

CIRCULAR OF  
MINISTER OF MANPOWER, REPUBLIC OF INDONESIA  
no. SE-04/Men/1988  
concerning  
THE IMPLEMENTATION OF  
PROHIBITION OF DISCRIMINATION AGAINST WOMEN WORKERS.

To:

1. Heads of Provincial Offices of Department of Manpower
2. Heads of Department of Manpower Offices  
throughout Indonesia

By the enactment of Act no. 7 year 1984 concerning the Ratification of the United Nation Convention on the Elimination of All forms of Discrimination against Women, it is the obligation of all parties to obey and comply with the provisions of that Act in due course.

In its enforcement, particularly in the implementation of the materials of the Collective Labour Agreements and Company Regulations, there are some findings deviating from the spirit of that Act such as the differentiation of pension age limit and the medical and health care benefit between male and female workers with their family. In providing the medical cost benefit for women workers there frequently happen that they are treated as single-status workers/unmarried workers.

In this relation, you shall consider these:

1. If the Collective Labour Agreement and Company Regulation mention the provision on pension age, should the age limit on both male and female workers be the same, except based on personal request, be granted earlier pension from the defined pension age.  
For example: The pension age of workers shall be 55 years old. Exception may be granted to women workers who based on her own will, proposes her pension age as earlier as not lower than 40 years old.
2. If the Collective Labour Agreement or Company regulation mention on the workers' and their family's health care benefit, should the right of women workers be the same with her male counterparts, except the husband of that concerned women worker gets the health care benefit for himself and his family, either of the same company or another one.  
For example: The company provides the health care benefit for workers and their family (a spouse + 3 children). The women worker may be considered single/unmarried status thus the health care benefit is effective for herself only, except she can prove by legal formal letter that her husband does not receive any health benefit for himself and his family or that women worker is a widow with children as her dependants.
3. Beside the point 1 and 2 mentioned above, you shall give guidance in the formulation process of a new Collective Labour Agreement or its extensions, and examine any Collective Labour Agreement which is asked to be registered for an approval from the Minister of Manpower, and examine any Company Regulation which is going to be legalized, in order to make sure there shall not be all forms of discrimination against women workers, in accordance with the spirit of the Act no. 7 year 1984.  
Thus to be noticed.

Jakarta, August 16, 1988.  
Minister of Manpower,  
Drs. Cosmas Batubara.