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THE PRESIDENT
REPUBLIK INDONESIA

THE PRESIDENT OF THE REPUBLIC OF INDONESIA REGULATION
NUMBER 36 OF 2020
CONCERNING
DEVELOPMENT OF WORK COMPETENCY THROUGH THE PRE-EMPLOYMENT
CARD PROGRAM

WITH THE GRACE OF GOD ALMIGHTY

PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering : a. whereas in order to expand employment opportunities, increase productivity, and competitiveness for the workforce, it is necessary to develop their work competence;
- b. whereas in order to develop the workforce's competence as referred to in letter a, it is necessary to implement the Pre-Employment Card Program;
- c. whereas based on the considerations as referred to in letter a and letter b, it is necessary to stipulate the Presidential Regulation concerning Development of Work Competency through the Pre-Employment Card Program;
- In view of : 1. Article 4 paragraph (1) of the 1945 Constitution of the Republic of Indonesia;

HAS DECIDED:

- To stipulate : PRESIDENTIAL REGULATION CONCERNING DEVELOPMENT OF WORK COMPETENCY THROUGH THE PRE-EMPLOYMENT CARD PROGRAM.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Government Regulation what is meant by:



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1. Pre-Employment Card Program is a work competency development program aimed at job seekers, workers/laborers affected by termination of employment, and/or workers/laborers who need competency improvement.
2. A Pre-employment Card is a sign or identity card given to the beneficiaries of the Pre-Employment Card Program.
3. A Job Seeker is a workforce who is unemployed and looking for work both domestically and abroad.
4. A Worker/Laborer is every person who works by receiving wages or other forms of remuneration.
5. *Pemutusan Hubungan Kerja* (Termination of Employment), hereinafter abbreviated as PHK, is the termination of the employment relationship because of a certain matter which results in the termination of rights and obligations between a Worker/Laborer and an employer.
6. Work Competency is every individual's work ability including the aspects of knowledge, skills and work attitudes.
7. Training is the whole activity to obtain, improve, and develop Work Competency, productivity, discipline, attitude, and work ethic at a certain level of skills and expertise.
8. A Training Certificate is a written evidence provided by a Training institution to a Trainee who has completed a Training.
9. An Incentive is an additional benefit for the beneficiaries of Pre-Employment Card in the form of money with a certain nominal value.
10. A Digital Platform is an official partner of the government in implementing the Pre-Employment Card Program carried out through applications, internet sites, and/or other internet-based content services.



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11. Implementing Management is a unit that implements the Pre-Employment Card Program.
12. Local Government is the head of a region as an element of the organizers of the Local Government who leads the implementation of government affairs which are the authority of the autonomous region.

Article 2

The Pre-Employment Card Program shall aim to:

- a. develop workforce's competencies; and
- b. increase workforce's productivity and competitiveness.

CHAPTER II

PRE-EMPLOYMENT CARD PROGRAM

Section One

Beneficiaries

Article 3

- (1) The Pre-Employment Card Program shall be implemented through the awarding of Pre-Employment Cards.
- (2) The Pre-Employment Cards as referred to in paragraph (1) shall be awarded to Job Seekers.
- (3) In addition to the Job Seekers as referred to in paragraph (2), the Employment Card may be awarded to:
 - a. Workers/Laborers affected by PHK; or
 - b. Workers/Laborers who need to improve their Work Competencies.



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- (4) Job Seekers and Workers/Laborers as referred to in paragraph (2) and paragraph (3) shall meet the following requirements:
 - a. Indonesian citizens;
 - b. no younger than 18 (eighteen) years old; and
 - c. not currently attending formal education.

Section Two

Benefits

Article 4

The Work Card as referred to in Article 3 paragraph (2) shall be used to get the benefits of:

- a. Training; and
- b. Incentive.

Paragraph 1

Training

Article 5

- (1) Beneficiaries of the Pre-Employment Cards shall be entitled to receive an assistance of certain amount of Training Fee.
- (2) The training as referred to in paragraph (1) shall include:
 - a. provision of Work Competency;
 - b. improvement of work competency; or
 - c. shifting of Work Competency.
- (3) The training as referred to in paragraph (2) may be organized online and/or offline.



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Article 6

- (1) The training as referred to in Article 5 shall be organized by the Training institutions owned by:
 - a. private;
 - b. state-owned enterprises;
 - c. local-owned enterprises; or
 - d. the government.
- (2) The Training Institutions as referred to in paragraph (1) shall meet the minimum requirements of:
 - a. being in collaboration with the Digital Platforms;
 - b. having a Work Competency-based Training program that is suitable to the needs of the labor market; and
 - c. under the approval of the Implementing Management.

Article 7

The Training Institutions as referred to in Article 6 shall provide Training Certificates to the beneficiaries of the Pre-Employment Cards who have completed their Training program.

Paragraph 2

Incentive

Article 8

- (1) Incentives shall be given to the beneficiaries of the Pre-Employment Cards who have completed their Training program.
- (2) The incentives as referred to in paragraph (1) shall be given in order to:



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- a. reduce the job seeking cost; and
- b. evaluate the effectiveness of the Pre-Employment Card Program.

Article 9

- (1) Further provisions regarding the requirements of training institutions as referred to in Article 6 shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.
- (2) Further provisions regarding the amount of training costs and the amount of incentives as referred to in Article 5 paragraph (1) and Article 8 shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy in coordination with the ministers administering government affairs on finance.

Section Three

Registration Mechanism

Article 10

- (1) To be awarded with Pre-Employment Cards, the prospective beneficiaries shall register themselves with the Pre-Employment Card Program.
- (2) The Registration with the Pre-Employment Card Program shall be done online through the official website of the Pre-Employment Card Program.

Article 11



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- (1) Applicants of the Pre-Employment Card Program who have fulfilled the requirements as referred to in Article 3 paragraph (a) shall be selected.
- (2) Applicants of the Pre-Employment Card Program who are certified of passing the selection as referred to in paragraph (1) shall be awarded with the Pre-Employment Card.
- (3) Beneficiaries of the Pre-Employment Cards as referred to in paragraph (2) shall select the types of Training in which they will participate through the Digital Platforms.
- (4) Further provisions regarding the procedures for registration, selection, selection of training types, and utilization of the Pre-Employment Cards shall be regulated by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.

Section Four

Fund Distribution

Article 12

- (1) The distribution of the Pre-Employment Card fund shall be used to make payments of:
 - a. Training costs;
 - b. Incentives for job seeking costs; and
 - c. Incentives for filling out evaluation surveys.
- (2) Further provisions regarding the distribution of the Pre-Employment Card fund shall be regulated by a Regulation of Ministers administering the government affairs on finance.



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CHAPTER III
INSTITUTION

Section one

General

Article 13

- (1) In order to organize the Pre-Employment Card Program, under this Presidential Regulation a Job Creation Committee shall be established, hereinafter referred to as the Committee.
- (2) The Committee as referred to in paragraph (1) shall be under and responsible to the President.

Article 14

The committee as referred to in Article 13 shall have the following duties:

- a. formulating and developing the Pre-Employment Card Program policies; and
- b. controlling and evaluating the implementation of the Pre-Employment Card Program.

Section Two

Organizational structure

Article 15

The organizational structure of the Committee shall consist of:

- Chairperson : Coordinating Minister of Economic Affairs;
Vice Chairperson : Presidential Chief of Staff;
Members : 1. Minister of Finance;



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- Secretary :
2. Minister of National Development Planning/Head of National Development Planning Agency;
 3. Minister of Manpower;
 4. Minister of Industry;
 5. Minister of Education and Culture;
 6. Minister of Home Affairs;
- Coordinating Ministry of Economic Affairs.

Article 16

In performing its duties, the Committee shall organize meetings at least once in 2 (two) months or at any time if necessary.

Section Three

Implementing Team and Implementing Management

Article 17

In organizing the Pre-Employment Card Program, the Committee shall be assisted by the Implementing Team and the Implementing Management.

Article 18

- (1) The Implementing Team as referred to in Article 17 shall have the following duties:
 - a. assisting the Committee with the implementation of its duties; and
 - b. performing other relevant tasks assigned by the Committee.



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- (2) The Implementating Team as referred to in paragraph (1) shall consist of ministry/agency officials.
- (3) Further provisions regarding the duties and membership structure of the Implementing Team as referred to in paragraph (1) and paragraph (2) shall be stipulated by the Chairperson of the Committee.

Article 19

- (1) The Implementing Management as referred to in Article 17 shall have the duty of implementing the Pre-Employment Card Program.
- (2) In performing the duty as referred to in paragraph (1), the Implementing Management shall organize the functions of:
 - a. managing human resources, finance, technology, data and infrastructure;
 - b. aligning training programs across ministries/institutions;
 - c. engaging in partnerships with business actors;
 - d. engaging in cooperation with the Digital Platforms;
 - e. providing labor market information;
 - f. implementing the development of training products; and
 - g. developing business processes and operating systems.
- (3) The Implementing Management as referred to in paragraph (1) shall be domiciled in the ministry administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy and shall be responsible to the Chairperson of the Committee.
- (4) Further provisions regarding the criteria and procedures for cooperation of the Implementing Management and the Digital Platform as referred to in paragraph (2) letter d shall be regulated



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by a Regulation of Ministers administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.

Article 20

- (1) Implementing Management shall consist of:
 - a. An Executive Director; and
 - b. Directors.
- (2) The Directors as referred to in paragraph (1) letter b shall be no more than 5 (five) Directors.
- (3) The Implementing Management as referred to in paragraph (1) shall be chaired by an Executive Director.
- (4) Further provisions regarding the membership structure of Implementing Management shall be stipulated by the Chairperson of the Committee.

Article 21

The Executive Director, Directors and other positions within the Implementing Management may be non-civil servants and civil servants.

Article 22

- (1) Civil servants who are appointed as the Executive Director, Directors, or other positions within the Implementing Management, shall be promoted with the status of assignment in accordance with the provisions of laws and regulations.



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- (2) Promotion of civil servants as referred to in paragraph (1) shall be implemented in accordance with the provisions of laws and regulations.

Article 23

- (1) The Executive Director and Directors within the Implementing Management shall be stipulated by the Chairperson of the Committee.
- (2) The stipulation by the Chairperson of the Committee as referred to in paragraph (1) shall be based on the results of selection.
- (3) For the first time, the stipulation by the Chairperson of the Committee as referred to in paragraph (1) shall be made based on the suggestion of the Committee members.

Article 24

Further provisions regarding the work mechanism of the Implementing Team and the Implementing Management shall be regulated by by a Regulation of Minister administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy as the Chairperson of the Committee.

Section Four

Committee Secretariat

Article 25

- (1) In performing its duties, the Committee shall be assisted by the Committee Secretariat.
- (2) The Committee Secretariat as referred to in paragraph (1) shall be *ex-officio* which is functionally implemented by one of the work units within a ministry administering the coordination,



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synchronization, and control of ministerial affairs in the government administration of economy.

- (3) Further provisions regarding the work mechanism of the Committee Secretariat shall be regulated by a Regulation of Minister administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy.

CHAPTER IV

FINANCIAL ENTITLEMENT AND FACILITIES

Article 26

- (1) In performing their duties, the Executive Director and the Directors within the Implementing Management shall be entitled to financial entitlement and other facilities.
- (2) Further provisions regarding the amount of financial entitlement and other facilities for the Executive Directors and the Directors within the Implementing Management as referred to in paragraph (1) shall be regulated by Presidential Regulation.
- (3) Employees within Implementing Management shall be entitled to financial entitlement.
- (4) Further provisions regarding the amount of financial entitlement and for employees as referred to in paragraph (3) shall be regulated by a Regulation of Minister administering the coordination, synchronization, and control of ministerial affairs in the government administration of economy as the Chairperson of the Committee under the approval of the minister administering government affairs on finance.

CHAPTER V



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FUNDING

Article 27

Funding needed for the implementation of the Pre-Employment Card Program shall be sourced from the State Budget budgeted in the Budgeting Division of State Treasurer.

CHAPTER VI

ROLES OF THE LOCAL GOVERNMENTS

Article 28

- (1) The Local Governments shall provide their support in the implementation of the Pre-Employment Card Program in the forms of:
 - a. socialization of the implementation of the Pre-Employment Card Program;
 - b. provision of data on quality training institutions in their respective areas;
 - c. provision of data on labor needs by industry in the areas; and
 - d. facilitation of participant registration and selection of the Training types in the Pre-Employment Card Program.
- (2) In addition to the forms of support as referred to in paragraph (1), the Local Governments may provide support of:
 - a. funding cost sharing system for the Pre-Employment Card Program; and/or
 - b. assistance for beneficiaries of the Pre-Employment Card Program and small and medium enterprises.
- (3) All costs required by the Local Governments to support the implementation of the Pre-Employment Card Program shall be borne by the Local Budget.



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CHAPTER VII
CONTROLLING AND REPORTING

Article 29

- (1) Controlling shall be implemented to improve governance of the Pre-Employment Card Program.
- (2) The Controlling as referred to in paragraph (1) shall be implemented through:
 - a. internal controlling system; and
 - b. evaluation on the effectiveness of the Pre-Employment Card Program.

Article 30

- (1) The Executive Director of the Implementing Management shall report the performance of the duties of the Implementing Management to the Committee through the Implementing Team every 2 (two) months or at any time if necessary.
- (2) The Chairperson of the Committee shall report the performance of the duties of the Committee to the President every 3 (three) months or at any time if necessary.

CHAPTER VIII
OTHER PROVISIONS

Article 31

In the implementation of the Pre-Employment Card Program, all ministries/agencies and local governments shall be required to provide their support for the implementation of this Presidential Regulation.



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CHAPTER IX
CLOSING PROVISIONS

Article 32

This Government Regulation shall come into force on the date of promulgation.

For public cognizance, this Government Regulation shall be promulgated by placing it in the State Gazette of the Republic of Indonesia

Stipulated in Jakarta

at 26 February 2020

THE PRESIDENT OF THE
REPUBLIC OF
INDONESIA,

Signed

JOKO WIDODO

Promulgated in Jakarta

at 28 February 2020

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,



THE PRESIDENT
REPUBLIK INDONESIA

signed

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2020
NUMBER 63

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MINISTRY OF STATE SECRETARIATE
OF THE REPUBLIC OF INDONESIA,
Division of Laws and Regulations,

signed

Lydia Silvanna Djaman