

**PRESIDENTIAL DECREE
REPUBLIC OF INDONESIA
NUMBER 21 OF 2010
CONCERNING
LABOUR INSPECTION**

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering: That in order to implement Article 178 paragraph (3) Act Number 13 Year 2003 concerning Manpower, it is necessary to determine Presidential Decree concerning the Labour Inspection;

In view of:

1. Article 4 paragraph (1) the Constitution of the Republic of Indonesia of 1945;
2. Act Number 3 Year 1951 regarding The Statement to Apply the Labor Inspection Act Year 1948 Number 23 of the Republic of Indonesia for All Indonesians (State Gazette of the Republic of Indonesia Year 1951 Number 4);
3. Act Number 3 Year 20030 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);
4. Act Number 21 Year 2003 concerning the Ratification of the 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);
5. Act Number 32 Year 2004 concerning Regional Government (State Gazette of the Republic of Indonesia Year 2004 Number 125, Supplement to the State Gazette the Republic of Indonesia Number 4437) as amended several times the latest by Act Number 12 year 2008 (State Gazette of the Republic of Indonesia Year 2008 Number 59, Supplement to the State Gazette the Republic of Indonesia Number 4844);
6. Government Regulation Number 79 Year 2005 concerning Guideline to the Promotion and Inspection of Regional Government Administration (State Gazette of the Republic of Indonesia Year 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4539);
7. Government Regulation Number 38 Year 2007 concerning Division of Government Affairs between the Government, Provincial Government, and District/City Government (State Gazette of the Republic of Indonesia Year 2007 Number 82, Supplement to the State Gazette the Republic of Indonesia Number 4741);
8. Government Regulation Number 7 Year 2008 concerning Deconsentration and Assistance Task (State Gazette of the Republic of Indonesia Year 2008 Number 20, Supplement to the State Gazette the Republic of Indonesia Number 4816).

DECIDING:

To Stipulate:

GOVERNMENT REGULATION CONCERNING LABOUR INSPECTION.

**CHAPTER I
GENERAL PROVISIONS**

Article 1

Under this Presidential Regulation, the following definitions shall apply:

1. Labour Inspection is an activity to inspect and enforce the implementation of the laws and regulations in the field of manpower.
2. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Central Government is the work unit of labour inspection in the Ministry that carry out the manpower affairs in accordance with the laws and regulations.
3. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government is the work unit of labour inspection within the Provincial Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
4. The work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the District/City Government is the work unit of labour inspection within the District/City Regional Task Force that carry out the manpower affairs in accordance with the laws and regulations.
5. Labour Inspection Official hereinafter called as Labour Inspector is Civil Servant that appointed and assigned in the functional position as Labour Inspection in accordance with the laws and regulations.
6. Minister is Minister responsible for manpower.

Article 2

Labour Inspection shall be carried out in a harmonized, coordinated, and integrated labour inspection system that covers:

- a. Work unit of labour inspection;
- b. Labour Inspector; and
- c. Procedure of labour inspection.

**CHAPTER II
WORK UNIT OF LABOUR INSPECTION**

Article 3

- (1) Labour inspection shall be carried out by the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government.
- (2) To carry out the labour inspection as meant in paragraph (1), in the organization of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government, functional position of labour inspection shall be established.
- (3) The provision regarding the establishment of the work unit of labour inspection as meant in paragraph (1) and paragraph (2) is stipulated in accordance with the laws and regulations.

Article 4

The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government in carrying out the labour inspection supported by facility and infrastructure in accordance with the laws and regulations.

Article 5

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government, shall be carried out in coordination.
- (2) The coordination between the work unit of labour inspection as meant in paragraph (1) shall be carried out through:
 - a. Coordination at the national level;
 - b. Coordination at the provincial level.

Article 6

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government undertakes a Coordination Meeting at the National level to be attended by all work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government at least once in a year.
- (2) In the Coordination Meeting at the National level as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, may include other relevant government institution and/or other parties as considered necessary.

Article 7

The result of the Coordination Meeting at the National level as meant in Article 6 shall be the guidance for the implementation of the Coordination at the Provincial Level.

Article 8

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government undertakes a Coordination Meeting at the National level to be attended by all work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government in the relevant Province at least once in a year.
- (2) In the Coordination Meeting at the Provincial level as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government, may include other relevant Regional Government institution and/or other parties as considered necessary.

Article 9

- (1) The result of the Coordination Meeting at the Provincial Level as meant in Article 8 shall be the guidance for the implementation of the labour inspection in the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.

- (2) In order to implement the labour inspection as meant in paragraph (1), the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government may undertake operational technical meeting.

Article 10

- (1) The result of labour inspection implementation at the District/City level shall be reported to the District Head/Major.
- (2) The District Head/Major shall report the result of the labour inspection implementation in his/her region to the Governor.

Article 11

- (1) The result of labour inspection implementation at the Provincial level shall be reported to the Governor.
- (2) The Governor shall report the result of the labour inspection implementation in his/her region to the Minister with copy to Minister of Home Affairs.

Article 12

Minister shall report the result of labour inspection implementation to nationally to the President.

Article 13

Further provisions regarding the coordination of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government and the procedure of reporting of the labour inspection shall be regulated by the Minister with a view to the laws and regulations.

CHAPTER III LABOUR INSPECTORS

Article 14

- (1) The labour inspection shall be carried out by the Labour Inspector who has competency and independency.
- (2) The Labour Inspector as meant in paragraph 91) shall be appointed in accordance with the laws and regulations.

Article 15

- (1) In order to fulfill the needs of the Labour Inspector, availability of the Labour Inspection shall be prepared.
- (2) The preparation of the availability of the Labour Inspection as meant in paragraph (1) shall be conducted through:
 - a. Recruitment of new Civil Servant as Labour Inspector
 - b. Empowerment of Civil Servant to be Labour Inspector.

- (3) The availability of the Labour Inspector as meant in paragraph (1) and paragraph (2) shall be implemented in accordance with the laws and regulations.

Article 16

- (1) Minister shall determine the Need Plan of the Labour Inspector nationally.
- (2) The determination of the Need Plan of the Labour Inspector nationally as meant in paragraph (1) shall be implemented at the latest 1 (one) year since the issuance of this Presidential Regulation and to be adjusted regularly once in a year.
- (3) Further provision regarding the Need Plan of the Labour Inspector as meant in paragraph (1) and paragraph (2) shall be regulated by the Minister.

Article 17

- (1) In order to achieve effective and successful Labour Inspector, quality improvement of the Labour Inspector shall be carried out.
- (2) The quality improvement of the Labour Inspector as meant in paragraph (1) shall be implemented through education and training in accordance with the laws and regulations.

Article 18

The institution with scope of task and responsibility in the manpower field within the Central Government shall conduct the promotion of the function of the Labour Inspector in accordance with the laws and regulations.

Article 19

- (1) The Labour Inspector responsible to conduct labour inspection.
- (2) Beside the duty as meant in paragraph (1), the Labour Inspector shall have the authority as Civil Servant Investigator in accordance with the laws and regulations.

Article 20

In performing his/her duty and authority, the Labour Inspector shall:

- a. Keep confidential all materials that according to its nature should be confidential;
- b. Do not misuse his/her authority.

Article 21

The provision regarding the rights, obligations, duties, and authorities of the Labour Inspector shall be implemented in accordance with the laws and regulations.

**CHAPTER IV
PROCEDURE OF LABOUR INSPECTION**

Article 22

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government, Provincial Government, and District/City Government shall conduct the labour inspection in accordance with its authority, which the implementation shall be carried out by the Labour Inspection.
- (2) The procedure of labour inspection as meant in paragraph (1) shall be carried out in accordance with the laws and regulations.

Article 23

- (1) In case there is issue to the implementation of the labour inspection in the Provincial and/or District/City level that has impact at the national and international level, then the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall take necessary steps to solve the labour inspection issue.
- (2) The implementation of the provision as meant in paragraph (1) shall be conducted in coordination with the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government where the problem occurs.

**CHAPTER V
PROMOTION OF LABOUR INSPECTION**

Article 24

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall promote labour inspection to the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government.
- (2) In order to promote to the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government as meant in paragraph (1), Minister may delegate the implementation to the Governor in accordance with the laws and regulations.

Article 25

The promotion of labour inspection as meant in Article 24 aims to support the ability of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government, and District/City Government in conducting the labour inspection as its authority.

Article 26

The promotion of labour inspection as meant in Article 25 includes the area of:

- a. Institutional;
- b. Human resources of the Labour Inspector;
- c. Facility and Infrastructure;
- d. Funding;
- e. Administration;
- f. Information system of labour inspection.

Article 27

The promotion of labour inspection as meant in Article 26 shall be conducted through:

- a. Mentoring;
- b. Consultation;
- c. Counseling;
- d. Supervision and monitoring;
- e. Socialization;
- f. Education and Training;
- g. Coaching of the labour inspection implementation;
- h. Other activities for promotion purpose.

Article 28

Further provisions regarding the promotion of labour inspection as meant in Article 24, Article 25, Article 26, and Article 27, shall be regulated with a view of the laws and regulations.

Article 29

- (1) In case the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government do not have capability yet after the promotion of labour inspection is conducted, then temporarily the labour inspection shall be conducted by the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government.
- (2) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government shall return the labour inspection matter as meant in paragraph (1), if the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government and District/City Government has capability to conduct labour inspection.
- (3) The implementation of the provision as meant in paragraph (1) and paragraph (2) shall be conducted in accordance with the laws and regulations.

CHAPTER VI
INFORMATION NETWORK OF LABOUR INSPECTION

Article 30

In the frame of labour inspection, information network of labour inspection shall be established as an integral information system of labour inspection.

Article 31

Information network of labour inspection shall have the function of:

- a. facility to serve information;
- b. Improving dissemination and understanding of the knowledge in the field of labour inspection.

Article 32

- (1) Information network of the labour inspection consist of:
 - a. Network central;
 - b. Network member.
- (2) The network central as meant in paragraph (1) letter a is a work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government.
- (3) The network member as meant in paragraph (1) letter b is:
 - a. the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government;
 - b. the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.

Article 33

The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Provincial Government shall act as the network central at the provincial level with the network member of the work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the District/City Government.

Article 34

The provision regarding the form, content, and management of data and information in the information network of the labour inspection shall be regulated by the Minister.

Article 35

- (1) The work unit of labour inspection in the institution with scope of task and responsibility in the manpower field within the Central Government as the network central has duty to conduct promotion, development, monitoring to the information network member of labour inspection.

- (2) The implementation of the provision as meant in paragraph (1) shall be further regulated by the Minister.

Article 36

- (1) Other party may be the information network member of the labour inspection.
(2) Further provision regarding the requirement and procedure to be information network member of labour inspection as meant in paragraph (1) shall be regulated by the Minister.

Article 37

All cost required for the implementation of the information network of labour inspection shall be borne by the network central budget and each of information network member of labour inspection.

CHAPTER VII OTHER PROVISION

Article 38

- (1) For purpose of labour inspection, the Minister may undertake:
a. International cooperation in the field of labour inspection;
b. Grant award; and
c. Development of labour inspection system.
(2) The implementation of the provision as meant in paragraph (1) shall be further regulated by the Minister.

CHAPTER VIII CLOSING PROVISION

Article 39

This Presidential Regulation shall come into force upon the date of its stipulation.

stipulated in Jakarta

On 19 March 2010

PRESIDENT OF THE REPUBLIC OF INDONESIA

Signed and stamped

DR.H.SUSILO BAMBANG YUDHOYONO