidance and supervision of an instructor or a more experienced worker/laborer, in the process of producing goods and/or services in a company, in order to acquire certain skills or expertise.
  26. Employment Agreement shall mean an agreement between a worker/laborer and an employer or job provider containing the terms of employment, rights, and obligations of the parties.
  27. Fixed-Term Employment Agreement, hereinafter abbreviated as FTEA, shall mean an employment agreement between a worker/laborer and an employer to establish an employment relationship for a specified period of time or for certain work.
  28. Indefinite-Term Employment Agreement, hereinafter abbreviated as ITEA, shall mean an employment agreement between a worker/laborer and an employer to establish a permanent employment relationship.
  29. Wage shall mean the right of a worker/laborer received and expressed in the form of money as remuneration from the employer or job provider to the worker/laborer, which is determined and paid pursuant to an employment agreement, collective agreement, or laws and regulations, including allowances for the worker/laborer and his/her family for work and/or services that have been or will be performed.
  30. Religious Holiday Allowance, hereinafter referred to as THR, shall mean the income of a worker which must be paid by the employer to the worker or his/her family prior to a religious holiday, in the form of money or other forms.
  31. Termination of Employment shall mean the termination of an employment relationship for certain reasons resulting in the cessation of rights and obligations between the worker/laborer and the employer.
  32. Outsourcing Company shall mean a business entity in the form of a legal entity that fulfills the requirements to carry out certain work based on an agreement entered into with the company providing the work

## CHAPTER II FOUNDATION, PRINCIPLES, OBJECTIVES, AND TARGETS

### Article 2

The implementation of labor services and protection shall be based on Pancasila and the 1945 Constitution of the Republic of Indonesia, and carried out in accordance with the principle of integration through functional cross-sectoral coordination between the Central and Regional Governments.

### Article 3

The objectives of the implementation of manpower affairs in the Region shall be to:

- a. the implementation of manpower planning;
- b. establish manpower policies and job training that support the improvement of labor productivity;
- c. create a workforce with work competence to be able to compete in the labor market;
- d. provide services to job seekers to obtain employment either within or outside an employment relationship; and.

- e. provide guidance and protection to workers in realizing harmonious industrial relations.

#### Article 4

The targets to be achieved in the implementation of manpower affairs in the Region shall be:

- a. the creation of competent workforce;
- b. the establishment of a National job training system in the Region;
- c. the realization of productivity policies;
- d. the provision and utilization of manpower;
- e. the realization of labor protection;
- f. the realization of labor welfare;
- g. the resolution of industrial relations disputes;
- h. the harmonization between workers, employers, and the Regional Government; and
- i. the realization of legal certainty between workers, employers, and the Regional Government.

### CHAPTER III SCOPE

#### Article 5

The scope of this Regional Regulation shall include:

- a. manpower planning and manpower information;
- b. responsibilities and duties of the Regional Government;
- c. job training, apprenticeship, development and/or enhancement of work competence and work productivity;
- d. manpower placement;
- e. issuance of extensions of the Foreign Manpower Utilization Plan (RPTKA) for Foreign Workers (TKA);
- f. industrial relations;
- g. manpower protection;
- h. guidance, evaluation, and reporting; and
- i. manpower awards.

### CHAPTER IV MANPOWER PLANNING AND MANPOWER INFORMATION

#### Part One

#### Manpower Planning

#### Article 6

- (1) In formulating strategic policies and implementing sustainable manpower development programs, Regional Apparatus shall be guided by the Manpower Planning (PTK).
- (2) PTK shall consist of:
  - a. Macro Manpower Planning (PTK Macro); and
  - b. Micro Manpower Planning (PTK Micro).
- (3) Regional Apparatus shall prepare the Macro Manpower Plan (RTK Macro) based on basic manpower data, specific manpower data, economic data, and other relevant data

- (4) The RTK Macro as the result of PTK Macro shall at least contain information on:
  - a. manpower supply;
  - b. manpower demand;
  - c. manpower balance; and
  - d. policy directions, strategies, and regional manpower development programs.
- (5) The RTK Macro as referred to in paragraph (4) shall be prepared for a period of five (5) years.
- (6) The preparation of RTK shall be carried out by the Regional PTK Team in accordance with the provisions of laws and regulations.

#### Article 7

- (1) The RTK Micro as the result of PTK Micro shall be prepared by employers, including state-owned enterprises, regional-owned enterprises, private companies, and other private institutions.
- (2) The RTK Micro as referred to in paragraph (1) shall at least contain:
  - a. staff supply
  - b. staff demand
  - c. staff balance; and
  - d. staffing programs.
- (3) Employers preparing the RTK Micro as referred to in paragraph (1) shall be responsible for its implementation and report the results of its implementation to the Regional Apparatus.
- (4) Regional Apparatus shall provide guidance, assistance, monitoring, and evaluation in the preparation of RTK Micro.
- (5) The preparation of RTK Micro shall be carried out in accordance with the provisions of laws and regulations.

### Part Two Manpower Information

#### Article 8

- (1) The Manpower Planning (PTK) as referred to in Article 6 paragraph (1) shall be prepared on the basis of manpower information in the Region.
- (2) The manpower information as referred to in paragraph (1) shall include:
  - a. general manpower information;
  - b. information on training and labor productivity;
  - c. information on manpower placement;
  - d. information on the development of expanded employment opportunities; and
  - e. information on industrial relations and manpower protection.
- (3) The information as referred to in paragraph (2) shall be obtained from, among others:
  - a. Regional government;
  - b. regional state-owned enterprises;

- c. universities;
  - d. non-governmental organizations;
  - e. employers' associations;
  - f. private companies;
  - g. workers'/labor unions; and/or
  - h. the community.masyarakat.
- (4) In addition to the sources of information as referred to in paragraph (3), manpower information may also be obtained through surveys, as well as print and electronic media.

#### Article 9

The procedures for the preparation of manpower planning and manpower information shall be regulated by a Regent Regulation.

### CHAPTER V

#### RESPONSIBILITIES AND DUTIES OF THE REGIONAL GOVERNMENT

#### Article 10

- (1) The Regional Government shall be responsible for the implementation of manpower affairs in the Region in accordance with the provisions of laws and regulations.
- (2) The Regional Government, through its Regional Apparatus, shall have the duties to:
- a. implement regional manpower planning;
  - b. establish a manpower information system;
  - c. conduct training, apprenticeship, enhancement and/or development of work competence and labor productivity;
  - d. provide services for job intermediation, placement, and employment expansion;
  - e. implement guidance on industrial relations, working conditions, and manpower protection; and
  - f. implement guidance and monitoring of manpower affairs to be used as reporting material to the Province.

### CHAPTER VI

#### JOB TRAINING, APPRENTICESHIP, DEVELOPMENT AND/OR ENHANCEMENT OF WORK COMPETENCE AND LABOR PRODUCTIVITY

#### Part One Job Training

#### Paragraph 1 General Provisions

#### Article 11

- (1) The Regional Government shall play a role in preparing Workers through competence-based job training.
- (2) Job training as referred to in paragraph (1) shall be organized based on the following fundamental principles and policies:

- a. oriented toward labor market needs and human resource development;
  - b. based on work competence standards;
  - c. a shared responsibility between the business sector, the regional government, and the community;
  - d. implemented as an inseparable part of professionalism development; and
  - e. organized fairly and without discrimination.
- (3) Employers shall be responsible for improving the competence of workers/laborers to increase productivity through job training.

#### Article 12

- (1) Every Worker shall have the right to obtain and/or enhance and/or develop work competence in accordance with talent, interest, and ability through job training.
- (2) To participate in job training as referred to in paragraph (1), participants must meet the requirements in accordance with the type and level of program to be followed pursuant to the provisions of laws and regulations..
- (3) Persons with Disabilities who participate in job training as referred to in paragraph (2) shall be facilitated fairly and without discrimination in accordance with the provisions of laws and regulations.
- (4) Job training participants who have completed the training program and are declared to have passed shall be entitled to
  - a. a training certificate; or
  - b. a work competence certificate for those who pass the competency test conducted by the national body organizing professional certification and/or institutions organizing professional certification.

#### Paragraph 2 Job Training Institutions

#### Article 13

- (1) Job Training Institutions (hereinafter referred to as LPK) shall be organized by:
  - a. Pemerintah Government LPK;
  - b. Private LPK; and
  - c. Company LPK.
- (2) Job training may be conducted at training centers and/or workplaces.
- (3) Government LPK as referred to in paragraph (1) letter a shall be Job Training Centers (Balai Latihan Kerja/BLK) and/or other designations in accordance with the provisions of laws and regulations.
- (4) Private LPK as referred to in paragraph (1) letter b shall be LPK owned by the private sector.
- (5) Company LPK as referred to in paragraph (1) letter c shall be training units within a company
- (6) Companies may conduct competence-based job training within the company environment.
- (7) In the event that a company does not have training facilities, it may cooperate with BLK and/or Private LPK.
- (8) In conducting training as referred to in paragraph (2), LPK must comply with applicable standards and regulations and register its activities in accordance with the provisions of laws and regulations

Article 14

- (1) Government LPK, Private LPK, and Company LPK as referred to in Article 13 paragraph (1) shall register their activities with the Regional Apparatus.
- (2) Government LPK, Private LPK, and Company LPK that register their activities shall obtain a registration certificate issued by the Head of the Regional Apparatus.
- (3) The registration certificate of Government LPK, Private LPK, and Company LPK shall remain valid as long as the LPK actively conducts Job Training.
- (4) Private LPK as referred to in Article 13 paragraph (1) letter b shall conduct Job Training after fulfilling business licensing requirements in accordance with the provisions of laws and regulations

Article 15

Further provisions regarding the requirements and procedures for licensing LPK as referred to in Article 13 shall be implemented in accordance with the provisions of laws and regulations.

Part Two  
Apprenticeship

Article 16

Job training may be conducted through an apprenticeship system.

Article 17

- (1) Apprenticeships shall be carried out on the basis of an apprenticeship agreement between the participant and the employer made in writing.
- (2) The apprenticeship agreement as referred to in paragraph (1) shall include:
  - a. the rights and obligations of the apprenticeship participant;
  - b. the rights and obligations of the apprenticeship organizer;
  - c. the apprenticeship program;
  - d. the duration of the apprenticeship; and
  - e. the amount of allowance/stipend
- (3) Any apprenticeship conducted without an apprenticeship agreement as referred to in paragraph (1) shall be deemed invalid, and the participant's status shall change to that of a Worker/Laborer of the respective company.

Article 18

The implementation of Apprenticeships for participants with disabilities shall be carried out by taking into account the special needs of apprenticeship participants with disabilities.

Article 19

Workers who have completed an apprenticeship program shall be entitled to recognition of competency qualifications from the company or a certification institution.

#### Article 20

- (1) Apprenticeships may be conducted within the company itself, at a job training institution, or at another company, either within or outside the territory of Indonesia.
- (2) Apprenticeship organizers may only accept Domestic Apprenticeship participants up to a maximum of 20% (twenty percent) of the total number of workers in the company.
- (3) Apprenticeships as referred to in paragraph (1) shall be conducted in accordance with the provisions of laws and regulations.

#### Article 21

- (1) The Regional Government shall provide guidance on apprenticeships
- (2) Apprenticeship guidance shall be directed towards improving the relevance, quality, and efficiency of job training implementation and productivity
- (3) Improvement of productivity as referred to in paragraph (2) shall be carried out through the development of a productive culture, work ethic, technology, and efficiency in economic activities

#### Article 22

The Head of the Regional Apparatus shall conduct monitoring and evaluation of apprenticeship implementation periodically every 6 (six) months.

#### Article 23

- (1) Apprenticeship organizers shall be obliged to submit a report on the implementation of the Apprenticeship to:
  - a. the Director General with a copy to the Head of the Provincial Regional Apparatus for Apprenticeships conducted in more than one (1) province;
  - b. the Head of the Provincial Regional Apparatus with a copy to the Head of the Regional Apparatus for Apprenticeships conducted in more than one regency/municipality within one (1) provincial territory; or
  - c. the Head of the Regional Apparatus for Apprenticeships conducted within one (1) Region.
- (2) The report as referred to in paragraph (1) shall be submitted online or offline no later than one (1) month after the Company has completed the implementation of the Apprenticeship.
- (3) (3) The Head of the Regional Apparatus shall submit a recapitulation report on the implementation of Apprenticeships periodically every six (6) months to the Director General responsible for job training and productivity.

#### Article 24

Guidance, monitoring, evaluation, and reporting of the implementation of Apprenticeships shall be carried out in accordance with the provisions of laws and regulations.

#### Article 25

- (1) Any violation of the provisions on Apprenticeships shall be subject to administrative sanctions in the form of:

- a. reprimand;
  - b. written warning; and
  - c. other administrative sanctions in accordance with the provisions of laws and regulations.
- (2) Further provisions regarding the procedures for the imposition of administrative sanctions as referred to in paragraph (1) shall be regulated in a Regent Regulation. Ketentuan lebih lanjut mengenai tata cara penerapan sanksi administratif sebagaimana dimaksud pada ayat (1) diatur dalam Peraturan Bupati.

### Part Three

#### Development and/or Enhancement of Work Competence

##### Article 26

- (1) Employers shall be responsible for the enhancement and/or development of their workers' competencies through Job Training.
- (2) Enhancement and/or development of competencies as referred to in paragraph (1) shall be mandatory for employers who meet the requirements in accordance with the provisions of laws and regulations.
- (3) Every Worker/Laborer shall have equal opportunity to participate in competency enhancement organized by the employer or other parties.

### Part Four Work Productivity

##### Article 27

The improvement of work productivity shall be carried out through the development of a productive work culture, work ethic, technology, and efficiency of economic activities.

## CHAPTER VII PLACEMENT OF MANPOWER

### Part One Placement of Manpower

##### Article 28

Every Worker shall have equal rights and opportunities without discrimination to obtain employment and decent income, both domestically and abroad, in accordance with their expertise, skills, talents, interests, and abilities.

##### Article 29

- (1) Implementers of Manpower Placement shall consist of:
  - a. Regional Apparatus in charge of manpower affairs; and
  - b. private manpower placement agencies.
- (2) Private manpower placement agencies as referred to in paragraph (1) letter b shall be private legal entities that provide manpower placement services in accordance with the provisions of laws and regulations.
- (3) Manpower Placement as referred to in paragraph (2) shall include placement of Workers both domestically and abroad.

- (4) Manpower Placement shall be directed at placing Workers in appropriate positions in accordance with their expertise, skills, talents, interests, and abilities, while taking into account dignity, human rights, and legal protection.
- (5) Manpower Placement shall be carried out with due regard to equitable employment opportunities and the provision of Workers in accordance with demand.

#### Article 30

- (1) Implementers of Manpower Placement shall have the function of Manpower Placement Services.
- (2) (2) In carrying out the function of Manpower Placement Services as referred to in paragraph (1), the Implementers of Manpower Placement shall have the duties of:
  - a. Job Seeker Information Services (IPK);
  - b. Career Counseling and Guidance Services; and
  - c. Employment Mediation Services.

#### Article 31

- (1) Job Seeker Information Services (IPK) as referred to in Article 30 paragraph (2) letter a shall include Job Seeker Information, Job Vacancy Information, and Manpower Placement Information..
- (2) Job Seeker Information as referred to in paragraph (1) shall contain:
  - a. name, address, age, and gender; and
  - b. education and work competence.
- (3) Job Vacancy Information as referred to in paragraph (1) shall contain:
  - a. number of job vacancies;
  - b. type of work;
  - c. type of position and position requirements;
  - d. workplace, working conditions, and working hours;
  - e. wages, social security, and other benefits;
  - f. gender and age;
  - g. education and/or Work Competence; and
  - h. period of fulfillment of manpower request
- (4) Job Vacancy Information as referred to in paragraph (3) shall be open and accessible to every job seeker and must be reported to the Manpower Office..
- (5) Presentation and dissemination of Job Seeker Information Services (IPK) may be conducted through online media, bulletin boards, printed or electronic media, and/or other media.

#### Article 32

Career counseling and guidance services as referred to in Article 30 paragraph (2) letter b shall be provided to Job Seekers through Job Seeker Information Services (IPK) and Interviews.

#### Article 33

- (1) Every company shall be obliged to report job vacancies and job placements to the Regional Apparatus.
- (2) The requirements and procedures for reporting job vacancies and manpower placements as referred to in paragraph (1) shall be carried out by the Regional Apparatus in accordance with the

provisions of laws and regulations.

- (3) Any person is prohibited from collecting fees, either directly or indirectly, from prospective Workers, except those stipulated in laws and regulations.

#### Article 34

- (1) Employment mediation services as referred to in Article 30 paragraph (2) letter c shall include:
  - a. services to job seekers;
  - b. services to employers;
  - c. job vacancy search;
  - d. matching between Job Seekers and job vacancies;
  - e. placement of Workers both within and outside employment relations;
  - f. follow-up of job placement; and
  - g. periodic reporting of manpower placement.
- (2) Placement of Workers outside employment relations as referred to in paragraph (1) letter e shall be carried out in accordance with the provisions of laws and regulations.

#### Article 35

- (1) Private legal entities as referred to in Article 31 paragraph (2) shall be implemented by Private Manpower Placement Agencies (LPTKS) that have fulfilled risk-based business licensing.
- (2) Private Manpower Placement Agencies (LPTKS) conducting Manpower Placement Services through the Local Job Exchange system within the region shall be obliged to:
  - a. report job orders from Employers to the Regional Apparatus;
  - b. involve the Regional Apparatus in the recruitment process of manpower;
  - c. validate employment agreements with the Regional Apparatus; and
  - d. report manpower placement manually or through an online system to the Regional Apparatus.
- (3) The Regional Apparatus shall conduct guidance, monitoring, and evaluation of the Implementers of Manpower Placement.

### Part Two

#### Mechanism of Manpower Placement Services

#### Article 36

Manpower Placement Services may be conducted offline or online, integrated with the National Manpower Placement System.

#### Article 37

- (1) Job Seekers who intend to work either domestically or abroad must register with the Regional Apparatus, either offline or online, and obtain a Job Seeker Registration Card (AK/I).
- (2) In the event that they have not yet obtained employment, Job Seekers must report to the Regional Apparatus every six (6) months as of the date of registration.
- (3) In the event that they have obtained employment, Job Seekers must report to the Regional Apparatus no later than one (1) week as of the date of placement.
- (4) The reports of Job Seekers as referred to in paragraphs (2) and (3) may be submitted either offline or online.
- (5) The Job Seeker Registration Card as referred to in paragraph (1)

shall be valid nationwide for two (2) years and may be extended.

#### Article 38

- (1) Employers requiring manpower shall be obliged to provide information regarding job vacancies, either offline or online, to the Regional Apparatus.
- (2) The Regional Apparatus, as the recipient of job vacancy information from Employers as referred to in paragraph (1), must record it in the manpower requisition form (AK/III).
- (3) Employers shall be obliged to report manpower placement to the Regional Apparatus.
- (4) Further provisions regarding the requirements and procedures for reporting information on manpower needs and manpower placement as referred to in paragraph (1) shall be regulated in a Regent Regulation.

#### Article 39

- (1) Every business activity/company conducting manpower recruitment must do so openly.
- (2) Every manpower recruitment as referred to in paragraph (1) must prioritize local manpower, taking into account the knowledge and skills required by the company.
- (3) The provisions as referred to in paragraph (2) shall constitute at least seventy percent (70%) of the total number of workers.
- (4) Further provisions regarding the prioritization of local manpower shall be regulated by a Regent Regulation.

#### Article 40

- (1) Any party violating the provisions as referred to in Article 38 paragraphs (1), (2), and (3), as well as Article 39 paragraphs (1), (2), and (3), shall be subject to administrative sanctions in the form of:
  - a. verbal reprimand;
  - b. written warning; and
  - c. other administrative sanctions in accordance with the provisions of laws and regulations.
- (2) Further provisions regarding the procedures for the imposition of administrative sanctions as referred to in paragraph (1) shall be regulated in a Regent Regulation.

### Part Three

#### Persons with Disabilities

#### Article 41

- (1) The Regional Government shall be obliged to establish a Disability Employment Service Unit.
- (2) The Disability Employment Service Unit shall be organized as part of the implementation and fulfillment of the rights of Persons with Disabilities
- (3) Further provisions regarding the process of establishing the Disability Employment Service Unit shall be regulated in a Regent Regulation.

#### Article 42

- (1) Every Person with Disability shall have equal opportunity and

treatment in obtaining employment, provided that they meet the job requirements and qualifications in accordance with the type and degree of disability.

- (2) The degree of disability as referred to in paragraph (1) shall be in accordance with the provisions of laws and regulations
- (3) Regional-owned enterprises domiciled in the Region shall be obliged to employ at least two percent (2%) of Persons with Disabilities from the total number of employees or workers
- (4) Private companies domiciled in the Region shall be obliged to employ at least one percent (1%) of Persons with Disabilities from the total number of employees or workers
- (5) Regional-owned enterprises and private companies domiciled in the Region as referred to in paragraphs (3) and (4) shall be obliged to report the placement of workers with disabilities to the Regional Apparatus

#### Article 43

Employers, in the placement of workers with disabilities, may:

- a. provide opportunities for orientation or adaptation at the beginning of employment to determine necessary support, including training or apprenticeship programs;
- b. provide flexible workplaces adapted to the type of disability without reducing work performance targets;
- c. provide rest periods;
- d. provide flexible work schedules while maintaining required working hours;
- e. provide assistance in the performance of work, taking into account the special needs of Persons with Disabilities; and
- f. grant special leave or permission for medical treatment.

#### Article 44

- (1) Any party violating the provisions as referred to in Article 41 paragraph (1) as well as Article 42 paragraphs (3), (4), and (5) shall be subject to administrative sanctions in the form of:
  - a. verbal reprimand;
  - b. written warning; and
  - c. other administrative sanctions in accordance with the provisions of laws and regulations.
- (2) Further provisions regarding the procedures for the imposition of administrative sanctions as referred to in paragraph (1) shall be regulated in a Regent Regulation.

### Part Four Special Job Exchange

#### Article 45

- (1) Placement of workers may be carried out not only by the Implementer of Employment Placement but also by the Special Job Exchange (BKK).
- (2) The BKK as referred to in paragraph (1) shall be established within secondary education institutions, higher education institutions, and job training institutions.
- (3) Worker placement by the BKK as referred to in paragraph (1) shall be designated for alumni of the respective secondary education institutions, higher education institutions, and job training institutions.

Article 46

- (1) The establishment of the BKK as referred to in Article 45 paragraph (2) shall be stipulated by a decision of the head of the respective secondary education institution, higher education institution, or job training institution, and shall be registered with the Regional Apparatus.
- (2) Registration as referred to in paragraph (1) shall be submitted by attaching the following requirements:
  - a. *copy* of the establishment license or operational license of the secondary education institution, higher education institution, or job training institution issued by the competent authority;
  - b. copy of the decision on the establishment of the BKK along with its organizational structure; and
  - c. worker placement plan for at least one (1) year ahead.
- (3) The Head of the Regional Apparatus shall record the registration of the BKK and issue a registration certificate.
- (4) The registration certificate as referred to in paragraph (3) shall remain valid as long as the BKK actively conducts worker placement in accordance with the provisions of laws and regulations.

Article 47

The BKK as referred to in Article 45 paragraph (1) shall be prohibited from:

- a. placing:
  1. workers outside of its alumni; and/or
  2. workers abroad; and
- b. channeling job seekers who are not from its respective educational institution or job training institution.

Article 48

- (1) The Regional Apparatus and the Regional Apparatus responsible for governmental affairs in the education sector shall conduct technical and operational guidance of the BKK.
- (2) The guidance as referred to in paragraph (1) shall include:
  - a. organization and institutional matters;
  - b. development of BKK implementing personnel; and
  - c. operational techniques of labor intermediation.

Article 49

- (1) The BKK shall report the implementation of its activities to the Regional Apparatus.
- (2) The Head of the Regional Apparatus shall report on the development of BKKs within the Region to the Head of the Regional Apparatus responsible for manpower and education affairs at the Provincial level.

Article 50

- (1) Any BKK that fails to submit reports and/or does not carry out activities for six (6) consecutive months shall be subject to evaluation and guidance.
- (2) If, after evaluation and guidance as referred to in paragraph (1), the BKK still fails to carry out activities for twelve (12) consecutive months and is further confirmed by the absence of reports, the Regional Apparatus shall revoke the BKK's registration certificate.

Article 51

- (1) Employers requiring workers through a BKK must submit an application to the Regional Apparatus in order to obtain approval..
- (2) The approval as referred to in paragraph (1) shall be submitted to the Regional Apparatus of the BKK's domicile by attaching a draft employment agreement ratified by the Regional Apparatus of the intended Worker Placement Destination.
- (3) Procedures for granting approval as referred to in paragraph (2) shall be regulated in a Regent Regulation.

Article 52

- (1) The Head of the Regional Apparatus may impose administrative sanctions on BKKs and Employers in the form of:
  - a. written warning;
  - b. temporary suspension, either partial or total, of activities (suspension); and
  - c. revocation of business license or cancellation of registration certificate.
- (2) Further provisions regarding the procedures for the imposition of administrative sanctions as referred to in paragraph (1) shall be regulated in a Regent Regulation.

Part Five  
Job Fair

Article 53

- (1) Job Fairs organized by Private Manpower Placement Agencies (LPTKS), Special Job Exchanges (BKK), and legal entities must obtain approval from the Regional Apparatus.
- (2) The LPTKS, BKK, and legal entities as referred to in paragraph (1) shall submit an application by attaching:
  - a. Business License (SIU) for LPTKS, BKK registration certificate, or deed of establishment of the legal entity
  - b. the planned number of participating companies;
  - c. the estimated number of vacancies and targeted placements; and
  - d. statement letter from the person in charge of the Job Fair activity regarding the obligation not to charge Job Seekers

any fees and the willingness to terminate the Job Fair activity in the event of such violation.

- (3) Job Fair organizers are prohibited from charging Job Seekers any fees in any form.

#### Article 54

- (1) Job Fair organizers as referred to in Article 53 must submit a report on the implementation of the Job Fair to the Head of the Regional Apparatus within no later than fourteen (14) working days after the Job Fair has been held, covering:
  - a. the number of Job Seekers;
  - b. the number of companies;
  - c. the number of available vacancies; and
  - d. the number of Workers placed.
- (2) The Head of the Regional Apparatus as referred to in paragraph (1) shall submit a report on the realization of the Job Fair activities to the Head of the Provincial Regional Apparatus within no later than one (1) month after the Job Fair has been held

#### Article 55

- (1) The Head of the Regional Apparatus shall impose administrative sanctions on Job Fair organizers in the form of:
  - a. written warning;
  - b. temporary suspension, either partial or total, of activities (suspension); and
  - c. revocation of business license or cancellation of registration certificate.
- (2) In addition to administrative sanctions as referred to in paragraph (1), sanctions may also be imposed in the form of revocation of recommendation and termination of Job Fair activities in the event that the Job Fair organizer charges placement fees to Job Seekers.

#### Article 56

Further provisions regarding the reporting of Job Fair activities as referred to in Article 54 and the procedures for the imposition of administrative sanctions as referred to in Article 55 shall be regulated in a Regent Regulation.

#### Part Six

#### Job Vacancy Registration

#### Article 57

Employers requiring workers must submit information on job vacancies manually or through an online system to the Regional Apparatus.

#### Article 58

- (1) Informasi lowongan pekerjaan bersifat terbuka.

- (2) Informasi lowongan pekerjaan sebagaimana dimaksud pada ayat (1) dapat digunakan oleh:
  - a. Pencari Kerja;
  - b. Pemberi Kerja;
  - c. Pemerintah Pusat; dan
  - d. Pemerintah Daerah.
- (3) Informasi lowongan pekerjaan sebagaimana dimaksud pada ayat (1) memuat:
  - a. jumlah lowongan pekerjaan;
  - b. jenis pekerjaan;
  - c. jenis jabatan dan syarat-syarat jabatan;
  - d. tempat kerja, kondisi kerja, dan waktu kerja;
  - e. upah, jaminan sosial, dan tunjangan lainnya;
  - f. jenis kelamin dan usia;
  - g. pendidikan dan/atau kompetensi kerja; dan
  - h. jangka waktu pemenuhan permintaan tenaga kerja.
- (4) Job vacancy information shall be open.
- (5) Job vacancy information as referred to in paragraph (1) may be used by:
  - a. Job Seekers;
  - b. Employers;
  - c. the Central Government; and
  - d. Regional Governments.
- (6) Job vacancy information as referred to in paragraph (1) shall include:
  - a. number of vacancies;
  - b. type of work;
  - c. type of position and job requirements;
  - d. workplace, working conditions, and working hours;
  - e. wages, social security, and other benefits;
  - f. gender and age;
  - g. education and/or work competence; and
  - h. duration of fulfillment of labor demand.

Part Seven  
Indonesian Migrant Workers

Article 59

- (1) The Regional Government shall implement the protection of Indonesian Migrant Workers (PMI) in a coordinated and integrated manner.
- (2) The protection of PMI as referred to in paragraph (1) shall be provided to Prospective PMI and/or PMI placed by Private Indonesian Migrant Worker Placement Companies (P3MI), companies placing PMI for their own business purposes, and individual PMI.
- (3) The protection of Prospective PMI or PMI shall include:
  - a. protection before employment;
  - b. protection during employment; and
  - c. protection after employment.
- (4) The protection of PMI shall be carried out in accordance with the provisions of laws and regulations.

Part Eight  
Issuance of Licenses for Shelters  
of Prospective Indonesian Migrant Workers

Article 60

- (1) Any legal entity that provides a shelter for prospective PMI must obtain a Shelter License for prospective PMI.
- (2) The application for a Shelter License for prospective PMI as referred to in paragraph (1) shall be submitted to the Regional Government by fulfilling the requirements as regulated under the provisions of laws and regulations.

CHAPTER VIII  
ISSUANCE OF EXTENSIONS OF FOREIGN MANPOWER  
UTILIZATION PLAN (RPTKA) FOR FOREIGN WORKERS (TKA)

Article 61

- (1) The issuance of extensions of the Foreign Manpower Utilization Plan (RPTKA) for Foreign Workers (TKA) working in the Region shall be carried out under the following provisions:
  - a. Employers shall submit applications for extension of the RPTKA online through the foreign manpower system (TKA Online);
  - b. Applications for extension of RPTKA approval shall be submitted no later than 30 (thirty) working days before the validity period of the RPTKA approval expires.
- (2) The extension of the RPTKA as referred to in paragraph (1) shall be valid for a maximum period of 2 (two) years.
- (3) The stages and procedures for the issuance of extensions of the RPTKA for Foreign Workers (TKA) working in the Region as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

Article 62

Every employer employing Foreign Workers (TKA) shall be obliged to:

- a. report the utilization of Foreign Workers periodically to the Regional Apparatus;
- b. pay compensation funds for the utilization of Foreign Workers in accordance with the provisions of laws and regulations
- c. repatriate Foreign Workers to their country of origin after the employment agreement ends;
- d. appoint Indonesian workers as companion workers to Foreign Workers employed for the purpose of transfer of technology and transfer of expertise; and
- e. comply with the applicable laws and regulations in the Republic of Indonesia.

CHAPTER IX  
INDUSTRIAL RELATIONS

Part One  
Ratification of Company Regulations

Article 63

- (1) Every company employing at least 10 (ten) workers/laborers shall be required to establish Company Regulations.
- (2) The Company Regulations as referred to in paragraph (1) must obtain ratification from the Regional Apparatus.
- (3) Applications for ratification of Company Regulations as referred to in paragraph (2) shall be submitted to the Regional Apparatus by attaching the requirements as stipulated under the provisions of laws and regulations.

#### Article 64

- (1) Any employer intending to amend the substance of Company Regulations must submit an application for re-ratification of the Company Regulations to the Regional Apparatus, by attaching the requirements as stipulated under the provisions of laws and regulations.
- (2) In the event that the employer does not submit an application for re-ratification of the Company Regulations as referred to in paragraph (1), the amendments to the Company Regulations shall be deemed null and void.

#### Article 65

- (1) Company Regulations whose validity period has expired must be renewed by the employer.
- (2) Every employer intending to renew Company Regulations must submit an application for ratification of the renewal of Company Regulations to the Regional Apparatus, by attaching the requirements as stipulated under the provisions of laws and regulations.

#### Article 66

- (1) Employers shall be obliged to print Company Regulations that have obtained ratification from the Regional Apparatus to be distributed to workers/laborers.
- (2) Employers who have obtained ratification of the Company Regulations shall be obliged to conduct dissemination of such Company Regulations to the workers/laborers in the respective company.

### Part Kedua Pendaftaran Perjanjian Kerja Bersama

#### Article 67

- (1) Employers shall be obliged to accommodate requests for negotiations on the establishment of a collective labor agreement in the company submitted by the labor union/trade union.
- (2) Collective labor agreements resulting from negotiations must be registered with the Regional Apparatus.
- (3) Applications for registration as referred to in paragraph (1) shall be submitted to the Regional Apparatus by attaching the requirements as stipulated under the provisions of laws and regulations.

#### Article 68

- (1) Employers shall be obliged to print collective labor agreements that have been registered with the Regional Apparatus for distribution to workers/laborers.

- (2) Employers shall be obliged to disseminate collective labor agreements that have been registered with the Regional Apparatus to the workers/laborers in the respective company.

Part Three  
Registration of the Establishment of  
Bipartite Cooperation Institutions

Article 69

- (1) Every employer employing more than 50 (fifty) persons shall be obliged to establish a Bipartite Cooperation Institution (LKS Bipartit) and register its establishment with the Regional Apparatus.
- (2) Applications for the registration of a Bipartite Cooperation Institution as referred to in paragraph (1) shall be submitted to the Regional Apparatus by attaching the following requirements:
  - a. minutes of establishment;
  - b. composition of the management; and
  - c. company address.
- (3) Every employer who has registered a Bipartite Cooperation Institution shall be obliged to report its activities periodically every 6 (six) months to the Regional Apparatus.

Part Four  
Registration of Fixed-Term Employment Agreements

Article 70

- (1) Every employer entering into a fixed-term employment relationship shall be obliged to register the Fixed-Term Employment Agreement (PKWT).
- (2) Registration of the PKWT as referred to in paragraph (1) shall be carried out online with the Ministry no later than 3 (three) working days from the signing of the PKWT.
- (3) In the event that online registration of the PKWT with the Ministry cannot yet be implemented, the employer shall be obliged to register the PKWT with the Regional Apparatus no later than 7 (seven) working days from the signing of the PKWT.
- (4) Applications for registration of the PKWT as referred to in paragraph (3) shall be submitted to the Regional Apparatus by attaching the requirements as stipulated under the provisions of laws and regulations.

Part Five  
Registration of the Establishment of Labor Unions/Trade Unions

Article 71

- (1) Every establishment of a labor union/trade union within a company shall be registered with the Regional Apparatus.
- (2) The Regional Apparatus shall be obliged to register and issue a registration certificate number or convey the registration of the establishment of the labor union/trade union.
- (3) The registration as referred to in paragraph (2) shall be recorded in a registration book containing at least:
  - a. the name and address of the labor union/trade union;
  - b. the names of the founding members;

- c. the composition and names of the management;
- d. the date of establishment and amendments to the articles of association and/or bylaws;
- e. the registration certificate number; and
- f. the date of registration.

CHAPTER X  
PROTECTION OF LABOR

Part One  
Protection of the Rights of Workers with Disabilities

Article 72

- (1) Companies shall be obliged to provide wages to workers with disabilities equal to those provided to non-disabled workers for the same type of work and responsibilities.
- (2) Employers shall be obliged to provide reasonable accommodation and accessible facilities for workers with disabilities.
- (3) Employers shall be obliged to establish a complaint mechanism for the non-fulfillment of the rights of workers with disabilities.
- (4) The Central Government and Regional Governments shall be obliged to disseminate information on the provision of reasonable accommodation and accessible facilities for workers with disabilities.

Article 73

Companies shall be obliged to provide job training for workers with disabilities in order to enhance their competencies.

Article 74

- (1) Employers are prohibited from imposing sanctions or terminating employment of workers/laborers with disabilities due to occupational accidents occurring within the company.
- (2) In the event that a worker with disabilities due to an occupational accident as referred to in paragraph (1) is rendered completely unable to perform any work, the company may terminate employment, subject to the provisions of the prevailing laws and regulations.

Part Two  
Wages

Article 75

- (1) The Regency Minimum Wage shall be determined after the determination of the Provincial Minimum Wage.
- (2) The Regency Minimum Wage as referred to in paragraph (1) must be higher than the Provincial Minimum Wage.
- (3) The calculation of the Regency Minimum Wage shall be conducted by the Regency Wage Council in accordance with the provisions of the prevailing laws and regulations.
- (4) The results of the calculation of the Regency Minimum Wage as referred to in paragraph (1) shall be submitted to the Regent for recommendation to the Governor through the Provincial Office responsible for manpower affairs.
- (5) the event that the result of the calculation of the Regency

Minimum Wage is lower than the Provincial Minimum Wage, the Regent may not recommend the Regency Minimum Wage value to the Governor.

#### Article 76

- (1) Employers are prohibited from paying wages lower than the Regency Minimum Wage.
- (2) The provisions referred to in paragraph (1) shall not apply to employers operating micro and small-scale enterprises in accordance with the provisions of the prevailing laws and regulations.
- (3) Micro and small-scale enterprises may pay workers/laborers based on mutual agreement, provided that the wage shall not be less than 50% (fifty percent) of the average consumption expenditure at the provincial level, or at least 25% (twenty-five percent) above the provincial poverty line.
- (4) The wages of workers/laborers with a period of employment of less than one (1) year must comply with the provisions of the Regency Minimum Wage.
- (5) Employers shall be obliged to formulate and implement a wage structure and scale within the company, taking into account the company's financial capacity and the productivity of the workforce

#### Article 77

- (1) Employers shall pay wages in a timely manner as agreed between the Employer and the Worker/Laborer.
- (2) In the event that the agreed day or date falls on a public holiday, a declared holiday, or a weekly rest day, the payment of wages shall be regulated in the Employment Agreement, Company Regulations, or Collective Labor Agreement.
- (3) Wages may be paid on a daily, weekly, or monthly basis.
- (4) The period for wage payment by the Employer shall not exceed one (1) month.
- (5) Employers or Workers/Laborers who violate the provisions of the Employment Agreement, Company Regulations, or Collective Labor Agreement due to intent or negligence shall be subject to fines, provided that such fines are expressly stipulated in the Employment Agreement, Company Regulations, or Collective Labor Agreement.
- (6) Employers who delay payment and/or fail to pay wages as referred to in paragraph (1) shall be subject to fines, with the following provisions:
  - a. from the fourth to the eighth day calculated from the date wages should have been paid, a fine of 5% (five percent) of the unpaid wages shall be imposed for each day of delay; and
  - b. after the eighth day, if wages remain unpaid, the delay fine as referred to in letter a shall be added with 1% (one percent) for each additional day of delay, provided that within one (1) month the total fine shall not exceed 50% (fifty percent) of the wages payable.
- (7) After one month, if wages remain unpaid, the delay fines as referred to in letters a and b shall be added with interest at the highest interest rate applicable in state-owned banks.

Article 78

- (1) Workers or laborers who work beyond the normal working hours shall be classified as working overtime.
- (2) Overtime as referred to in paragraph (1) means working in excess of 40 (forty) hours per week
- (3) Companies are obliged to pay overtime wages to workers/laborers who perform overtime work in accordance with the provisions of the prevailing laws and regulations.

Article 79

- (1) Companies are obliged to provide Religious Holiday Allowance (THR) to Workers/Laborers who have been continuously employed for at least one (1) month.
- (2) The amount of THR as referred to in paragraph (1) shall be determined as follows:
  - a. Workers/Laborers who have been continuously employed for 12 (twelve) months or more shall be entitled to THR equivalent to one (1) month's wage; and
  - b. Workers/Laborers who have been continuously employed for one (1) month but less than 12 (twelve) months shall be entitled to THR proportionally based on their length of service, calculated as follows:
$$\text{Length of Service} \times \frac{1 \text{ month's wage}}{12}$$
- (3) Employers who are late in paying THR to Workers/Laborers shall be subject to a fine of 5% (five percent) of the total THR payable, calculated from the end of the deadline for the Employer's obligation to pay

Article 80

Any company that violates wage provisions in relation to:

- a. paying wages below the minimum wage;
- b. failing to pay wages on time;
- c. failing to pay overtime wages; and/or
- d. failing to pay Religious Holiday Allowance (THR),

may be subject to sanctions in the form of denial of certain public services related to its business licensing.

Part Three  
Employment Social Security

Article 81

- (1) Employers shall register themselves and their workers as participants of the Social Security Administering Body for Employment (BPJS Ketenagakerjaan) and the Social Security Administering Body for Health (BPJS Kesehatan) in accordance with the provisions of the prevailing laws and regulations.
- (2) Employers shall provide complete and accurate data concerning themselves, their workers, and the workers' family members to BPJS Ketenagakerjaan and BPJS Kesehatan.
- (3) Employers shall pay and remit contributions for which they are responsible to BPJS Ketenagakerjaan and BPJS Kesehatan in accordance with the provisions of the prevailing laws and regulations.

- (4) Any company that violates the social security provisions in the following cases:
- a. failing to register itself and its workers as participants of BPJS Ketenagakerjaan and BPJS Kesehatan;
  - b. failing to provide complete and accurate data concerning itself, its workers, and the workers' family members to BPJS Ketenagakerjaan and BPJS Kesehatan; and
  - c. failing to pay and remit contributions for which it is responsible to BPJS Ketenagakerjaan in accordance with the provisions of the prevailing laws and regulations,
- may be subject to sanctions in the form of denial of certain public services related to its business licensing.

Part Four  
Fixed-Term Employment Agreement

Article 82

- (1) Companies may employ Workers/Laborers under a Fixed-Term Employment Agreement (Perjanjian Kerja Waktu Tertentu – PKWT)..
- (2) A Fixed-Term Employment Agreement shall be based on:
  - a. specified period of time; and/or
  - b. the completion of a specific job.
- (3) A Fixed-Term Employment Agreement based on a specified period of time as referred to in paragraph (2) letter a shall be made for certain jobs, namely:
  - a. jobs that are estimated to be completed within a relatively short period of time;
  - b. seasonal jobs; and/or
  - c. jobs related to new products, new activities, or additional products that are still in the experimental or exploratory stage.
- (4) A Fixed-Term Employment Agreement based on the completion of a specific job as referred to in paragraph (2) letter b shall be made for certain jobs, namely:
  - a. jobs that are completed once only; and/or
  - b. jobs that are temporary in nature.
- (5) In addition to the specific jobs as referred to in paragraphs (3) and (4), a Fixed-Term Employment Agreement may also be applied to other specific jobs whose type, nature, or activities are non-permanent

Article 83

- (1) Jobs estimated to be completed within a relatively short period of time as referred to in Article 82 paragraph (3) letter a shall be carried out for a maximum of five (5) years.
- (2) The duration of a Fixed-Term Employment Agreement as referred to in paragraph (1) shall be determined based on an agreement between the employer and the worker, as set forth in the contract.

Article 84

- (1) A Fixed-Term Employment Agreement (PKWT) as referred to in Article 82 paragraph (1) shall be made in written form.

- (2) The written Fixed-Term Employment Agreement as referred to in paragraph (1) shall be registered online with the Ministry responsible for manpower affairs.
- (3) Registration of a Fixed-Term Employment Agreement as referred to in paragraph (2) may be carried out offline with the Regional Apparatus, in the event that online registration with the Ministry has not yet been implemented.
- (4) The Regional Apparatus shall be obliged to accept the registration of a Fixed-Term Employment Agreement by affixing a stamp and registration number on the proof of record.
- (5) Workers/Laborers under a Fixed-Term Employment Agreement shall be entitled to receive the PKWT contract document from the company.
- (6) Workers/Laborers under a Fixed-Term Employment Agreement who are outsourced workers shall be entitled to receive the PKWT contract document from the Outsourcing Company.

Part Five  
Assignment of Work to Outsourcing Companies

Article 85

- (1) Companies may assign part of the execution of work to an outsourcing company
- (2) The outsourcing company as referred to in paragraph (1) shall be a legal entity and must possess a Business Identification Number (Nomor Induk Berusaha – NIB) issued by the Online Single Submission (OSS) Institution.
- (3) Outsourcing companies carrying out work from the contracting company shall preferably be domiciled within the Region.
- (4) In the event that the outsourcing company is domiciled outside the Region, it must establish a branch representative office within the Region.
- (5) Outsourcing companies shall prioritize the employment of Workers/Laborers originating from the Region.
- (6) Outsourcing companies shall have vocational training facilities or cooperate with other parties, in accordance with the standards stipulated under the prevailing laws and regulations.

Article 86

- (1) An Outsourcing Company shall enter into an Employment Agreement with its Workers/Laborers.
- (2) The Employment Agreement as referred to in paragraph (1) shall at least contain:
  - a. the type of work to be performed by the Workers/Laborers of the outsourcing company;
  - b. the amount of wages, which shall not be lower than the minimum wage;
  - c. a stipulation that in performing the work as referred to in letter a, the employment relationship exists between the outsourcing company and the Workers/Laborers, thereby making the outsourcing company responsible for wage protection, welfare, working conditions, and any disputes that may arise;
  - d. a stipulation that the outsourcing company agrees to employ Workers/Laborers from the previous outsourcing company for jobs that continuously exist at the contracting company in the event of a change of outsourcing companies; and

- e. a stipulation that there shall be a transfer of protection of rights for Workers/Laborers whose work object continues to exist, notwithstanding the change of outsourcing companies.

Part Six  
Termination of Employment

Article 87

- (1) Employers, Workers/Laborers, and Regional Apparatus shall make every effort to prevent Termination of Employment
- (2) In unavoidable circumstances, Termination of Employment may be carried out in accordance with the procedures stipulated under the prevailing laws and regulations
- (3) Termination of Employment must be based on grounds and procedures justified by the labor laws and regulations
- (4) Employers shall be obliged to provide the entitlements arising from the Termination of Employment to the Workers/Laborers in an amount in accordance with the provisions of the prevailing laws and regulations.

Article 88

- (1) Employers intending to carry out Termination of Employment must notify the Workers/Laborers.
- (2) Workers/Laborers receiving notification of Termination of Employment from the Employer may request Bipartite negotiations.
- (3) In the event an agreement is reached in the Bipartite negotiations as referred to in paragraph (2), a mutual agreement shall be made
- (4) In the event that no agreement is reached in the Bipartite negotiations, Workers/Laborers rejecting the Termination of Employment must submit a written rejection no later than seven (7) days after the Employer's notification
- (5) The rejection by Workers/Laborers as referred to in paragraph (4) may be disputed through the process and procedures as stipulated under the prevailing laws and regulations
- (6) In the absence of a final and binding decision from the Industrial Relations Court, the employment relationship shall continue, and both Employer and Worker/Laborer shall continue to exercise their respective rights and obligations

Article 89

- (1) Employers who terminate Workers/Laborers under a Fixed-Term Employment Agreement (PKWT) must provide severance compensation in accordance with the provisions of the prevailing laws and regulations
- (2) The payment of severance compensation shall be made upon the expiration of the Fixed-Term Employment Agreement.
- (3) The severance compensation as referred to in paragraph (2) shall be granted to Workers/Laborers who have had a continuous employment period of at least one (1) month

- (4) The amount of severance compensation shall be provided in accordance with the following provisions:
- a. For a Fixed-Term Employment Agreement (PKWT) of twelve consecutive months, the compensation shall be equal to one (1) month's wage;
  - b. For a Fixed-Term Employment Agreement (PKWT) of one (1) month or more but less than twelve (12) months, the compensation shall be calculated proportionally based on the following formula:  
$$\text{length of service (in months)} \times \frac{1}{12} \times 1 \text{ (one) month's wage}$$
  - c. For a Fixed-Term Employment Agreement (PKWT) of more than twelve (12) months, the compensation shall be calculated proportionally based on the following formula:  
$$\text{length of service (in months)} \times \frac{1}{12} \times 1 \text{ (one) month's wage}$$
- (5) Employers who terminate Workers/Laborers under an Indefinite-Term Employment Agreement (PKWTT) shall provide severance pay and/or other entitlements in accordance with the provisions of the prevailing laws and regulations.

Part Seven  
Occupational Health and Safety

Article 90

- (1) Companies shall endeavor to achieve zero accidents in the workplace environment.
- (2) To realize zero accidents as referred to in paragraph (1), Companies shall comply with occupational safety and health standards in the workplace in accordance with the provisions of the prevailing laws and regulations.
- (3) Companies shall provide work equipment that protects the health of Workers/Laborers in the performance of their duties.

Article 91

- (1) Companies shall guarantee occupational health and safety for Workers/Laborers in the course of their work.
- (2) Companies shall provide occupational health and safety facilities in accordance with the provisions of the prevailing laws and regulations
- (3) Companies shall be responsible for occupational accidents in accordance with the provisions of the prevailing laws and regulations.

CHAPTER XI  
PEMBINAAN  
COACHING, EVALUATION, AND REPORTING

Article 92

- (1) The Regional Government shall conduct coaching with respect to elements and activities related to Manpower.

- (2) The coaching as referred to in paragraph (1) shall be conducted for:
  - a. Workers;
  - b. Employees/Laborers and/or Trade Unions/Labor Unions;
  - c. Employers and/or employers' organizations;
  - d. Relevant institutions/agencies; and
  - e. Relevant professional organizations.
- (3) The coaching as referred to in paragraph (1) shall be carried out by the Regional Apparatus administering governmental affairs in the manpower sector in the form of:
  - a. counseling;
  - b. education and training;
  - c. technical guidance;
  - d. dissemination or socialization;
  - e. seminars;
  - f. field visits; and
  - g. other forms as required.
- (4) The coaching as referred to in paragraph (1) may involve employers' organizations, Trade Unions/Labor Unions, and relevant professional organizations.
- (5) The coaching as referred to in paragraphs (1), (2), and (3) shall be implemented in an integrated and coordinated manner.

#### Article 93

- (1) The Head of the Regional Apparatus, within his/her authority, shall evaluate government training institutions (LPK) and company training institutions that already hold a registration certificate.
- (2) The Head of the Regional Apparatus shall report the evaluation results as referred to in paragraph (1) to the Head of the Provincial Regional Apparatus and to the Director General responsible for job training and productivity through the Head of the Provincial Regional Apparatus.
- (3) The evaluation as referred to in paragraph (1) shall be conducted through monitoring activities to determine the level of compliance of government and company training institutions in carrying out Job Training activities in accordance with the provisions of laws and regulations.

#### Article 94

- (1) Government and company training institutions shall submit reports on the realization of Job Training activities to the Head of the Regional Apparatus with copies to the Head of the Provincial Office and to the Director General responsible for job training and productivity once every six (6) months or at any time when required.
- (2) The realization report as referred to in paragraph (1) shall be submitted online through the institutional account at [kemnaker.go.id](http://kemnaker.go.id) integrated with the Manpower Information System.
- (3) The provisions concerning realization reports of Job Training activities as referred to in paragraph (1) shall refer to the provisions of laws and regulations.

Article 95

- (1) The Head of the Regional Apparatus, within his/her authority, shall conduct coaching on government and company training institutions.
- (2) The coaching as referred to in paragraph (1) shall be carried out on government and company training institutions that have and have not obtained a registration certificate in conducting Job Training activities.
- (3) The coaching as referred to in paragraph (1) may be conducted through dissemination, consultation, and/or facilitation.

Article 96

- (1) Regional Apparatus and/or relevant institutions shall be obliged to follow up on reports and/or complaints from Workers/Laborers regarding alleged violations of this Regional Regulation.
- (2) The follow-up as referred to in paragraph (1) shall be conducted no later than seven (7) days after the complaint/report is submitted to the Regional Apparatus.
- (3) Within a maximum of one (1) month after receiving the complaint/report, the Regional Apparatus must provide information to the complainant regarding the progress of handling the complaint/report.

CHAPTER XII  
MANPOWER AWARDS

Article 97

- (1) The Regional Government may grant awards to Companies, Employers, Workers/Laborers, Trade Unions/Labor Unions, as well as institutions/individuals who have achievements and/or contributions in the field of Manpower.
- (2) The awards as referred to in paragraph (1) may be given in the form of:
  - a. certificate of appreciation;
  - b. monetary award;
  - c. goods; and/or
  - d. other forms.
- (3) Further provisions regarding the granting of awards as referred to in paragraph (1) shall be regulated in a Regent Regulation.

CHAPTER XIII  
SANCTIONS

Article 98

- (1) (1) Any Company that violates wage provisions in the case of:
  - a. paying wages below the minimum wage standard;
  - b. late payment of wages;
  - c. failure to pay overtime wages; and/or

- d. failure to pay holiday allowance (THR), may be subject to sanctions in the form of warnings or written reprimands and may be denied certain public services related to its business license.
- (2) Any Company that violates social security provisions may be subject to sanctions in the form of warnings or written reprimands and may be denied certain public services related to its business license, in the event of:
    - a. failure to register itself and its Workers as participants of the Manpower Social Security (BPJS Ketenagakerjaan) and Health Social Security (BPJS Kesehatan);
    - b. failure to provide complete and accurate data of itself, its Workers, and their family members to the Manpower Social Security and Health Social Security agencies; and
    - c. failure to pay and remit contributions for which it is responsible to the Manpower Social Security in accordance with applicable laws and regulations.
  - (2) Any Company that terminates employment of Workers with Permanent Employment Agreement (PKWTT) status without paying severance pay, service award, and compensation of entitlements as stipulated by laws and regulations may be subject to sanctions in the form of warnings or written reprimands and may be denied certain public services related to its business license.
  - (3) Any Company that terminates employment of Workers with Fixed-Term Employment Agreement (PKWT) status without paying compensation as required by laws and regulations may be subject to sanctions in the form of warnings or written reprimands and may be denied certain public services related to its business license.
  - (4) Any Company that fails to provide work equipment capable of protecting the health and safety of Workers in carrying out their work may be subject to sanctions in the form of warnings or written reprimands and may be denied certain public services related to its business license.

#### Article 99

- (1) The imposition of sanctions as referred to in Article 98 shall first be preceded by one (1) written warning and at least three (3) written reprimands.
- (2) Each written reprimand as referred to in paragraph (1) shall have a period of one (1) month to allow the Company to make corrections.
- (3) The written warning as referred to in paragraph (1) shall be issued if the Company has received three (3) written reprimands and has not made corrections.
- (4) The written warning as referred to in paragraphs (1) and (3) may take the form of an official written warning letter addressed to the Company.
- (5) The implementation of sanction imposition shall be carried out by the Regional Apparatus and may involve relevant agencies.

CHAPTER XIV  
FINAL PROVISIONS

Article 100

The implementing regulations of this Regional Regulation must be established no later than 1 (one) year from the date of its promulgation.

Article 101

This Regional Regulation shall come into effect on the date of its promulgation.

To ensure that everyone is aware, the promulgation of this Regional Regulation is ordered to be placed in the Regional Gazette of Nganjuk Regency.

Established in Nganjuk  
On December 24, 2024

ACTING REGENT OF NGANJUK,

Signature

SRI HANDOKO TARUNA

Promulgated in Nganjuk  
on December 24, 2024

SECRETARY OF NGANJUK REGENCY

Signature.

Drs. NUR SOLEKAN, M.Si.  
Senior Principal Advisor  
NIP. 19661227 198602 1 001

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