

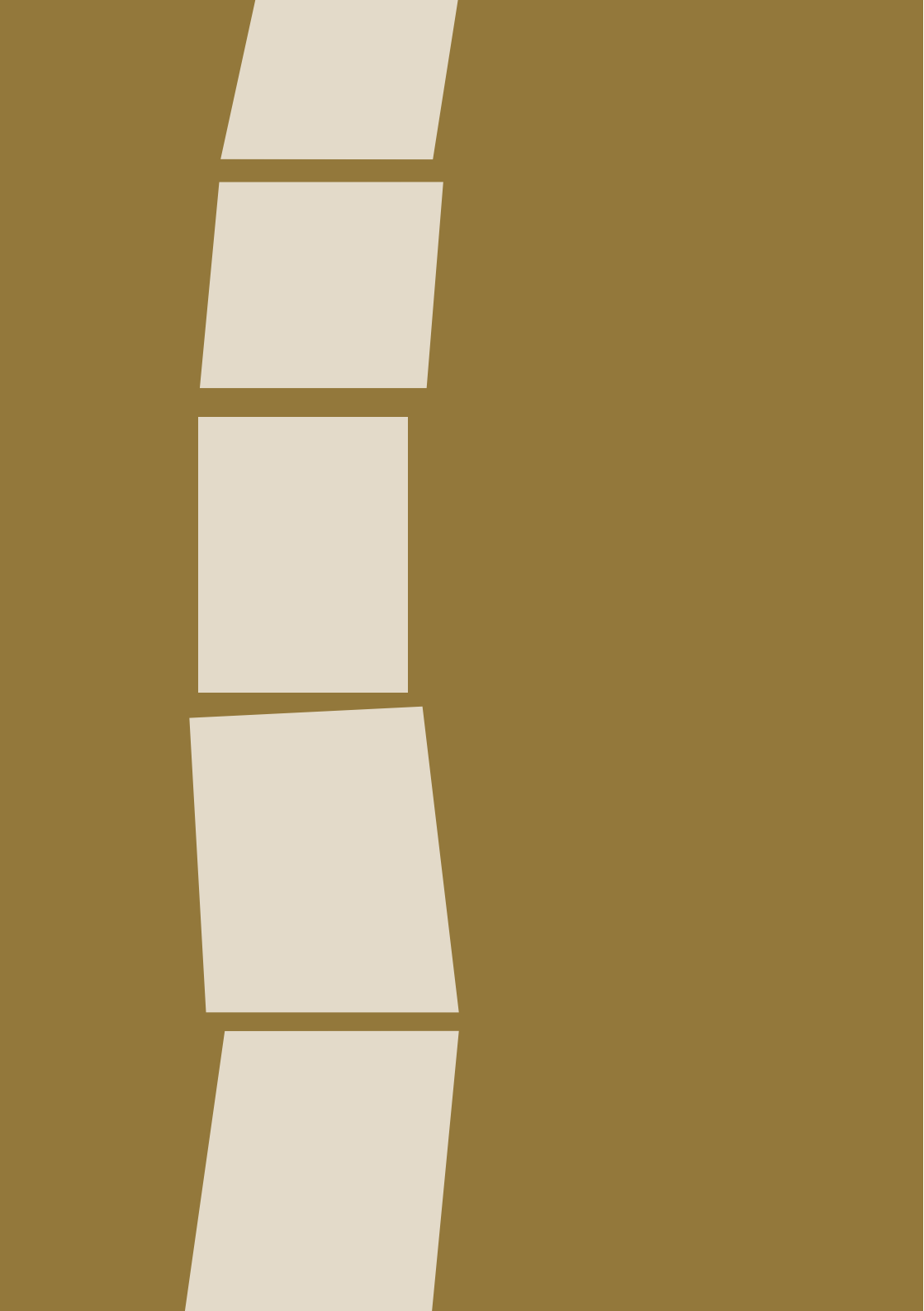


International
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**PROMOTING DECENT WORK FOR DOMESTIC WORKERS
AND ELIMINATION OF CHILD LABOR IN DOMESTIC WORK:**

**TEN EMERGING
GOOD PRACTICES
FROM INDONESIA**





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Promoting decent work for domestic workers and elimination of child labor in domestic work: Ten emerging good practices from Indonesia

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FOREWORD

In 2011, the tripartite constituents of the ILO adopted Convention 189 and Recommendation 201 on Decent Work for Domestic Workers to ensure decent work conditions for domestic workers who make a significant contribution to the social and economic development of their respective countries. Along with the ILO Conventions on child labor, namely Convention 138 on minimum age for admission to work and Convention 182 on the urgent elimination of worst forms of child labor, Convention 189 has guided actions in many countries including in Indonesia through ILO Jakarta's Promote Project. With the support from United States Department of Labor (USDOL) and in partnership with Ministry of Manpower, trade unions and non government organizations, Promote Project has carried out country actions in Indonesia in the period of 2013 to 2017 to promote decent work for domestic workers and to reduce child domestic work. These actions have allowed significant achievements, including several lesson learned, for replication, as it has been pointed out by the final evaluation of Promote Project.

This book is documenting 10 (ten) emerging good practices resulted from the implementation of Promote Project. The term "emerging good practices" is used to indicate that the identified practices can provide useful insights and valuable direction for future action but they are still young interventions. The prospects for the practices' future success as proven good practices are high. It is expected that the documentation of these emerging good practices can inspire readers and practitioners to replicate them or to take actions to promote decent work for domestic workers and to eliminate child labor in domestic work.

ILO Jakarta would like to appreciate and thank ILO constituents and other social partners in Indonesia for their supports to this important initiative. In many countries domestic workers are still far from benefiting from decent work conditions at the required level. With experiences and actions of all stakeholders, ILO Jakarta hopes that the objective of providing decent work to domestic workers of legal working age, including the elimination of child labor in this sector, could become soon a reality. ILO Jakarta also thanks all domestic workers who keep empowering themselves, believing in themselves, so that they know and can exercise their rights. Special thanks also go to all Promote Project staff who have done their best in implementing this important Project. Last but not least, thank goes to **Ms Arum Ratnawati** who writes the ten emerging good practices presented in this book and **Ms Lita Anggraini** for reviewing the draft emerging good practices, particularly the practices which were implemented by JALA PRT.

Ms Michiko Miyamoto

Director, ILO Country Office for Indonesia and Timor Leste

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LIST OF ABBREVIATION

AJI	Aliansi Jurnalis Independen (Independent Journalist Alliance)
APPSI	Asosiasi Pelatihan dan Penempatan Pekerja Rumah Tangga Seluruh Indonesia (Indonesian Association of Domestic Workers Supplier Agencies)
CBM	Community based Monitoring
CBT	Competency based Training
CDW	Child Domestic Workers
CL	Child Labor
DW	Domestic Workers
DWDW	Decent Work for Domestic Workers
Gol	Government of Indonesia
ICT	Information and Communication Technology
ILO	International Labor Organization
JALA PRT	Jaringan Advokasi Nasional Perlindungan Pekerja Rumah Tangga (National Network for Domestic Workers Advocacy)
JARAK	Jaringan Nasional Pekerja Anak (National Network for child labor elimination)
KA PPRT BM	Koalisi Aksi Perlindungan Pekerja Rumah Tangga dan Buruh Migran ((Coalition for action - Protection of domestic workers and migrant workers))
LBH	Lembaga Bantuan Hukum (Legal aids Institution)
LPKP	Lembaga Pengkajian Kemasyarakatan dan Pembangunan, an Non Government Organization
MoM	Ministry of Manpower
NGO	Non Government Organization
NLFS	National Labor Force Survey

OSH	Occupational Safety and Health
PAOT	Participatory Action Oriented Training
PKK	Pembinaan Kesejahteraan Keluarga. A government supported organization aiming at empowering women to participate in the country development. The structure of the organization spans from the national level down to the smallest community level.
RMCS	Regional Model Competency Standard
RT	Rukun Tetangga, a smallest community consisting of around 40 to 60 households
RW	Rukun Warga, consist of a number of Rukun Tetangga (RT)
SKKNI	Standar Kompetensi Kerja Nasional Indonesia (Indonesia National Work Competency Standard)
USDOL	United States Department of Labor
WIDE	Work Improvement in Domestic Environment
YPSI	Yayasan Pemerhati Sosial Indonesia, a Non Government Organization





CHAPTER 1

INTRODUCTION



According to an estimate by the ILO Jakarta, 4.2 million people in Indonesia work in domestic work. This estimate is made using data from National Labor Force Survey (NLFS) 2015.¹ The large number of domestic workers (DW) reflects an economic importance of domestic work for Indonesia's work force. The works performed by these DWs have contributed to the welfare of millions of family using their services by allowing millions of people to be productive outside their houses, enjoy their spare times, pursue their self development, just to mention a few. Despite such important contribution, DWs in Indonesia in general are still undervalued by the society. Negative and discriminatory social attitudes towards DW, including child domestic workers (CDW), are widespread throughout Indonesia.

DWs in Indonesia lacks of legal protection that guarantee their rights as workers. DWs are not covered by the Manpower Act of the Republic of Indonesia no 13 of 2003, the main national law protecting workers' rights in general. There is a number of regulations concerning DWs but these regulations are in the lower side of the legal hierarchy in Indonesia such as ministerial regulation² and governor or mayor regulations at the local level.³ These types of regulation do not include sanctions for incompliance, except for administrative sanction, leading to its weak enforcement. Further more, the local regulations cover only certain region under its jurisdiction. This absence of adequate legal protection for DWs as workers and the widespread public perception that undervalue domestic work have made DWs to experience indecent working and living conditions such as low wages, delayed payment, long working hours with insufficient rest, no access to social security and abuses.

A significant number of children are found working in domestic work. According to an ILO Jakarta's estimate based on data from NLFS 2015, there was 110,000 children under 18 years old working as DWs.⁴ This

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- 1 Toward a better estimate of the total number of domestic workers in Indonesia, unpublished report, ILO Jakarta, 2016.
 - 2 Minister of Manpower Regulation no 2 year 2015 on the Protection of Domestic Workers.
 - 3 Governor Regulation of Yogyakarta Special Province no 31 year 2010 on Domestic Workers; Mayor Regulation of Yogyakarta Municipality no 48 year 2011 on Domestic Workers.
 - 4 Toward a better estimate of the total number of domestic workers in Indonesia, unpublished report, ILO Jakarta 2017.

figure is considered a low estimate as CDWs are difficult to detect using a survey method. While the general minimum age for employment in Indonesia is 15 years old,⁵ a number of policies set the minimum age to enter domestic work at 18 years old. Presidential Decree no 59 year 2002 on National Plan of Action on the Elimination of the Worst Forms of Child Labor includes child domestic work as one of the worst forms of child labor, which cannot be entered by children under 18 years old and Minister of Manpower Regulation no 2 year 2015 on the Protection of DW sets 18 years old as the minimum age to work as DW. Working in unregulated sector inside houses of their employers which is often hidden from the public eye make these children particularly vulnerable.

To respond to the working and living conditions of DWs, ILO Jakarta, with supports from United States Department of Labor (USDOL) implemented Promote Project, in the period of 2013 to 2017, to promote decent work for domestic workers (DWDW) to reduce child domestic work in Indonesia. Promote Project applied 2 strategies. In its first strategy, national and provincial strategy, Promote Project worked in partnership with three strategic coalitions / networks, namely JALA PRT⁶, KAPPRT-BM⁷ and JARAK.⁸ Under this strategy, the Project built the capacity of the partnering organizations to address CDWs and promote DWDW in line with ILO Conventions Nos. 189, 138, and 182. Promote Project also fostered innovative partnerships with a variety of actors and institutions such as trade unions (including teachers union), recruitment agencies, journalist, youth, and community group,

5 Declaration of minimum age as an inseparable part of Law no 20 year 1999 concerning ratification of ILO Convention no 138.

6 JALA PRT, stands for Jaringan Advokasi Nasional Perlindungan Pekerja Rumah Tangga (National Advocacy Network for Protection of Domestic Workers), is a network of civil society organization and individuals that actively advocates for decent work for domestic workers in Indonesia.

7 KA PPRT BM, stands for Koalisi Aksi Perlindungan Pekerja Rumah Tangga dan Buruh Migran (Coalition of Action for Protection of Domestic Workers and Migran Workers). KA PPRT BM, working to advocate for legal protection of DWs in Indonesia, is a coalition of three main confederations in Indonesia namely Confederation of Indonesian Trade Unions (CITU), Confederation of Indonesian Prosperity Trade Unions, Confederation of All Indonesian Trade Union.

8 JARAK, stands for Jaringan Penanggulangan Pekerja Anak (Network for Child Labor Elimination), is a net for of civil society organization which work for the elimination of child labor in Indonesia.

each of which offered a unique entry point for reducing CDWs and promoting DWDW. In addition, Promote Project supported research and evaluation on DWs and CDWs.

The second strategy is a regional strategy. Under this strategy the project enhanced regional capacity through development of communication platform among DW organizations and organizations working for DW protection in Asia and other parts of the world. Training manuals were developed to guide some trainings on the topics of planning and of elimination of child labor (CL) in domestic work for DW leaders. A number of promising practices from the region to address DW working and living conditions and to eliminate CL in domestic work were documented and published to be used as a reference in developing future actions. International Domestic Workers Federation (IDWF) has been the key partner in these regional activities. Under the regional strategy, the Project also worked to enhance regional alliances by organizing workshops and knowledge sharing which have provided a forum for trade unions, DW organizations, and other key stakeholders to discuss and share innovative approaches to promote DWDWs and address the needs of CDWs. The ILO's Bureau for Workers Activities has taken a leading role in these workshops.

This book is documenting 10 (ten) emerging good practices resulted from the implementation of Promote Project. The term "emerging good practices" is used to indicate that the identified practices can provide useful insights and valuable direction for future action but they are still young interventions. The prospects for the practices' future success as proven good practices are high.⁹ It is expected that the documentation of these emerging good practices can inspire readers and practitioners to replicate them or to take actions to promote DWDW and to eliminate CL in domestic work.

The ten documented emerging good practices cover a variety of work areas in realizing DWDW and elimination of CL in domestic work. Summary of each emerging good practice is provided below.

9 ILO, Child Domestic Labor in Southeast and East Asia: Emerging good practices to combat it, p.4

1. Campaigning decent work for domestic workers and elimination of child labor in domestic work using social media

Negative and discriminatory social attitudes towards DWs and CDWs, are widespread throughout Indonesia and awareness raising is a key to change these social attitude towards DWs and CDWs. Promote Project supported its partners to campaign using social media, particularly facebook and twitter, to raise public awareness, including DWs themselves. The number of twitter and facebook users in Indonesia is high and expected to rise, and therefore they promise wide outreach in campaign activities. Furthermore, social media offers opportunities for cost effective awareness raising campaign. Signing up and creating a profile is free for almost all social networking platforms. Although paid promotion using social media are relatively cheap, this practice on awareness raising activities relied purely on organic (unpaid) mode of social media use.

Promote Project in collaboration with Project partners provided trainings on the use of social media for campaign to non government organizations (NGOs) and trade unions staff and DW leaders from DW organizations in Jakarta, Bandar Lampung, Makassar and Malang. The campaign has increased visibility of the issue of DWs and CL in domestic work to thousands of people who are likers, friends and followers of facebook and twitter accounts of Promote Project, Project partners, DW organizations and their members. Likers or friends and followers of the accounts had been intensively exposed to the information on DWDW and elimination of CL in domestic work. Such visibility is expected to increase the knowledge of the audiences on the rights of DWs as workers and on the prohibition to employ children under age in domestic work. Sustainability and replicability of this practice are high due to its low cost and to the fact that social media platforms, particularly facebook, are usually user friendly so that it is relatively easy for DWs to join the campaign. DW leaders and members of DW organizations participated actively in the campaign using social media on voluntary basis.

2. Engaging mass media to promote decent work for domestic workers and elimination of child labor in domestic work

Mass media - print, radio, television and on line media - with its wide reach plays an important role in influencing public opinion. One of the key activities implemented by ILO Jakarta's Promote Project is to engage mass media to raise public awareness to push policy change toward DW protection, and to influence public behaviour toward DWs and CDWs. Promote Project had forged collaboration with Independent Journalist Alliance - Jakarta Chapter (AJI Jakarta), trade unions, NGOs and DW organizations to mobilize supports from mass media.

The Project's approach was to train journalists on DWDW and elimination of CL in domestic work to deepen their understanding and at the same time to seek supports from the editors whose functions is among others to assess whether the news piece is worth published. On the other side, NGOs, trade unions and DW organizations were capacitated, through trainings and coaching, to engage mass media to support their works by publishing DWDW and CDW related news / articles / coverage. The trainings included a training on citizen journalism¹⁰ for Project's partners and DW organization leaders.

According to the media monitoring conducted by Promote Project, by September 2017, there was 480 DWDW and CDWs related articles / news / features written / broadcast by journalists. These articles / news / features only counted those with Project's partners as resource of information or those concerning Project partners' activities. In an interview for final evaluation by evaluator, AJI Jakarta claimed that based on their observation, journalists have started covering stories on DWs differently. Prior to the project they had only covered stories that could be deemed as "sensational" about DW cases of abuse, but now they are also covering other stories to raise awareness.¹¹

10 Citizen journalism is the dissemination of information by people who are not professional journalists. (<http://iletisim.ieu.edu.tr/flows/?p=1266>).

11 Independent Final Evaluation of PROMOTE Decent Work for Domestic Workers to End Child Domestic Work

Project partners actively invited mass media, particularly, alumnae of the trainings for journalists to make coverage of their activities. The focus of the practice was capacitating journalists to promote DWDW and elimination of CL in domestic work and capacitating NGOs, trade unions and DW organizations to engage mass media to support their works. With the increased capacities, the promotion through mass media will continue beyond end of the project.

3. Community based monitoring for domestic workers and child domestic workers

As an informal sector, working condition of DW is beyond the labor inspection reach. In pursuing an alternative strategy to monitor DW and CDW conditions, JARAK, one of ILO Jakarta's Promote Project partners piloted community based monitoring (CBM) for DW and CDW in 2016 to 2017. CBM is meant to monitor the general situation of DWs in order to prevent violence, abuse and employment of children under minimum age at Rukun Tetangga or RT, smallest unit of a community. An RT consists of around 40 to 60 households. The model was piloted in four areas in Indonesia namely Metro City (Lampung Province), Tangerang City (Banten Province), Makassar City (South Sulawesi Province), and Greater Malang (East Java Province). In each area, JARAK collaborated with its member to pilot CBM.

By the end of the Promote Project's supports, 16 CBM teams have been formed and have been functional in monitoring DW and CDW situation in 41 RTs. The monitoring activities seem effective in identifying CDW and in preventing employment of children under 18 years old as DW. One CDW in Makassar had been assisted by the monitoring team to access education program. With the monitoring team works voluntarily, implementation of CBM for DW and CDW does not cost much and its sustainability is, therefore, high. Minister of Manpower Regulation no 2 year 2015 on DW Protection provides the legal basis to conduct the CBM and it is a key instrument to obtain supports from local authorities and to gain the trust from community members. Scaling up the practice will need a formal instruction from the local

government requiring all villages in their jurisdiction to carry out such CBM.

4. Improving domestic worker supplier agencies' practices through code of conduct

Practices of some employment agencies often lead to indecent living and working condition of the workers that they placed. As business entities, employment agencies look for profit and in earning it some of them often sacrifice the welfare of the workers particularly in a competitive business situation. Changing the practices of these agencies would help improve the welfare of the DWs they placed.

Promote Project facilitated APPSI, Indonesian Association of Domestic Workers Supplier Agencies, to develop a code of conduct with respect to minimum age for recruitment, and post-placement monitoring by the supplier agencies as a way to provide protection to DWs. This code of conduct is intended to be a day to day guidance for APPSI in their business practices. This practice is meant to contribute to the reduction of child domestic workers by prohibiting APPSI members to recruit those under minimum age to enter domestic work in accordance with the existing policies and to the prevention of DWs exploitation in the presence of post-placement monitoring. If applied properly, it is expected that APPSI would gain better reputation from the public and it will be good for their business.

Promote Project assisted APPSI to develop tools to monitor application of the code of conduct and trained APPSI Monitoring Task Force on how to do monitoring using the tools. APPSI Monitoring Task Force conducted two monitoring rounds in the period of May – June 2016 and February - March 2017 using the developed monitoring tools and the results indicated an increased application of the code of conduct by its members. The monitoring of the code of conduct application has been mainstreamed into APPSI operation which ensures the sustainability of its application.



5. Domestic Workers Institute: An alternative education for strengthening domestic worker leadership and organizations

DWs in Indonesia are unorganized group and consequently they lack of representation and lack of roles in advocacy for DWs protection. An activity pivotal in organizing DWs is to develop DWs' knowledge / perspectives, critical awareness, attitudes and skills as foundations for DWs to pursue actively the desired social changes.

This practice is about Domestic Workers Institute run by JALA PRT to strengthen DW leadership and organization. The DW Institute provides various education programs for DWs using approaches that had successfully developed knowledge, critical awareness, attitude, skills and commitment of DWs to actively carry out their roles in the fight for DWDW in Indonesia. These approaches include a learning cycle comprising of sessions in class, assignments, action, mentoring / coaching and evaluation that help build the skills, attitude and commitment of DWs.

The impact of the DW Institute's education program can be seen at 2 levels: individual level (members of DW organization) and organizational level (DW organization). At the level of individual member, there had

been growing critical awareness about their situation as women, as workers and as citizens. This growing critical awareness had been a key driver for members of DW organization to actively attend educational sessions and participate in organizational activities using their own resources.

At the organizational level, the increased critical awareness on the situation of DWs raises members' awareness on the importance for DWs to get organized and builds DWs commitment to struggle together in order to gain decent work. DW leaders actively recruited new members, advocated policies protecting DWs and campaigned for the protection of DWs, especially through social media. The DW Institute's social sustainability rests on the goal of the Institute is to strengthen DWs to be active agents in pursuing better working and living conditions by exercising their rights individually or collectively as an organization.

6. Strengthening domestic workers organization: The case of Sapulidi domestic workers union in Jakarta, Indonesia

JALA PRT (National Domestic Workers Advocacy Network)¹² has been actively advocating for endorsement of DWs Protection Bill since 2004 and in the last 7 years has been urging ratification of ILO Convention 189 on DWs. Parallel with its advocacy works, JALA PRT has been facilitating DWs in Indonesia to get organized / unionized to build up power to voice their interests for a change towards decent working and decent living conditions of DWs. In Jakarta, JALA PRT collaborated with Sapulidi DW union to strengthen Sapulidi organizational capacity. The collaboration aimed at enhancing Sapulidi's role as an organization by and for DWs which will fight for the realization of DWDW in Indonesia and at enhancing Sapulidi DW union's roles in DW movement, labor movement, women movement and social movement, and in social

12 A network of NGOs and individuals who are very active in advocating policies to protect DW in Indonesia. JALA PRT is one of the main partners of ILO Jakarta's Promote Project, a project that promoted decent work for domestic workers and elimination of child domestic labor.



dialogues to voice out their interests and to take part in policy advocacy together with other workers. For this purpose, JALA PRT conducted comprehensive capacity building activities for Sapulidi. The capacity building activities included intensive trainings and assistances in various fields such as organizing and unionizing, developing union members' perspectives on DW protection, campaigning and advocacy, increasing access to justice, and developing union programs that can provide immediate and relevant benefits to members.

The results of this comprehensive capacity building has shown positive and promising results. With the committee and regular members actively recruit new members, the number of DWs who joined Sapulidi DW union increased significantly from time to time. Sapulidi DW union has also been experiencing sharp increase in membership fee payment. Sapulidi' committee and regular members were engaged in campaign using social media such as facebook and twitter, blogs and citizen journalism. Besides that, Sapulidi's committee members often become resource persons in interviews by various print, audio and audio visual media where they voice out their aspiration for DWDW. Sapulidi's committee and regular members were also involved in advocacy works advocating DWDW together with other stakeholders. Sapulidi has developed some capacities needed to further grow as DW union that can carry out its role in advocating DW protection.



7. Improving domestic workers skills as an entry to decent work for domestic workers

Domestic work is often viewed by society as a job that does not require any skill and considered as merely an extension of natural task of women in the family. Even if DWs are capable to do good domestic work in general they are still not decently valued which then affects their welfare. On the other hand, many people enter the domestic work without equipping themselves with sufficient skills thinking that every women can do the works. This has hampered DWs from performing their tasks in accordance with the employers expectation and employers are consequently reluctant to value their work more appropriately.

The skills development and professional recognition of DWs play an important role in promoting DWDW. Skills training can help raise the status of DW as a recognized profession. This, in turn, would improve DWs' employability and prospects for better employment condition.

ILO Jakarta's Promote Project had piloted a skill training program for DWs in Malang, East Java Province in collaboratin with LPKP, a member

of JARAK and in Jakarta in collaboration with JALA PRT as implementing agencies. The piloting involved development of skill training curriculum and capacitating project partners to prepare and implement the trainings which meet the national standard. The capacity building included training need analysis, developing curriculum based on training needs analysis and capacitating instructors from the partner organizations. The DW skills training piloted were designed in a way that its participants would be eligible to be certified by a professional certification body. DWs who pass the certification get a certificate issued by the National Professional Certification Board. This certification process needs to be repeated every three years.

The DW skills training clearly increases competency as DWs of the participants and to some it has brought better earning. A DW has reported that she received an increased incentive as her employers recognized that she works better after the training. This activity had DWs produced curriculum to train domestic workers who will work as DWs in the field of house keeping, laundry and family cooking which can serve as a reference for future skills training programs.

8. Work improvement in domestic environment (WIDE)

Domestic work is often considered to have low occupational hazards and risks as 'homes', where most of the works are performed, are considered safe places. In the contrary, various occupational hazards and risks could be found easily at homes be it physical, biological, chemical, ergonomical as well as psychological. News on cases of occupation safety and health (OSH) neglect in the domestic work sector can easily be found in the mass media showing the low safety conditions experienced by DWs and the vulnerability of DWs of OSH violations. Working long hours, working without adequate equipment, working with a stressful working atmosphere are examples of work conditions that can threaten the health and safety of DWs directly or indirectly.

In order to improve OSH conditions in the domestic work sector, Promote Project developed 'Work Improvement in Domestic Environment Program' (WIDE Program). This program applies the 'Participatory Action Oriented Training' (PAOT) approach which emphasizes voluntary OSH improvement.¹³ The program is implemented using a practical and easy to apply tool for DWs and employers to monitor working conditions in the house and based on the assessment DWs and employers are expected to make improvement voluntarily. The practicality and easy-to-apply methodology are very important features of the tool. The tool was widely introduced to DWs and employers through trainings at grass-root level by Promote Project partners and through other media. Monitoring of OSH training follow up in Malang indicates that DWs, in collaboration with their employers, had made some improvements in their workplace.

9. Expanding domestic workers' access to justice

The lack of legal protection of DWs as workers and the working relationships with particularly pronounced power imbalance in favor of employers had made DWs vulnerable to abuses and violence. Many of the violence cases against DWs are not surfaced or filed to the authority because of various factors such as DWs do not have access to knowledge on their rights, are afraid of being fired by their employers, do not know where to complain because they do not have information about legal aid, or are afraid of long legal procedures.

To address the limited access of DWs to justice, JALA PRT with supports from the ILO Jakarta's Promote Project, worked to expand DWs' access to justice. This effort involves establishing cooperation with legal aid agencies to become advocates for DWs experiencing cases. The fact that DW rights as workers have not been legally protected has led to limitations in employment related regulations that can be applied in legal action. Such situation had encouraged JALA PRT and

13 Ton, That Khai; Kawakami, Tsuyoshi; Kogi, Kazutaka. Participatory Action-Oriented Training; ILO DWT for East and Southeast Asia and the Pacific. - Hanoi: ILO, 2011.

its partners to seek strategies in the fight for legal justice for DWs and these strategies were documented in the **Compilation of domestic workers and child domestic workers cases** which was meant to be a future reference in the handling of DW cases. Efforts to widen access to justice for DWs included also strengthening police capacity in handling cases of DWs and CDWs through the development of training manual and training for police.

Increased DWs' access to justice had provided social benefits to victims and survivors. At present legal aid activities are already part of the activities of DW organizations especially in Jakarta, Bandar Lampung and Makassar so that more cases can be handled in the future. Case handling is a topic that is discussed in the School of Insight so that every DW leaders attending sessions in the School of Insight know the basics of case management.

10. Promoting written employment contract for domestic workers to improve working conditions

The informal nature of domestic work, along with the uncertainty of employment relations, implies ambiguity with regard to the rights and obligations of workers and employers on a reciprocal basis. This is detrimental not only to DWs but also to employers, with a power imbalance that benefits the employer. There is no doubt that many employers treat DWs well but the absence of legal standards and formal contractual arrangements keeps workers dependent merely on the employer's good intentions. In the event of disputes, DWs are in a weak position due to the power imbalance and the fact that there is not any concrete legal basis for raising and enforcing lawsuits.

The formalization of employment relationships between DWs and employers through written employment contract will assist in achieving clarity and transparency in rights and duties of both DW and employers. In general, it will help both parties avoid misunderstandings, and operate their relationship harmoniously. And when problems arise,

employers may also rely on formal contract and arrangements for fair remedies and settlements.

To promote written employment contract, JALA PRT first provided education to members of DW organizations on the importance of written employment contract. JALA PRT also conducted consultation with DW organizations to review existing model contracts and together developed new model employment contract. The new model employment contract was then introduced to DWs through special meetings or education sessions at the DW School of Insight. JALA PRT also facilitated members of DW organizations to share their experiences in negotiating written employment contract with their employers so that other DWs can learn some lessons from the experiences.

The model employment contract, in English and Bahasa Indonesia, which reflect the decent work standards as set forth in the ILO Convention 189 and in the relevant legislations in Indonesia, to be used as a reference by DWs in negotiating employment contract with their employers can be obtained from JALA PRT Secretariat. A number of DWs had been able to negotiate written employment contracts although the outcome of negotiations did not always cover all the standards listed in the model contract.

The social sustainability of the promotion of written employment contract is evident. A number of DWs had successfully obtained written employment contracts from their employers and / or earned more rights than before, bringing some improvement in their welfare. The use of written employment contract will be promoted continuously by JALA PRT to DW organizations and their members ensuring the sustainability of this practice.



CHAPTER 2

EMERGING GOOD PRACTICES TO PROMOTE DECENT WORK FOR DOMESTIC WORKERS AND REDUCTION OF CHILD DOMESTIC WORK

1. Campaigning decent work for domestic workers and elimination of child labor in domestic work through social media

Background / context

According to an estimate by ILO Jakarta based on data from National Labor Force Survey 2015, around 4.2 million people worked as domestic workers (DWs) in which 110,000 of them were under 18 years old.¹⁴ Domestic work in Indonesia is undervalued. They are not recognized as workers and excluded from the coverage of Manpower Law of the Republic of Indonesia no 13 year 2003 which regulates protection of workers in Indonesia. While the laws regulate prohibition of child labor, including child labor in domestic work, in Indonesia have been in place, legal protection of DWs is very limited leaving DWs generally unprotected as workers.

Negative and discriminatory social attitudes towards DWs, particularly child domestic workers (CDWs), are widespread throughout Indonesia. Public misconceptions on domestic work are prevailing, namely:

- a) DWs, and in particular CDW, are treated as family members¹⁵ so legal protection is not needed.
- b) Exploitation and abuse is not a big problem among DWs/ CDWs.
- c) Domestic work cannot be defined as 'work' as DWs are only 'helping' rather than working. Because of this, a person taking on a DW is not an 'employer' and does not need to comply with responsibilities of employers (e.g. providing medical insurance, pension and other social protection).
- d) Domestic work is not a nine-to-five job so it is impossible to regulate working hours.

14 Toward a better estimate of total domestic workers in Indonesia (ILO, 2016), unpublished report.

15 By saying that DWs are treated as family members, it intends to say that domestic workers are treated well.

- e) By taking on a CDW, the employer is making the child (and her family) a favor, as it is better for the child to live and work for a household than be idle in the village.
- f) Due to the fact that domestic work takes place in households, it cannot be monitored.
- g) Employers' ability to hire DWs, even if they cannot afford the minimum wage, are more important than the rights of the DWs.

Such above misconception has constrained the advocacy for policies protecting DWs. The issue of decent work for domestic workers (DWDW) is rarely informed to the public contributing to the invisibility of the issue and to the perpetuation of the negative and discriminatory attitudes. Awareness raising is a key to change this social attitude towards DWs and CDWs.

Objectives

This emerging good practice is about awareness raising activities using social media¹⁶, in particular the facebook and twitter. Social media offers opportunities for cost effective awareness raising campaign. Signing up and creating a profile is free for almost all social networking platforms. Although paid promotion using social media is relatively cheap, this emerging good practice on awareness raising rely purely on organic (unpaid) mode of social media use. Different from traditional printed media such as brochures or posters, social media allows two-way communication with the target audience so that we can know their insights on the campaigned topics. The high number of facebook and twitter users in Indonesia provides an opportunity to reach wider audience compared to using the traditional printed media. In 2014, Indonesia has 29.4 million twitter users or the fifth biggest in the world and was a country with 51 million facebook users or the fourth biggest in the world. The use of twitter and facebook in Indonesia is expected to rise, and therefore they promise wide outreach in campaigning activities.

16 On the definition of social media, please visit https://en.wikipedia.org/wiki/Social_media.

Interventions

- a. **Campaigning DWDW and elimination of CL in domestic work using twitter account: @bukan PEMBANTU (not a maid) and facebook fans page of PRT bukan Pembantu (domestic workers are workers, not maids)**

Promote Project created a twitter account @bukan PEMBANTU (literally means 'not a maid') in May 2013 to campaign on DW protection and elimination of CL in domestic work and to inform public on Promote Project activities. The account name is purposively used to introduce to the account followers the idea that DWs are workers. The Project's twitter account followers increased from time to time, started with 1,251 followers on September 2013 to 11,500 at the end of 2017. The Project's account administrator actively requested 'celeb-twit'¹⁷ to follow the account and to help spread the messages by re tweeting the tweets from the Project's twitter account. Some 'celeb-twit' that had helped with the re tweeting were among others:

@melaniesubono (681,000 Followers)
@PartaiSocmed (121,000 Followers)
@chirpstory (92,600 Followers)
@andreasharsono (25,000 Followers)
@anishidayah (15,700 Followers)
@Campaign_ID (12,000 Followers)
@tunggalp (11,400 Followers)
@KomnasPerempuan (10,600 Followers)
@RMT_Koesoema (10,000 Followers)
@Alecxt_AD (9,100 Followers)
@HerryRodin (8,900 Followers)

17 Celeb-twit is someone famous on twitter, with thousands and even millions of followers. Factors that make someone famous on twitter among others are interesting, funny, entertaining, or educative tweets.

@infoburuhmigran (6,400 Followers)
@carlosmichael_k (5,200 Followers)
@Dita_Sari_ (4,500 Followers)
@FeriantiEcha (4,000 Followers)
@FSPMI_KSPI (3,000 Followers)
@KabarBuruh (2,800 Followers)
@lutunggunung29 (2,700 Followers)
@EkaRusdi1 (2,700 Followers)
@2494_aris (2,400 Followers)
@rais_banten (2,200 Followers)
@SaviraElmi (1,700 Followers)
@MigrantInstitute (1,674 Followers)
@T2h_Okti (1,400 Followers)
@jalaprt (1,200 Followers)
@jamal_formigran (1,191 Followers)
@womensmarchjkt (1,100 Followers)
@fikrie (1,100 Followers)
@kerja_kita (626 Followers)

The twitter users listed above are labour/union activist, women activities, expert staff of Ministry of Manpower (MoM), journalist and human right activists. Project's twitter account actively mentioned twitter accounts of these prominent figures when tweeting and asking them to give their opinion or attention to certain issues. These prominent accounts responded to the mentions by following back the Project's account and help re tweet to Project's tweets to reach more twitter users.

By end of 2017 the Project's twitter account of @bukan_PEMBANTU had posted around 10,700 tweets. The tweets contained messages to promote DWDW, news on events related to DW / CDW, invitation to support recognition of DW as a worker, sensitization on DW basic

rights such as working hours, daily rest, weekly leave, annual leave, social security, job contracts, etc. @bukan_PEMBANTU account also broadcast tweets which were locally and popularly known as “kultwit” or a lecture through twitter. Kultwit contains a series of tweets (which are numbered) to convey more comprehensive information on specific issues such as the need for ratification of ILO Convention 189 on the DW Protection, issuance of DW Protection Bill, and other specific issues / themes concerning DW rights and elimination of CL in domestic work.

Box 1. ‘Kultwit’ broadcast on Human Right Day 2014 (the tweets were delivered in bahasa)

1. In commemorating International Human Rights Day on 10 Dec, we should also remember #DWRights
2. Currently DW profession has not been appreciated like other workers #DWRights
3. Even more painful, various exploitation and abuses are experienced by DWs #DWRights
4. Many cases found where domestic workers are treated like slaves #DWRights
5. Domestic workers are very vulnerable to inhumane treatment, because of work in private and closed places
6. Moreover, the existence of domestic workers has not received recognition in the Manpower Act
7. This kind of situation faced by DWs underlies why the ILO adopted the Convention no. 189 on Decent Work for Domestic Workers
8. Whereas article 27 (2) of Indonesia Constitution guarantees that every person shall have the right to work and a decent living
9. Even Article 28D paragraph 2 asserts that “Everyone shall have the right to work and to receive fair and appropriate remuneration and treatment in the employment relationship”

10. Ironically again, at the same time we enjoy foreign earning generated by overseas workers who mostly work as domestic workers
11. Many myths say that employment relations of domestic workers and employers in Indonesia can not be formally regulated
12. It is considered contrary to culture and domestic workers have been considered part of the family
13. In fact, formal arrangement of employment relationship will benefit both parties
14. The presumption that domestic workers are part of the family should make domestic workers more equally treated
15. But in many cases, because they are considered family members, rights of domestic workers are often even more neglected
16. Whereas the role of domestic workers is very significant in helping the family's economy
17. A simple example can be seen before Lebaran (Eid El Fitr), when families in big cities complain that many DWs are leaving to celebrate Lebaran in their homevillages
18. It is hard to deny that domestic workers have become a profession in itself
19. The government should immediately provide legal protection for domestic workers
20. Protection and decent work are human rights that must be protected, including for domestic workers
21. Happy human rights day, let's uphold #DWRights

The Project's twitter account had been also used to communicate with the Minister of Manpower's account¹⁸ to seek confirmation from the Minister whether, as other workers in Indonesia, DWs are entitled to holiday allowance/benefits (13th month salary). The Minister through his twitter account confirmed that DWs are indeed entitled to a holiday benefit and such confirmation was potential to reach 131,000 of the Minister's account followers.

"PRT Bukan Pembantu" (literally means 'Domestic Worker, Not a Maid') facebook fans page was created on June 2013 and by end of 2017, it had been liked by around 6.8 thousand people with various background such as activists, former and active DWs, DW employers, academician, and public in general. As with the Project's twitter account, the Project's facebook fans page regularly shared status, which contained information to promote DWDW and elimination of CL in domestic work. It also shared relevant links on news, references, and videos. One interesting discussion in the Facebook fans page in its early days was on the use of the term 'domestic worker' to replace the term "maid" or "helper".

b. Capacitating project partners on using social media for advocacy work

In collaboration with Independent Journalist Alliance (locally known as AJI) of Jakarta Chapter, Promote Project held a Media Training Workshop on Effective Media Engagement for Promote Project's partners in April 2015. The training workshop was aimed at, among other, enhancing advocacy works using social media. Further, in July 2017, the Project provided trainings on how to use twitter for the campaign for members of DW organizations and non government organization (NGO) staff from Greater Jakarta and Makassar (South Sulawesi Province). The training discussed how to create a twitter account for those who have yet had a twitter account, how to approach and mobilize supports from celeb-twit, how to gain more followers, the advantages and disadvantages of using twitter, etc. Around 15 DW members of DW organizations in Jakarta and 15 DWs and NGO staff in Makassar participated in these trainings.

18 This needed confirmation was addressed to the Minister of Manpower. By mentioning the Minister's twitter account in the tweet, the tweet looking for confirmation appeared in the newsfeed of the Minister's account.

c. Promote's Project partners, domestic workers organizations and its members campaigning on DWDW and elimination of CL in domestic work using facebook and twitter

Three main project partners (JALA PRT, JARAK and KA PPRT BM)¹⁹ with their network members conducted the campaign using their existing organization's facebook accounts as well as facebook accounts which were created specially to campaign on DWDW or elimination of CL in domestic work. JARAK for example, in addition to campaign using its organization's facebook account, it also campaigned using facebook fans page of 'Stop Pekerja Anak' (Stop Child Labour) while KA PPRT BM created a facebook group account²⁰ to campaign on DWDW among trade union members.

It is important to highlight JALA PRT strategy in campaigning DWDW using social media:

- ♦ JALA PRT produced various memes²¹ and small postcard containing messages related to DWDW to be used in the campaign. Such memes and postcards had made the messages more attractive to the audiences. Members of DW organizations could easily share the memes or postcard to assist with the campaign.
- ♦ Linked the messages for the campaign with the commemoration of relevant national / international day. For example, approaching Eid El Fitr (Islamic Celebration), the topic for the campaign was about DW's right to holiday allowance. In Indonesia, all workers according to the regulation are entitled to holiday allowance. Such benefit is paid in the occasion of religion related festivities such as Eid El Fitr, Christmas, and other religion festive days. In conjunction with the National Education Day, the topic for the

19 JALA PRT is a National Advocacy Network for the Domestic Workers Protection; JARAK is an NGO Network for the Elimination of Child Labor and KA PPRT BM is a Coalition of Action for the Protection of Domestic Workers and Migrant Workers.

20 To join the group, people needs to send a request that will be approved by group administrator.

21 A '**meme**' is a virally-transmitted cultural symbol or social idea. The majority of modern **memes** are captioned photos that are intended to be funny, often as a way to publicly ridicule human behavior. Other **memes** can be videos and verbal expressions.

campaign was on the right of DWs to access education program. Such linkages helped put the messages into a perspective and made the messages stronger.

- ♦ JALA PRT conducted the campaign together with DW organizations particularly DW organizations in Greater Jakarta (Sapulidi DW union, Sedap Malam DW organisation, Vipamas DW organization, Pondok Cabe DW organization, Panongan DW organisation), in Makassar, South Sulawesi Province (Paraikatte DW union), in Bandar Lampung, Lampung Province (Bandar Lampung DW union), in Yogyakarta Province (Tunas Mulia DW organization) and in Semarang, Central Java (Merdeka DW union). Members of DW organizations shared and responded to the messages uploaded by JALA PRT in its facebook account. This way the information / messages reached wider audience beyond the friends of JALA PRT's facebook account.
- ♦ In each DW organization, at least 10 of its members were continuously encouraged/guided by JALA PRT to post messages in their individual account at least 2x / week. The post can be about their activities in their organization or their activities as DWs or simply share the memes or small postcard from JALA PRT.
- ♦ JALA PRT also had been guiding members of DW organizations to upload information in their twitter accounts and when appropriate DWs are advised to mention twitter accounts of relevant policy makers such as Minister of Manpower or even the President of the Republic of Indonesia in their tweet so that their tweet will appear in the newsfeed of these policy makers' twitter account.
- ♦ JALA PRT created a Whatsapp Group to coordinate campaign activities and discuss issues among JALA PRT, DW organizations and other stakeholders who are willing to involve in the campaign.



Copyright @ JALA PRT

A postcard demanding the deliberation of DW Protection Bill was broadcast in conjunction with the commemoration of Domestic Worker National Day on 15 February²²

22 This is not an official day. JALA PRT as a network advocating domestic worker protection policies proposing 15 February to be the National Day for Domestic Workers in Indonesia.



Copyright @ JALA PRT

Despite its simple design, this postcard gives a strong and clear message that PRT stands for Pekerja Rumah Tangga (domestic workers) not for Pembantu Rumah Tangga (Maid). This postcard is also used as profile picture for facebook or Whatsapp profiles of many DWs and their supporters.



Unsur Kerja Layak PRT

1. Perjanjian kerja secara tertulis
2. Perlindungan atas Upah
3. Uang Lembur
4. Tunjangan Hari Raya = 1 bulan gaji
5. Batasan Jam Kerja/Hari= Maksimal 8 Jam/Hari
6. Libur/ istirahat mingguan minimal 24 jam/minggu
7. Libur tanggal merah/pada hari libur nasional
8. Cuti tahunan minimal 12 hari kerja/tahun
9. Cuti haid
10. Cuti Hamil - Melahirkan
11. Jaminan sosial
12. Kebebasan berkomunikasi, berorganisasi
13. Fasilitas akomodasi ruang/kamar yang sehat dan aman
14. Fasilitas makan yang sehat
15. Perlindungan Keselamatan dan Kesehatan Kerja (K3)
16. Memegang & menyimpan dokumen pribadinya
17. Uraian Tugas yang jelas sesuai jam kerja
18. Penyelesaian perselisihan secara adil dengan perlindungan hukum
19. Pendidikan dan pelatihan yang diselenggarakan oleh pemerintah
20. Usia minimum bekerja 18 Tahun

Copyright @ JALA PRT

This meme lists 20 elements of decent work and is used to raise awareness of both domestic workers and employers about decent work for domestic workers

Results / impacts

The campaign using facebook and twitter had increased visibility of the issue of DWs and CL in domestic work to thousands of people who are likers, friends and followers of facebook and twitter accounts of Promote Project, Project's partners, DW organizations and their members. Likers or friends and followers of the accounts had been intensively exposed to the information of DWDW and elimination of CL in domestic work. Such visibility is expected to increase the knowledge of the audiences on the issues.

Success factors

The price of smart phone which is getting more affordable has allowed more and more DWs to use smart phone and have access to facebook and twitter. Internet is also more and more accessible due to among others relatively cheap internet subscription price and availability of free Wi-Fi in many places in Indonesia, particularly in big cities. Such context had encouraged DWs to get involved in the campaign. Guidance and mentoring provided to DWs, such as those provided by JALA PRT, were also crucial to engage DWs in the awareness raising activities. The successful campaign through the Project Twitter account @bukan_PEMBANTU owed to the engagement of celeb-twit by re tweeting the messages. Use of memes and small postcards contributes to the success of the campaign as it had made easier for DWs to share the messages, particularly in the facebook account.

Challenges

Due to lack of fund, the campaign by Promote Project's partners, DWs organizations and its members did not use the paid facilities of the social media but rely merely on the organic (unpaid) mode in using the social media. This means that messages broadcast will only reach those who become friends / likers / followers, unless friends / likers / followers share the broadcast status. Furthermore, Project's partners and members of DW organizations, may have many same friends / likers / followers in their accounts. For the facebook, this may be solved by tagging the messages to friends who are willing to get involved in campaigning DWDW and CL in domestic work. Tagging friends means that the messages will appear in the time line of the friends being

tagged and therefore it will reach more people. DW organizations will need to approach some people who have many friends in their facebook account who are willing to be tagged. For twitter account, involving celeb-twit to re tweet is one way to widen the outreach of the tweet.

While facebook provides flexibilities in terms of length of messages, twitter provides only limited space for messages and it is not easy to formulate a strong and good messages with such a limited space. Such challenge had caused only limited number of DWs use twitter to campaign. More training will benefit more DWs in using twitter.

Sustainability

While Promote Project's twitter account (@bukanPembantu) and Promote Project's facebook fan page (PRT Bukan Pembantu) may not continue beyond the Project's end date, the two accounts had contributed to the increased visibility of DW and CDW issues. Likers or followers of the accounts had been exposed to the information of DWDW and elimination of CL in DW. Such visibility is expected to increase the knowledge of the audiences on the rights of DWs and on the prohibition to employ children under age in domestic work.

The campaign using social media by Project's partners, DW organizations and its members will certainly continue beyond Project's end date. Owing to the inexpensive cost of using social media to campaign DWDW, DW organizations and its members will continue using social media to raise awareness of the public and of their members.

Replicability

Campaigning using social media is relatively cost effective as signing up into social medial platforms are usually free of charge and it is potential to reach wider audience. Coupled with the friendly user social media, this practice can be easily replicated to areas where DW organizations exist and where the use of social media is high, particularly among DWs. The reach of the social media campaign can be expanded by inviting social media users with high number of followers to join the campaign. Sensitization on issues of DWDW and child labor in DW will

need to be provided to these social media users for them to develop their understanding and supports to the cause.

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2. Engaging mass media to promote decent work for domestic workers and elimination of child labor in domestic work

Background / context

Mass media - print, radio, television and online media - with its wide reach plays an important role in influencing public opinion. Unfortunately news or articles related to domestic workers (DW) and child labor (CL) in domestic work in the media was dominated by “sensational” stories about DW cases of abuse and therefore neither provided comprehensive information on the working and living conditions of domestic workers nor promoted DWs protection. Further, mass media generally used the term ‘maid’, instead of ‘domestic workers’ in the news / articles, which tends to assert the idea that people who perform domestic chores in the third party households are not workers.

Considering the influential power of mass media, one of the key activities implemented by ILO Jakarta’s Promote Project²³ is to engage mass media to raise public awareness on the decent work for domestic workers (DWDW), to push policy change toward protection of DWs, and to influence public behavior toward DWs and child domestic workers (CDW). News or articles, which present and discuss DW issues accurately and comprehensively are critical in pushing the policies to protect DWs. For this purpose, Promote Project had forged collaboration with Aliansi Jurnalis Independen (Independent Journalist Alliance) - Jakarta Chapter (AJI Jakarta), trade unions, Non Government Organizations (NGO) and DW organizations to mobilize supports from mass media.

23 Promote Project is a project promoting decent work for domestic workers to reduce child domestic work. The Project was implemented by ILO Jakarta with a support from United States Department of Labor (USDOL).

Objectives

This emerging good practice documents an approach taken by Promote Project in engaging mass media to promote DWDW and elimination of CL in domestic work. The Project's approach was to train journalists to deepen their understanding on the topics and at the same time to seek supports from the editors whose function is among others to assess whether the news piece is worth published. The approach also included activities to motivate journalists such as through fellowship program and media award for best reportage on the DW related issues. NGOs, trade unions and DW organizations were capacitated to be able to engage media effectively to support their works through trainings and follow up supports. New opportunities to promote DWDW and elimination of CL in domestic work were also explored by the Project leading to the conduct of trainings on citizen journalism²⁴ for Project's partners and DW organizations.

Interventions

a. Training for journalists on DWDW and elimination of CL in domestic work

To be effectively engaged in awareness raising on DWDW and elimination of CL in domestic work, it is considered important for journalists to equip themselves with sufficient knowledge on the subjects. In collaboration with AJI Jakarta, AJI Lampung, AJI South Sulawesi and AJI East Java, Promote Project trained journalists in each area who were members of local branches of AJI in the period of August to September 2013. In total, 92 journalists (35 female and 57 male) from various districts/municipalities in the four provinces participated in the trainings.

The trainings provided participants with information and data related to DWs and CDWs at global and national level, and discussed cases of violence experienced by DWs, ILO Conventions on DWDW and child

24 Citizen journalism is the dissemination of information by people who are not professional journalists. (<http://iletisim.ieu.edu.tr/flows/?p=1266>).

labor, and good practices in protecting DWs. Representatives from the Government (Provincial Manpower Office), Employers Association (APINDO) and trade unions were invited to share their perspectives. A senior journalist facilitated a session in the workshop discussing how to pick interesting angles in writing issues on DWs and CDWs.

b. Media fellowship

Promote Project, in collaboration with AJI Jakarta, provided fellowship for selected journalists to undertake in-depth media reporting on DWs and CDWs. A technical workshop was organized in June 5 to 7, 2015 for invited journalists, members of AJI from Jakarta, Lampung, South Sulawesi and East Java, aiming at enhancing journalists' knowledge on issues related to the current context and situation of DWs and CDWs in Indonesia. The workshop highlighted the complexity of DW issues so that journalists could present better informed angles in their writing pieces to attract the attention and interests of diverse stakeholders. Following the workshop, participants (17 journalists, 11 male, 6 female) from 13 media outlets and one freelance journalist were invited to submit their proposals to write / produce articles / media coverage to be supported through the fellowship program (consisting of funds to cover operational costs and mentoring from senior journalists). 8 (eight) proposals were selected out of 13 to be supported based on the following criteria: (1) relevance, (2) feasibility, (3) potential impact, and (4) its relation to current issues. In total, 17 pieces of news (1 video and 16 news / articles) were published by eight mass media covering the following issues: lack of regulations on DWs protection, right to organize for DWs, plight of CDWs, lack of occupational safety and health protection for DWs and practices in domestic work as form of modern slavery.

c. Media award

A Media award for the best reportages on the protection of DWs and the elimination of CL in domestic work was launched on 14 August 2016. This media award program, organized jointly by ILO Jakarta's Promote Project and AJI Jakarta, aimed at honoring the efforts of journalists and media organizations in producing outstanding journalism across

a range of media that comprehensively depicts issues on DWs and CDWs.

The media award program covered the following four types of coverage: feature article, in-depth reporting, investigative reporting and photo story. Eligible entries for the media awards were media articles or reports published in the period of 1 June 2015 to 30 September 2016, produced by the journalists individually or in a team. The submitted media articles or reports should focus on the protection of DWs and issues related to DWs and CDWs.

d. Training for Project partners (NGOs, trade unions and DW Organizations) to engage mass media

In partnership with AJI Jakarta, Promote Project convened a training workshop aimed at strengthening capacity of Project partners in engaging mass media and enhancing advocacy works using social media. The 3-day workshop explored basic knowledge about how media works, news angles, needs, and momentum, as well as practical knowledge on writing press release and opinion-edition. Twenty people (11 male 9 female) from Promote Project's key partners namely JALA PRT²⁵, KAPPRTBM²⁶ and JARAK²⁷ participated in the training.

e. Training on citizen journalism for Promote Project's partners, including domestic worker organizations

Citizen journalism offers ample opportunities to share information about DWs and CL in domestic work with the public. Using citizen journalism sites, people can share news / information and comments on what happens in their surrounding by uploading the articles / news

25 JALA PRT (Jaringan Advokasi Nasional Pekerja Rumah Tangga) or National Network for Domestic Workers Advocacy is a network of NGOs and individuals working to advocate for domestic workers protection in Indonesia.

26 KA PPRT BM stands for Koalisi Aksi Perlindungan Pekerja Rumah Tangga dan Buruh Migran (Coalition of Action for Protection of Domestic Workers and Migrant Workers). It is a network organization which members are the main Trade Union Confederations in Indonesia. KA PPRT BM is one of Promote Project's partners.

27 JARAK is a network of NGOs working for the elimination of child labor in Indonesia.

by themselves without any approval from other parties needed. In Indonesia some mainstreamed mass media create special channels for citizen journalism such as 'kompasiana.com' of kompas.com; 'Indonesiana' of tempo.co and 'ruang publik (rubik)' of Okezon.com.

Promote Project trained Project's partners and members of DW organizations in Jakarta, Bandar Lampung, Makassar and Malang in the period of June - July 2016 on citizen journalism, including on how to write articles. The overall objective of these trainings was to capacitate partners and DW organizations to use citizen journalism for public campaigns. In total 56 people (26 male and 30 female) participated in the trainings in four provinces.

f. Media visit by KA PPRT BM

KA PPRT BM, one of Promote Project's main partners, actively visited mass media offices to meet and discuss with editors on the protection of DWs in Indonesia. The visits were meant to seek mass media's supports to promote DWDW by having more news / articles on DW issues being published. KA PPRT BM also encouraged media to replace the term 'maid' with the term 'domestic worker' when referring to domestic worker in their news / articles. Continuous use of the term 'domestic worker' would help assert the idea that domestic worker is a worker. In the period of 2015 to 2017, KA PPRT BM had visited main media offices in Jakarta and other provinces among others: Koran Sindo, Koran Tempo, Jakarta Post, Metro TV, Media Indonesia, Jawa Pos (East Java Province), Fajar (South Sulawesi Province) and Tribun Lampung (Lampung Province). All visited media pledged their supports for the promotion for DWs protection.



Media visit by KA PPRT BM to Jakarta Post on 5 October 2016

Results / impact

According to the media monitoring conducted by Promote Project, by September 2017, there is 480 articles / news / features written by journalists about DWs and CDWs. This number only counted articles / news / features with Project's partners as resource of information or those on Project partners' activities. In an interview for final evaluation by evaluator, AJI Jakarta claimed that based on their observation, journalists have started covering stories on DWs differently. Whereas prior to the project they had only covered stories that could be deemed as "sensational" about DW cases of abuse, now they are also covering other stories to raise awareness.²⁸

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Project's partners have actively invited mass media, particularly, alumnae of the trainings for journalists to cover their activities. For example, JARAK and LPKP in Malang invited journalists to cover the launch of the skill training for DWs that was held in Malang on October 4th, 2016. The launch received high attention from the media and more than 20 news/articles on the launch and DW skills were written and reported by the journalists.

The animo of the journalists to participate in the media award was also high. Up to the deadline for entry submission (September 30, 2016), 82 entries (journalistic works) were received by the organizer, AJI Jakarta. Examination were done by a panel of jurors made up of distinguished chief and executive editors: Mr Endy Bayuni (Editor-in-Chief of the Jakarta Post), Mr Burhan Solihin (Executive Editor of Tempo.co) and Mr Mohamad Teguh (Editor-in-Chief of SCTV) who looked at the content of the messages, presentation and language structure and its compliance with Indonesian Journalism Code of Ethic. For the photo category, photos were examined based on the moment when the photo was taken, composition and techniques and the degree of difficulty in taking the photo. Based on the applied criterion, the jurors selected the following journalistic works as the best reportage in its category:

Category of "Investigative Reporting":

- Johan Pahlevi (Metro TV). Title: "NTT Darurat Human Trafficking" (Human Trafficking Emergency in NTT (East Nusa Tenggara))

Category of "In-depth Reporting":

- Kenia Gusnaeni (Rajawali TV). Title: "Ani Habis Gelap Terbitlah Terang" (Ani. From Darkness to Light)
- Wina Triyanita Sari Simanjuntak (DAAI TV). Title: "Menolak Pengabaian" (Refusing Ignorance)

Category of "Feature":

- Kresna (Tirto.id). Title: "Menggantung Nasib PRT" (The Faith of Domestic Workers Adjourned)
- Dodi Prananda (Jawapos TV). Title: "Geliat Pemberdayaan PRT" (Emerging Domestic Workers Empowerment)

Category of “Photo Story”:

- Andrey Gromico (Tirto.id). Title: “Penampungan PRT” (Shelter of Domestic Workers)

Winners of the best reportages were officially announced during a ceremony on 23 November 2016 in Jakarta.



Yuni SR, a domestic worker who is active in advocating DW protection through citizen journalism received appreciation from ILO Jakarta and AJI Jakarta.

As results of the trainings on the use of citizen journalism, up to end April 2017, 76 articles/news had been written and upload into citizen journalism platforms by NGO and trade union staff and by DWs themselves. Some articles had relatively high number of readers such as the following articles:

- Pengalaman PRT: Melakukan Negosiasi Menuntut Pesangon (Experience of Domestic Worker: Negotiating to Demand Severance Pay), was read by 1,532 people.
- THR untuk Pekerja Rumah Tangga: Derma atau Kewajiban Majikan? (Holiday Allowance for Domestic Workers: Charity or Obligation of the Employers?), was read by 1,118 people.

Two honorary appreciations were given to DWs who have actively written and upload to citizen journalism platform stories on their working and living conditions as DWs and their struggles to pursue DWDW. A number of the articles written by DWs were also selected to be part of a book entitled **'We will not be silent: 31 stories of domestic workers behind the domestic walls'**. The book, jointly published by ILO Jakarta, AJI Jakarta and JALA PRT, was meant to be a tool for awareness raising.

Success factors

Collaboration with a committed journalists alliance, in this case AJI Jakarta and other AJI local branches, is a key success factor. AJI's commitment to support realization of DWDW in Indonesia is in line with their mission and vision as an organization that is to contribute to the creation of fair system including for domestic workers. Working with a journalist alliance had allowed the Project to reach a significant number of journalists to be trained as AJI had capacity to mobilize participation of its members.

The achievement of the practice owed to the fact that the Project targeted various groups: journalists, Project's partners (NGOs and trade unions) and DW organizations and editors of the mass media. Such approach had created an enabling environment for media engagement in promoting DWDW and elimination of CL in domestic work.

Another factor contributed to the success of the initiative is the collaboration between journalists and the NGOs/trade unions and DW

organizations. To write news / articles, journalists need information and resource persons and NGOs/trade unions and DW organizations provided the needed information and often became the resource persons.

Challenges

One of the challenges in engaging mass media to publish news and articles on DWs is the many competing issues such as political issues and economic issues, which might be more of interest of the public. The news and articles on DWs need to be written from angles that make them interesting and attractive to the readers. Journalist would require to have in-depth understanding of the issues to be able to find an interesting angle. Journalists will usually have discussion with Project's partners to find suitable angles.

While DWs are just the right persons to write on their working and living conditions, which can be very inspiring, many DWs have challenges in writing according to the grammatical rules. To overcome this challenges, JALA PRT, for example, worked with a journalist to provide further writing training for DWs in Jakarta. JALA PRT also provided day-to-day advices to DWs in Jakarta on better writing.

Sustainability

The focus of the interventions is capacitating journalists as well as Project's partners and DW organizations and its members to promote DWDW and elimination of CL in domestic work through mass media. With increased capacities, the promotion through mass media will continue beyond end of the project. AJI in all targeted areas committed to provide advices and technical assistances to Project's partners and DW organizations. Some journalists had developed strong commitment to support the causes such as a journalist from AJI Jakarta who has been providing follow up technical supports (training and mentoring) to members of DW organizations in Jakarta. Another journalist from a leading national mass media, has developed a special interest on DWs

issues and had written a number of news / articles for the national printed media.

Replicability

The activities to engage mass media were implemented in four different provinces in Indonesia (Greater Jakarta, Lampung, South Sulawesi and East Java) indicating its replicability. Such coverage of provinces was possible as in each province there is AJI Local Branch to collaborate with. Collaboration with journalist's alliance is key to reach significant number of journalists to be trained as well as to work with on training follow-ups.

DWs' active participation in citizen journalism requires not just a capacity to write but also critical awareness about DWs right as workers, citizens and women for them to write articles, stories, news using a DW protection perspective. Its replicability also depends on the use of smartphone among DWs for them to access the internet.

Reference List

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3. Community based monitoring for domestic workers and child domestic workers

Background / context

As an informal sector, working condition of domestic workers (DW) is beyond the labor inspection reach. Coupled with lack of legal protection, such situation has made DW, including child domestic workers (CDW) vulnerable to violence and abuses, particularly those who live in their employers' houses. Many cases of violence against DWs live in the employer's houses had occurred unnoticed by the neighbors. Atik (not the real name), for example, experienced violence and abuses that last for more than 9 years in her employer house and Nuning had been abused by her employer for 5 years. Meanwhile according to the existing regulations, minimum age to work as DW in Indonesia is 18 years but ensuring that these regulations are being followed is challenging as DWs work inside the employers' houses. Moreover, DWs are scattered, working in so many households, making identification of CDWs is difficult and takes time.

A alternative strategy is needed to monitor DW situation to prevent violence, exploitation and employment of children under 18 years old as DWs. In pursuing such strategy, JARAK²⁹, one of ILO Jakarta's Promote Project's³⁰ partners had piloted a model of community based monitoring (CBM) of DW and CDW in 2016 to 2017. The model was piloted in four areas in Indonesia namely Metro City (Lampung Province), Tangerang City (Banten Province), Makassar City (South Sulawesi Province), and Greater Malang (East Java Province). In each area, JARAK collaborated with its member to implement this pilot. Those members are Lambang Membangun in Metro City, Lembaga Pengkajian Kemasyarakatan dan Pembangunan (LPKP) in Greater

29 Jarak is a national network of NGOs working for the elimination child labor.

30 Promote Project was implemented by ILO Jakarta in 2013 to 2017 with United States Department of Labor's support. The Project aimed as promoting decent work for domestic workers to reduce child domestic work.

Malang, Lembaga Perlindungan Anak in South Sulawesi and Yayasan Pemerhati Sosial Indonesia (YPSI) in Tangerang.

Objectives

The community based monitoring is meant to monitor the general situation of DWs in order to prevent violence and abuse and employment of children under minimum age in the smallest unit of community known as Rukun Tetangga or RT. An RT consists of around 40 to 60 households and a number of RTs (5 to 15 RTs) forms Rukun Warga (RW). JARAK developed the concept of community based monitoring in consultation with ILO Jakarta's Promote Project, facilitated community members to establish monitoring team and provided training and assistances for the monitoring team to do the monitoring. The community based monitoring seems effective in identifying and preventing the employment of children as DWs.

Interventions

JARAK drafted the concept of CBM of DW and CDW in consultation with its members and Promote Project. The concept was then presented to officials of the Ministry of Manpower (MoM) of the Republic of Indonesia³¹ to seek their supports. MoM basically appreciated the initiative and considered the proposed monitoring model can be an embryo for informal employment inspection in Indonesia.³²

The CBM was carried out by a monitoring team, which members were from the community itself. The monitoring team could be formed at the Rukun Tetangga (RT) level or at Rukun Warga (RW) level.

31 Director General of Labor Inspection and OSH Development and his staff.

32 The number of labor inspector in Indonesia is limited compared to the businesses that need to be inspected and they focus more on inspecting formal sector. In order to inspect the informal sector, which often operates in the residential areas, MoM has been discussing the development of informal employment inspection model.

The steps in CBM for DW and CDW are as follows:

1. Seeking support from the local authority

After receiving support from MoM, members of JARAK in Promote Project's target area, began to approach and to inform stakeholders, especially local government offices, to seek supports. Which government offices to be approached varied from region to region, depending on the local context. In Malang, JARAK member coordinated with the Manpower Office. In another area, member of JARAK coordinated with the Office of Women's Empowerment and Child Protection. At a lower level, JARAK members coordinate with village government, RW and RT where monitoring activities would be conducted to seek their supports.

2. Facilitating the establishment of a monitoring team

Together with local governments, particularly at RW and RT levels, JARAK members in each region facilitated local communities to establish local monitoring teams. Monitoring teams were established at RT level or RW level depending on the agreement with local authorities. The number of monitoring team members is flexible depending on the needs in the area to be monitored but should include local leaders (formal or informal leaders). These local leaders can help the team to gain the trust from community members that is critical for effective monitoring activities. In Malang, the team members include cadres of Pembinaan Kesejahteraan Keluarga (PKK), a government supported organization aiming at empowering women to participate in the country development. PKK's cadres are local community members and their role in the CBM is strategic particularly in disseminating and collecting information. Relevant information is disseminated through PKK's regular meeting which usually participated by community members.

Members of JARAK then trained monitoring teams on monitoring mechanisms and how to conduct monitoring including introducing a form to be used to report DW employment by employers to head of RT, briefed them on decent work for domestic workers (DWDW) and on the elimination of child labor (CL) in domestic work. Members of JARAK also assisted in arranging the division of labor among monitoring team members.

3. Disseminating information regarding the obligation of employers to report the employment of DW to head of RT and on prohibition of employing children (everyone under 18 years old) to work as domestic workers in accordance with the Ministry of Manpower Decree No.2/2015 on Protection of Domestic Workers.

Dissemination of information could be done by visiting each household or through existing community gatherings/meetings. The team also handed out a form to be used to report the employment of DW to the head of RT. Some community members actively submitted the filled in form to the monitoring team member, some others just waited for the monitoring team member to collect the filled in forms.

From the submitted forms, monitoring team can identify CDWs in their communities and when a CDW is identified they will encourage CDW to go back to their families or to access available social services. So far monitoring team had identified 7 CDWs, 6 CDWs in Malang and 1 CDW in Makassar. The team had met with the employers of these CDWs and CDW themselves to discuss about the workload performed by the CDWs and possibility to send the CDW back to their families or to access education program while working. JARAK members also communicated the findings of CDWs to relevant government offices.

4. Monitoring the condition of domestic workers

Visiting any household that employs domestic workers is an ideal step to check the condition of DWs or CDWs. But such an approach is not always applicable or easy to do. The monitoring team is an informal group and does not have legal authority to inspect households. The employer may not welcome the visit which will make the monitoring team uncomfortable. Monitoring was therefore done by various strategies, including visits to households where possible. Monitoring was done by the team by speaking to DWs as DWs did shopping at local vegetable stalls or when DWs accompanied their employer's children to play outdoors. According to the monitoring procedure, should they found case of exploitation and violence, the monitoring team will coordinate with the head of RT before reporting to the police. However so far the monitoring had not found any case of violence against DWs.



Community based monitoring team in Makassar City conducted a visit to a family in the neighborhood

JARAK and its member in each area facilitated meetings to share the results of community base monitoring activities with stakeholders at sub district level, district level and as well as at the national level. These meetings were also meant to invite feedback, inputs and further supports from the stakeholders.

Results / impacts

At the end of the Promote Project's supports, 16 CBM teams have been formed and have been functional in monitoring DWs and CDWs situation in 41 RTs in the following areas:

- Makassar City: 3 CBM teams covering 7 RTs.
- Tangerang City: 4 CBM teams covering 9 RTs
- Malang District: 7 CBM teams covering 23 RTs
- Metro City: 2 CBM teams covering 2 RTs.

Monitoring activities had been able to identify CDWs and seems effective in identifying them. One CDW in Makassar had been assisted by the monitoring team to access education program while working (see box 1).

Box 1. Example of CBM activity when a CDW is identified

Two tense hours for the sake of a child domestic worker to get back to education¹

Ms Yani breathed a sigh of relief, a smile visible from her face. Then hastily embraced Bunga (not her real name), a child who works as a domestic worker.

Tonight (Saturday 22 April 2017), Ms Yani was accompanied by Ms Warida Syafie from the Institute of Child Protection (LPA) of South Sulawesi, Mr Rasyidi Bakry from ILO Jakarta's Promote Project in South Sulawesi and Mr Yasmain from Education Office of Makassar City, visited a DW employer's house. For two hours they talked and discussed the position of Bunga as DW. For two hours they were in tension, because of the different understanding of the position of Bunga.

"Sometimes we have to endure emotions, because it is very difficult to explain in more detail about how Bunga can stay in school," Ms Yani said. Ms Yani explained that the meeting lasted about 2 hours and finally they can find solution how a child domestic worker like Bunga can get education. After going through a long explanation and discussions, the DW employer agrees if Bunga can get another chance to continue education, because the journey of Bunga's life is still long. Not only that, Bunga's employer guarantees the widest opportunity for Bunga to go back to school.

33 This article is originally in bahasa. It was written by Ahmad and uploaded into Citizen Journalism Platform of Tempo.co on 14 August 2017. Original article in bahasa can be seen in the following link: <https://indonesiana.tempo.co/read/115230/2017/08/14/lpasulawesiselatan/dua-jam-yang-menegangkan-demi-prt-anak-bisa-sekolah>.

Bunga's employer also hopes that other child domestic workers are also given the same learning opportunities as Bunga. He suspects there are still many child domestic workers working in Makassar, only its existence is difficult to monitor.

Ms Yani tells how they identified Bunga as CDW. Bunga as CDW was identified by the monitoring team of Makassar Regional Government Residential Complex in which Ms Yani is one of the monitoring team members. Ms Yani also works as a civil servant at the Provincial Women's Empowerment Office.

Knowing that Bunga is still under age, Ms Yani approached the employer and after several discussions, Ms Yani finally managed to convince the employer and Bunga herself to continue education. "After I got the information about Bunga, I also began to approach the employer's family," she said. After some talks, the employer began to be opened and understand.

This is justified by Ms Warida from LPA (Child Protection Institution) of South Sulawesi. She explained that in the case of Bunga, as a child protection activist, she faced a dilemmatic situation whether to repatriate the child to her parents but with worse conditions or to let her keep working as long as her rights are fulfilled. In such situation, the best interest principle for the child should be applied.

"Initially we plan to send Bunga back to their parents, but because of the condition, we decided to let Bunga work, but her right as a child need to be fulfilled, especially in getting education," she said. According to Mr Yasmain, with the current government policies and programs, there is not any reason for children not to continue their education. If the child can not participate directly in the Learning Activity Center (PKBM), lesson materials can even be obtained online.

Overall process in the monitoring, including coordination with local government, dissemination of information had increased awareness among local community where the community based monitoring are piloted and local authority, particularly on the minimum age to work as DWs. Stakeholders in general appreciated the initiative of community based monitoring for DW and CDWs.

“There are many cases of abuse or exploitation affecting domestic workers and these were not reported at all. It is therefore important to implement this community-based monitoring. As a government agency that works for the protection of women, this activity is very important to extend the protection to women, especially to marginalized groups who work as domestic workers”. **Ms Erna (Office of Women Empowerment and Child Protection, Malang)**

“The community based monitoring for DW and CDWs is particularly relevant to government program to realize Makassar City as a Child Friendly City, where one of the indicators is the reduction of child labor. The issue of the elimination of child domestic labor will also be addressed in the RAD (Regional Action Plan) of Child Friendly City of Makassar”. **(Ms Asriati Arifin, Representative of Women Empowerment and Child Protection Office/BP3A Makassar)**

“The limited number of labor inspectors and the absence of laws for protecting domestic workers were the biggest challenges to conduct surveillance for domestic workers. Therefore it is important to involve local communities to conduct surveillance for domestic workers as they have direct contacts with the domestic workers and employers ”. **(Hendro S, Disnaker Kota Malang)**

Success factors

The existence of regulations relevant to the monitoring of DW and CDW namely the Minister of Manpower Regulation no. 2/2015 on the Protection of Domestic Workers provides a legal basis for these monitoring activities and is key in gaining trust from local stakeholders, including the community itself to pilot the CBM in their areas. The above

Minister of Manpower Regulation stipulates that the minimum age of domestic workers is 18 years (article 4 point b) and determines the employer's obligation to report the employment of DWs to the head of RT or other similar position³⁴ (article 11 point i). Local regulations related to the obligation for visitors to a community to report to head of RT have also contributed to the implementation of CBM. These regulations are developed at the local level as the implementation of Minister of Internal Affairs Regulation no 5 year 2007 which stipulates that one of the RT functions is to maintain security, order and harmony among community members.

Support from local authorities such as the head of RT or RW and head of village is a requirement to build CBM in the region. In some areas, the involvement of local leaders in monitoring team is helpful to gain the trust from the community. A letter of assignment from the authorities by which the monitoring team increased its confidence in performing its duties also an important contribution to achievement of this practice.

Challenges

Some community members are resistant to the monitoring activities. They were suspicious of the monitoring intentions, considered the monitoring as an intervention to their personal problems and therefore they refused to meet with the monitoring team. In such situations the monitoring team would keep trying to revisit those households or tried to meet them in other occasions such as in the community gatherings. To overcome these obstacles, monitoring teams thought that a letter of assignment from the local government (village or sub-district level) would help them to better perform their tasks as monitor. JARAK members at the local level had assisted the monitoring team to obtain assignment letters from the local authorities and some monitoring teams had received such letter of assignment.

34 In other region, the lowest level of household groupings are known by other term than RT

The frequent replacement of DW either because they were dismissed by their employers or because they resigned had caused the reluctance of the employers to report the employment of DWs to the head of RT. In this case, the monitoring team helped them fill out the prepared form. The withdrawal of identified CDWs poses another challenge because the needed services are not always available and the CDWs themselves do not always want to leave their jobs for various reasons, such as they have to earn money to support their families.

Sustainability

The implementation of CBM of DW and CDW does not cost much because the monitoring team works voluntarily. This voluntary works and the team members' enthusiasm to do monitoring as part of their responsibility of community members provide the possibility for continued monitoring activities by the existing monitoring teams even though supports from the Promote Project had ended. For sustainability to be achieved, JARAK members at local level are expected to continue providing technical assistances to the monitoring teams which includes, among other things, improving knowledge and capacity to do monitoring, including how to refer identified CDWs to service providers. Sustainability can also be pursued by integrating the monitoring of DW and CDWs into other government programs, such as the Community Based Child Protection Program under the Ministry of Women Empowerment and Child Protection.

Replicability

Implementation of community-based monitoring for DWs has some flexibility such as monitoring teams can be established at RT or RW level and monitoring of DW situations can be carried out using various strategies which fit to local conditions. With this flexibility, CBM for DW and CDWs is relatively easy to be replicated to other areas in Indonesia, especially in communities where many DWs work. However, it should be noted that monitoring the situation of DWs is a sensitive issue for employers. For this reason, a regulation that can serve as a legal

basis to conduct the monitoring is key for succesful replication. The existence of a legal basis is important for obtaining support from local authorities and for gaining the trust from members of the community. Scaling up the practice may be done by the local government (district / city level or sub-district level) by issuing formal instructions requiring all villages in their jurisdiction to carry out such monitoring.

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4. Improving domestic worker supplier agencies' practices through code of conduct

Background / context

Practices of some domestic worker (DW) supplier agencies often lead to indecent living and working conditions of the workers that they place. As business entities, employment agencies look for profit and in earning it some of them often sacrifice the welfare of the workers particularly in a competitive business situation. Changing the practices of these agencies would help improve the welfare of the DWs they place.

In an attempt to improve practices of DW supplier agencies, ILO's Jakarta Promote Project³⁵ provided technical assistances to APPSI (Indonesian Association of Domestic Workers Supplier Agencies) to develop a code of conduct for protection of DW and prevention of child labor (CL) in domestic work. APPSI, established in August 27, 2004, has around 150 agency members who place DWs to work locally within Indonesia. Its vision is to realize standardization of DW supplier agencies and its mission are to: i) improve the quality of DW supplier agencies by improving service standards; ii) improve education and training for DW and iii) encourage service users and communities in general to respect DWs rights.

Objectives

Promote Project facilitated APPSI to develop a code of conduct with respect to minimum age for recruitment, and post-placement monitoring by the supplier agencies as a way to provide protection to DWs. This code of conduct is intended to be a day to day guidance

35 Promote Project was a project implemented by ILO Jakarta in 2013 to 2017 with support of United States Department of Labor. The Project aimed at promoting decent work for domestic workers to reduce child domestic work.

for APPSI in their business practices. This practice is potential to contribute to the reduction of CL in domestic work by prohibiting APPSI members to recruit those under minimum age to enter domestic work in accordance to the existing policies and to the prevention of exploitation of DWs in the presence of post-placement monitoring. If applied properly, it is expected that APPSI would gain better reputation from the public and it will be good for their business.

Interventions

As part of the process to build commitment from APPSI board members, focused group discussions (FGDs) were conducted by Promote Project in September 2014, participated by APPSI board members and selected regular members. The FGDs were to explore the existing practices of APPSI in post placement monitoring and minimum age application, challenges and opportunities and to build commitment of APPSI on the code of conduct to be developed. The Project also facilitated consultation meetings between APPSI and Ministry of Manpower (MoM) in December 2014 which meetings were deemed beneficial for APPSI members as it provided an opportunity for them to clarify the policy of Government of Indonesia (GoI) on CL in domestic work which enabled them to ensure that the content of the code of conduct to be developed is in line with GoI's policies.

Assisted by a national consultant hired by the Project, a working group formed by APPSI worked on the code of conduct development. The working group drafted the code of conduct and consulted the draft to APPSI members at APPSI's branches in Tangerang, West Jakarta, South Jakarta, and Bekasi in January –February 2015 for feedback, which was then used to finalize the code of conduct. The final code of conduct outlines 4 (four) areas of conduct to protect DWs by the agencies and to prevent recruitment of children under 18 years old to work as DWs. The 4 (four) areas are detailed in Box 1 below.

Box 1. Content of the APPSI's code of conduct

1. Application of 18 year old as minimum age in the recruitment and placement of domestic workers

- a. The supplier agency does not recruit and does not place children (those under the age of 18);
- b. The supplier agency undertakes prevention of employment of children (under the age of 18) as domestic workers by installing an information pamphlet at the agency office;
- c. The supplier agency conducts briefings to field employees and sponsors residing in areas of origin of domestic workers not to recruit children under the age of 18;
- d. The supplier agency provides information to prospective workers, parents, employers, and communities on the prohibition of recruiting and placing children under the age of 18 as domestic workers; and
- e. The supplier agency does not accept children under the age of 18 who come to the agency on their own initiative looking for works or who are sent to the agency by someone.

2. Preparation in the pre-placement of domestic workers

- a. The supplier agency provides education and training to prospective domestic workers;
- b. The supplier agency provides guidance to domestic workers on working conditions in each prospective employer;
- c/ The supplier agency always ensures that prospective employers are not in the blacklist and have domiciles clearly evidenced by ID card and other identities;

- d. The supplier agency ensures that domestic workers are placed in employers' homes in accordance with the employer's residential address and the workplace of the domestic worker written in the agreement; and
- e. The supplier agency provides protection to domestic workers starting from pre-placement.

3. Post-Placement monitoring for domestic workers protection

- a. The supplier agency should record data on domestic workers who have been placed and who are still in the process of placement;
- b. The supplier agency should keep a copy of the Employment Agreement of each domestic worker they placed;
- c. The supplier agency ensures that employers do not keep worker's original documents such as ID card, diploma, travel documents, except photocopies;
- d. The supplier agency ensures that employers provide domestic workers with access to communicate with the supplier agency that place them and with their families;
- e. The supplier agency conducts post-placement monitoring of domestic workers at least in its first 3 months and continues monitoring their condition;
- f. The supplier agency conducts monitoring to domestic workers who have been placed through:
 - 1) telephone call to domestic workers after one month placement
 - 2) phone/sms to confirm whether the works are in accordance with the work agreement and whether wages were paid smoothly.

- 3) in an emergency, ask domestic workers to call immediately if experiencing violence and/or sexual abuse.
- 4) make a visit without prior notice to the employer house
- g. The supplier agency documents monitoring results;
- h. The supplier agency ensures that domestic workers are registered by employers in social security programs;
- i. If any indication that DWs are not in good working condition, the agency should conduct further investigation in cooperation with the APPSI's Domestic Workers Problem Solving Team (locally known as TP3RT);
- j. If the domestic worker has an accident/ill due to work, the employer is responsible for providing medical expenses until domestic worker recovers; and
- k. If the domestic worker dies at work due to occupational risks, the employer shall bear all costs of the funeral.

4. To organize in good and right way

- a. The members of APPSI are obliged to obey the Code of Conduct of the organization;
- b. The members of APPSI respect each other; and
- c. The APPSI members exchange information about issues related to employers and domestic workers that occur in their respective institution.

According to the code of conduct, members, who violate the code of conduct, will be sanctioned. The sanctions applied range from a warning letter, tentative dismissal from the membership, and permanent dismissal from the membership. On the other hand, APPSI provides rewards, in forms of certificates of appreciation, to those, who consistently apply the code of conduct.

The final code of conduct was presented to the Promote Project's Advisory Committee (PAC)³⁶ members and relevant stakeholders on March 2015. In general, PAC members appreciated APPSI's initiative in developing the code of conduct for its members and highlighted the possibility for the initiative to be promoted to other supplier agency associations. The APPSI's code of conduct was launched on 1 June 2015 as part of the launch of the **Elimination of Child Labour Campaign Month** led by the Ministry of Manpower of the Republic of Indonesia. The launch of the code of conduct was marked by the Minister of Manpower and the Officer in Charge of ILO Jakarta providing written encouragement for APPSI in a poster and witnessing some APPSI members signing a placard of the code of conduct which symbolized their commitment to apply the code of conduct.



APPSI members signed the code of conduct placard symbolizing their commitment to apply the code. The signing was witnessed by the Minister of Manpower, Mr Hanif Dhakiri and Officer in Charge of ILO Jakarta, Ms Michiko Miyamoto

36 The Project Advisory Committee is chaired by official from the Ministry of Manpower and its mandate is to provide advices for better implementation of the Project activities.

To monitor the implementation of the code of conduct, APPSI formed a Task Force that consists of 12 members who are from member agencies. The working period of the Task Force is 3 years, with the task to monitor the application of the code of conduct every 6 (six) months. ILO Jakarta's Promote Project provided supports to APPSI to conduct the monitoring, including to develop the monitoring tools and trainings on how to use the tools and to process and analyze the collected data and information. The monitoring tools developed included:

- A logbook to be used by APPSI members to record post placement monitoring by members. This logbook will be checked by Monitoring Task Force.
- A form to check all DWs aged 20 years old and under who were placed by members during the monitoring period. APPSI requires its members to provide means of verification such as an ID card, or school certificate, or birth certificate to prove that those DWs are really 18 years old and above.

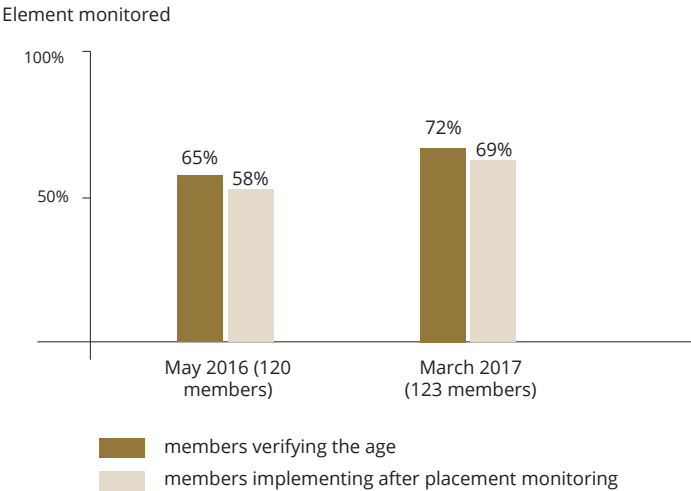
Currently, the monitoring focused only on the application of minimum age and monitoring after placement. APPSI will still need to develop tools to monitor activities during the pre-placement.

Results / Impact

The process of developing the code of conduct had contributed to the increased awareness among APPSI board members about the minimum age to work as DW and about decent work for domestic workers (DWDW). The code of conduct had been endorsed by the APPSI Executive Board on 12 February 2015 and had also been printed and distributed to all APPSI members.

APPSI Monitoring Task Force conducted two monitoring rounds in the period of May – June 2016 and February - March 2017 using the developed monitoring tools and the results indicated an increase in application of the code of conduct particularly on the aspect of minimum age and on monitoring after placement.

Table 1. Results of Monitoring



Success factors

The dialogues among APPSI board members and with ILO and MoM played key roles in building commitment of APPSI board members to develop the code of conduct. In addition the launch of the code of conduct by the Minister of Manpower, witnessed by ILO Jakarta had motivated APPSI members to apply it. Certificates of appreciation to members who applied the code of conduct also further encouraged APPSI members in applying the code of conduct.

Challenges

The DW supplier agency is essentially a profit-oriented business entity. It is not easy to convince APPSI board members to support the idea of creating a code of conduct which content will bring consequences of increasing operational costs and losing revenue potential. In the discussion on the minimum age, for example, many APPSI members were objected to increase the minimum age to 18 years. Job seekers in the age range of 15 to 17 years are many and quite many employers

look for young DWs because they can be paid less. To address this challenge, Promote Project facilitated a meeting between APPSI and MoM to discuss government policies related to minimum age and domestic worker protection. Project staff also supplied information that under ILO Conventions on DW protection and on CL there are conditions that must be met if children above minimum age and younger than 18 years old were employed as DWs. Supplier agencies must require the fulfillment of those conditions to employers who will hire them. Those conditions include:

- (a) strictly limiting their hours of work to ensure adequate time for rest, education and training, leisure activities and family contacts;
- (b) prohibiting night work;
- (c) placing restrictions on work that is excessively demanding, whether physically or psychologically; and
- (d) establishing or strengthening mechanisms to monitor their working and living conditions.

The ILO also facilitated discussions among APPSI officials regarding the benefits of the code of conduct for their businesses which discussions concluded that the adoption of a code of conduct would increase public confidence in supplier agencies under APPSI and in turn it will positively affect their business.

Another challenge was that some APPSI members were still hesitated to be monitored. To address this challenge, in the early stage of the Code of Conduct application, APPSI's approach is more to encourage members to be opened for monitoring while giving them more explanation on the need to monitor the implementation of the Code of Conduct. However, in the later stage, if members are still not willing to be monitored there will be sanctions to be applied.

Sustainability

This code of conduct has become APPSI's official document which requires its members to comply with. APPSI has also developed monitoring mechanism of the application of the code of conduct. Together with the APPSI's ownership of the code of conduct and the relatively low cost in implementing the monitoring, these factors will help sustain the application of the code of conduct in APPSI.

Replicability

Replication of this code of conduct to other DW supplier associations will be easier if there are people from within those associations, especially from its board members who are committed and able to convince the board members and regular members using arguments which are relevant and contextual to their business on the importance of DW suppliers to provide protection to DWs they placed and to contribute to the elimination of CL in domestic work. For example, with regards to recruitment of children aged 15 to 17 years, after looking back to experiences of APPSI members in placing children in this age range in the past, it is concluded that placing children under 18 years old poses more disadvantages than the advantages. There were often complaints from the employers as well as from the CDW themselves and problems often arise from the immaturity of the children that the agencies should put a lot of efforts deal with.

Contact

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Chairman of APPSI

5. Domestic Workers Institute: An alternative education for strengthening domestic worker leadership and organizations

Background / context

Domestic workers (DW) in Indonesia lacks of recognition as workers and are excluded from labor law which have led to indecent working and living conditions of DWs. DWs in Indonesia are also an unorganized group and consequently they lack of representation and lack of roles in advocacy for DWs protection. JALA PRT, a network of NGOs and individuals, has been working to advocate for the protection of DWs since 2004. One of the courses taken by JALA PRT in advocating DW protection in Indonesia is by facilitating DWs to organize / unionize so that they can voice out their interest and concerns themselves. An activity pivotal in organizing DWs is to develop knowledge / perspectives, critical awareness, attitudes and skills which are the foundations for DWs to take active role in pursuing the desired social changes towards better working and living conditions. For this purpose, JALA PRT has been operating, since 2015, a DW Institute in Jakarta. In the DW Institute, JALA PRT delivers various education sessions, which constitute an integrated education program for DWs particularly for members of Sapulidi DW union. As an integrated program, education elements in DW Institute are interrelated and mutually supportive.

Objectives

This good practice is about DW Institute run by JALA PRT to strengthen DW leadership and DW organizations for them to be in the frontline in the struggle for decent work for domestic workers (DWDW) and in voicing out their interest and concerns. The DW Institute provides various education programs for DWs using approaches that had successfully developed knowledge / perspectives, critical awareness, attitude, skills and commitment of DWs so that they could actively carry out their roles in the fight for DWDW in Indonesia. These

approaches include a learning cycle comprising of sessions in classes, assignments, action, mentoring / coaching and evaluation that help build perspectives, attitude, skills, and commitment of DWs.

Interventions

DW Institute provides several educational programs for DWs, particularly those of Sapulidi DW union members.

a. English language courses

For DWs who have been working with expatriates, better English proficiency is expected to improve the ability to communicate with their employers including in negotiations and for those who have never worked with expatriates, it will widen their options whether to work with locals or expatriates. Good English skills are also required by members of DW organizations to effectively network with DWs and DW organizations from other countries for knowledge and experience sharing and for building solidarity in the struggle to realize DWDW. The English course were delivered 3 times a week.

b. Computer and Information and Communication Technology (ICT) course

Computer course, which was conducted 3 times a week, is intended to enable DWs to use computers to support DW individual as well as organizational needs. Example of individual needs are the work related needs such as to write a curriculum vitae or job application letter, to better communicate with their employers and to search for information they need using the internet. The organizational needs include needs to run their organization such as works in the secretariat, finance, administration, data base, correspondence, etc. The computer course is also to meet the need in advocacy work such as campaigning using social media platforms (facebook, twitter, instagram) and in networking with DWs or multistakeholders in different geographical locations both domestically and internationally.

c. School of Insight

School of Insight is one of DW Institute's programs aimed at developing insight / perspectives, critical awareness and attitudes of DWs on their situation as human being, women, workers and citizens as well as at building commitment and skills of DWs to make a change in their working as living condition. The school creates DW leaders at every level, beginner leaders, second leaders and advanced leaders, to conduct works on organizing, unionizing, and advocacy for human rights, women rights, workers rights, citizen rights as well as to be social change agents.

Learning sessions in the School of Insight apply participatory approach and adult education method. These approaches invite DWs to identify problems they are experiencing, analyze their needs, formulate goals and objectives based on problem identification and needs analysis and systematically develop concrete steps to make the intended changes. Such above approach is meant to build critical awareness of DWs regarding their situation and factors behind such situation.

JALA PRT developed a module to guide facilitators / trainers in facilitating education sessions in the School of Insight. The topics covered in the module include social class, gender inequality, women's rights, human rights, worker rights, citizen rights and how to build a solid and effective DW organization. The module can be accessed at the ILO Jakarta website but available in bahasa only (please see below list of references).

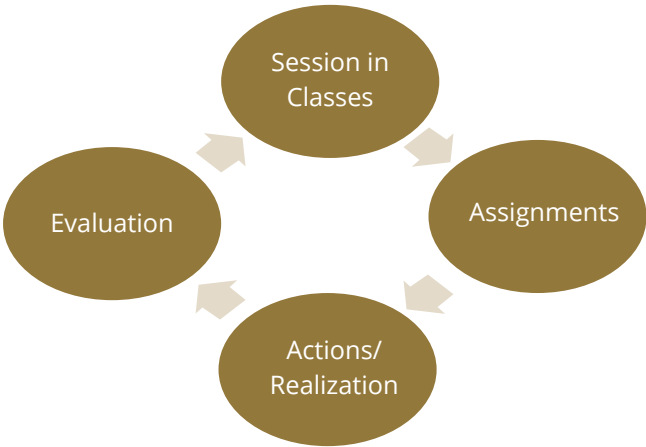
Education sessions are delivered, mainly, in the activity center facilitated by JALA PRT staff or by resource persons from relevant non government organizations (NGOs) / trade unions. Often, a resource person was also invited just to share their experiences on the relevant topics. The sessions were participated by DW leaders from sub komperata (sub DWS community) and from team 10³⁷ as beginner leaders and by regular members who want to participate. The DW leaders will then relay what they learned to members in their sub DWs community or

37 Team 10 is the smallest unit of DW group. It consists of 10 DWs as the maximum. 20 (twenty) team10 forms a sub komperata (sub domestic worker community). Thus a sub komperata has 200 DWs as members.

team 10. The school reviewed and evaluated how the beginner leaders and potential members understand the taught subjects in the school and deliver the messages to the members and based on the review the school improved its education sessions. With such mechanism, JALA PRT tried to create sustainable DWs leadership from every level and from various geographical areas.

In order to build perspectives, attitude, commitment and skills to advocate for better working conditions, the learning cycle in the School of Insight does not stop at the delivery of the education in the classroom. The education sessions in the classroom were always followed up by assignments as a way to provide opportunities to learn by doing through organizing, unionizing and advocacy works. During the implementation of assignments (actions) JALA PRT intensively mentored the DW leaders through intensive discussions to deepen their comprehension and to find solutions for arising problems. The discussions were done through meetings or Whatsapp Group.

Graph 1. Learning cycle in the School of Insight



d. School of Work Skill for DWs

The DWr Institute also provides vocational training for DWs. In addition to skill improvement, this vocational training is also intended to internalize healthy, safe and pro environment work procedure in cooking, cleaning, and washing and to internalize gender sensitivity, pluralism, and best interest of the child in taking care of babies or children.

So far DW Institute had piloted a vocational skills training for 20 DWs from Jakarta area with 2 (two) skill categories i.e. Cooking/Family Cooking and House Keeping which curriculum and program were developed based on Standar Kompetensi Kerja Nasional Indonesia (Indonesia National Work Competency Standard). The program piloted was basic level training with 200 hours of lessons (45 minute per lesson hour) held in May to September 2017. To sustain the skills training, some DWs from Sapulidi DW union in Jakarta had been trained to be certified instructors who later became the instructors in the skill training for DWs under the DW Institute. To further develop the skills of the instructors, during the piloting, they were coached by experienced instructors who provided feedback to the ways they delivered the skills training sessions. This way, it was expected that DWs would further develop their capacity as intructors. 17 out of 20 participants of piloted skills training passed the certification test. Through this piloting of skill training the DW Institute had now the training curriculum and program, experienced instructors from DW union members and the equipments. With these human resources and equipment in place, the cost for running the similar trainings in the future will be more affordable.

e. Equality education

One of the characteristics of DWs in Indonesia is their low level of formal education. A survey to 450 adult DWs in 3 (three) cities indicated that majority of DWs were graduated only from junior secondary school or lower.³⁸ JALA PRT facilitated members of Sapulidi DW union

38 Knowledge, Attitude and Behavior (KAB) toward Protection of Domestic Workers and Child Domestic Workers in 3 (three) areas (Bandung City, Surabaya City and Makassar City), unpublished survey report, ILO Jakarta, 2014.

and other DW organizations in Jakarta to continue their education through equivalency education (packages A, B, and C).³⁹ Continuing education is important for DWs to increase their confidence in leading DW organizations. With higher level of education, they will also meet the criteria to follow some relevant government programs for strengthening Sapulidi DW union, for example, to participate in government training to become skill training instructors. The equality education is also intended to increase and extend access of DWs to various higher education, such as to take university education to meet organization needs of lawyers / advocates that must have law degree from university.

All capacity building activities undertaken by JALA PRT as above were not only limited to trainings in the 'classroom' but included intensive mentoring / facilitation to practice what had been learned in the 'classroom' in order to build attitudes, skills and commitment of DWs.

Results / impacts

The impact of the DW Institute can be seen at 2 levels: individual level (members of DW organizations) and organizational level. At the level of individual member, there had been growing critical awareness about their situation as human being, women, as workers and as citizens. Such impact can be observed from actions that had been taken by DWs to negotiate better work terms with employers such as to get weekly day off, salary increases, severance pay, etc. although not all negotiations have yielded results as intended. Quantitative data are not available to illustrate this impact, but some qualitative information illustrate how critical awareness of DWs had encouraged DWs to take actions to claim their rights. One of the negotiation experiences with an employer was told by a DW who works for an expatriate (see box 1).

39 Package A, B and C is non-formal education programs. Package A is equivalent to elementary school, Package B to junior secondary school and Package C to senior secondary school.

Box 1. Experience of negotiation with an employer

I, Nur Khasanah, worked with an expatriate family starting from August 15, 2013.

I worked every day from Monday to Saturday for 2 hours per day (flexible time). My tasks were to clean the house, wash and iron clothes. My salary was IDR 2,000,000 / month. On January 8, 2017 I was terminated unilaterally by my employer on the grounds that female employer would take maternity leave and later around September 2017 I would be called to work again.

It turned out that without my knowing, they want to employ a nanny who happened to be fellow member of Sapulidi DW union. My employer offered to my friend a nanny salary for a double job, to also do the cleaning, washing and ironing. But my friend preferred to refuse the offer as a solidarity among fellow members of the organization.

Because I was terminated, I asked for my last month salary and severance pay for the time I worked with my employer (for 3 years and 5 months). But my employer refused to pay my severance on the grounds that there was not any contract of employment. Armed with the knowledge I got from joining DW organization and attending School of Insight, I kept demand my rights to be met. I did not want to accept the salary of the last month and holiday allowance without severance pay.

After my negotiations with my employer failed to come to an agreement, I finally reported my case to paralegal team of Sapulidi DW union, JALA PRT and LBH (Legal Aids Institute) Jakarta. Sapulidi paralegal team mediated my case with my employer, but my employer still did not want to pay my severance. The employer only want to pay my last month salary. To follow up the case, LBH Jakarta sent a legal notice to my employer. My employer repeatedly tried to negotiate

with me via Whatsapp, persuaded me to accept the last month salary only. I consistently refused it.

Meanwhile, my employer posted a status in the Facebook looking for a DW. In solidarity, many members of DW organization commented in my employer Facebook status by reminding my employer to fulfil my rights for severance pay which need to be paid. Consequently, my employer had difficulties in finding DWs who wanted to work with her. My employer contacted me asking to stop boycotting her. In January 20, 2017 finally my employer fulfilled my right and pay me my last month's salary and severance pay of 4 months of salary, IDR 10,000,000 in total.

I thank Sapulidi DW union, JALA PRT, LBH Jakarta, and fellow members of DW organization. I finally got my right and all of these are because of joining DW organization.



An education session in the activity center

The DW growing critical awareness had been a key driver for members of Sapulidi DW union to actively attend educational sessions and to participate in organizational activities using their own resources. In order to participate in organizational activities, DWs often had to negotiate with their employers to obtain permits.

Activities at the DW Institute had generated a sense of solidarity among Sapulidi DW union members, where DWs began to share information on problems they faced and other DWs helped find solutions to the problems. Some DWs also recognized the importance of making planning for their life, among others, by deciding to follow the equality education program which requires high discipline to participate properly in order to be eligible to take final examination.

At the organizational level, the increased critical awareness of the situation of DWs raises members' awareness on the importance to get organized and to build a commitment to struggle together. DW leaders actively recruited new members, advocated policies protecting DWs and campaigned for the protection of DWs, especially through social media. The following facebook status, indicated the active participation of DW leaders in the campaign and in the same time indicated their participation in developing the union.

FB status of Yuni SR dated 24 January 2017

Domestic work is an option. Work and organize for prosperity and decent living for domestic workers in the present and future. Let's gather and fight together for the sake of change.

FB status of Leni Suryani, dated 17 Feb 2018

*The key for protection of domestic workers is to get organized.
We Will NOT Be Silent
Fight for #Decentwork for DW and DW Protection
Together with Domestic Workers School of Sapulidi, Jala Prt
Discuss And Pass #DWProtectionBill # ILOCONVENTION189
#DecentWork
#DecentWage
#DecentLife
Greetings of Change*

The English lessons clearly provided the ability to communicate and to negotiate better with the expatriate employers. In addition, English language skills helped DWs to network internationally with DW unions from other countries. Some Sapulidi DW union members had participated in the international meetings. While the provision of equality education is not meant to facilitate DW to change jobs (from DW to other jobs), a graduate of Kejar Paket C (equal to senior high school) had got support from her employer to continue to college and another DW, with the help of her employer got a chance to become an Indonesian language tutor in Japan for Japanese expatriates who will work in Indonesia. In addition JALA PRT is now encouraging DW leaders who had participated in the equality education program, especially who are paralegals, to study law in the University to become a lawyer who will focus on handling cases of DWs.

Success factors

The key to the successful DW Institute is the solid ideology of the facilitators / organizers from JALA PRT on a just society system and decent work for DWs. The goal of DW Institute is to make social change and without such strong perspectives, facilitators / organizers from JALA PRT will not be able to convince and motivate DWs to pursue the social changes.

Intensive assistances to DWs had greatly contributed to the achievement of DW Institute. Educational sessions provided did not stop at the delivery of educational materials in the classroom. JALA PRT provided intensive guidance to DWs to put the knowledge gained from the classroom into practice through assignments, mentoring/coaching, monitoring and evaluation as well as face-to-face discussions and discussions through Whatsapp Group to address emerging issues. This intensive facilitation is a key factor in building commitment to make a change and also to shape the attitude of DWs toward their works. In addition to the above factors, DWs strongly felt the benefit of attending educational sessions. They felt that they now had more knowledge and no longer felt ashamed to admit they were DWs. DWs

also felt that their presence was recognized by attending the education sessions and were proud for expressing their opinions during the sessions. These perceptions about the benefits had driven them to continue attending educational sessions using their own resources. Attending educational sessions had also created opportunities for DWs to make friends with other DWs.

Challenges

The limited number of facilitators and the limited time available for DWs to attend educational sessions (mostly available on Saturdays and Sundays only) on one hand and the large number of DWs who are interested in participating in the education sessions resulted in sessions with often too many participants that could lead to ineffective absorption of educational materials. For the future, it is necessary to create facilitators from among members of the DW organization itself. Creating facilitators from DW organization members will not only address the limited number of facilitators but will also improve cost-efficiency because the DW organization will not any longer have to pay the fees for facilitators from outside the organization.

The limited time that DWs had and the cost to come to the center far enough from where they work or live was an obstacle for some members of the DW organization. Members of Sapulidi DW union are scattered in some areas of Jakarta and they do not always work or live close to the center of activity where the educational sessions were delivered. To overcome these obstacles JALA PRT had several times delivered educational sessions outside the education center in a place closer to where DWs live or work although it was not always easy to find proper places to conduct education sessions. For DWs living with their employers, they must obtain permission from the employer which is of course not easy and there are even cases when the employers prohibited DWs from joining the organization.

Sustainability

The DW Institute's social sustainability is very strong, rests on the goal of the Institute which is to strengthen DWs to become active agents of social change in pursuing better working and living conditions of DW by exercising their rights individually or collectively as an organization. With increasing critical awareness on their rights as workers, a number of school participants had begun exercising their rights by negotiating better working conditions such as weekly day off, wage increases, written contracts, etc. DWs are now able to negotiate with their family members and with employers when necessary to participate in educational sessions and in organizational activities. The growing critical awareness is also a strong driver for DWs to participate in DW organization activities using their own resources as they understand and internalize the importance of organizing.

JALA PRT's in depth knowledge and understanding on the purpose of DW Institute and its commitment will contribute to the institutional sustainability of DW Institute. However, this sustainability will be affected by its implementer's capacity in mobilizing resources to finance the activity center (rent, electricity and water costs), learning equipments/tools and tutor and facilitator fees. The Company Social Responsibility program can be explored for possible future supports along with supports from international development agencies. The cost for participating in DW Institute, especially local travel cost to and from activity center and refreshment, was born by DW themselves so that it did not burden the implementer of DW Institute.

Replicability

In replicating the model of DW Institute, the organizer should understand that the purpose of the Institute is to build a social movement for social change, especially changes toward better working conditions and living conditions of DWs. A comprehensive introduction to DW Institute, approaches and methodologies used in managing the education activities is essential to enable successful replication.

The existence of a physical building where education sessions can be delivered properly (without interruption and allowing the use of educational tools) will be very helpful so that participants can be more focused in learning and to maximize absorption of education materials. Operating in an area where there are many live-out DWs will help speed up participation of DWs. Although it is not impossible for live- in DWs to participate, they will need to negotiate for permission from their employers which is not easy. Live-out DWs have relatively greater freedom in controlling the use of their off-the-job time.

Reference List

Module for alternative education for domestic workers: handbook for facilitators, JALA PRT. The module is available in bahasa only. http://www.ilo.org/jakarta/whatwedo/publications/WCMS_559476/lang--en/index.htm

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6. Strengthening domestic workers organization: the case of Sapulidi domestic workers union in Jakarta, Indonesia

Background / context

Domestic workers (DWs) in Indonesia lacks of legal protection. While workers in formal sector enjoy protection of their rights under Manpower Act no 13 of 2003, DWs, considered as informal workers, are not covered by this Act. The Manpower Act no 13 covers only the employment relation between employers and workers for business activities which is not the case with the characteristics of relation between employer and DW. The obligations of an employer set out in the Manpower Act to fulfill workers' right are therefore not the obligation of the employers in their relation to DWs. The legal vacuum to protect DWs⁴⁰ has placed DWs in situations susceptible to exploitation such as low wages, delayed payment, long working hours with insufficient rest, no access to social security and abuses. Although there have been some DW organizations, DWs in Indonesia generally lack of access to unionize, making them among the least voice of representation and putting them at risks of unacceptable forms of works.

JALA PRT (National Domestic Workers Advocacy Network)⁴¹ has been actively advocating for endorsement of DWs Protection Bill since 2004 and in the last 7 years has been urging ratification of ILO Convention 189 on Domestic Workers. Parallel with its advocacy works, JALA PRT has been facilitating DWs in Indonesia to get organized / unionized to build up power to voice their interests for a change towards decent working and decent living of DWs.

40 In 2015, the Ministry of Manpower, Republic of Indonesia issued the Minister of Manpower Regulation no 2 Year 2015 on Domestic Workers Protection. Stakeholders consider this regulation is not effective in protecting domestic workers as it does not clearly and strongly determine the standardized rights of domestic workers but rather making them open for negotiation between domestic workers and employers. This type of regulation also does not include sanctions in the case of violation againsts it.

41 A network of NGOs and individuals who are very active in advocating policies to protect DW in Indonesia. JALA PRT is one of the main partners of ILO Jakarta's Promote Project, a project that promoted decent work for domestic workers and elimination of child labor in domestic work.

Facilitated by JALA PRT, a number of DW unions have been established namely Tunas Mulia DW union and Coalition of DW organization of Yogyakarta (KOY) in Yogyakarta Province, Merdeka DW union in Semarang City, and North Sumatra DW union in North Sumatra Province. On 16 June 2013, a number of DWs, facilitated by JALA PRT, declared the establishment of the Sapulidi DW union with about 140 DWs working in Jakarta as members. Sapulidi DW union is the first DW union in Jakarta area, the capital city of Indonesia, a province with 2nd largest number of DWs.⁴² However, the role and movement of these existing DW organizations and its members to pursue social change, voice interests, negotiate in policy talks, were still very limited and their organizing works had limited outreach so that the members of DW organizations were small. Likewise, the capacity of existing DW organizations as organizations for social movement and as representational organization need to be further developed in its various aspects namely membership, dues payment, leadership, organizational mechanisms, organizing and unionizing and in advocacy works.

Objectives

This emerging good practice records activities and approaches applied by JALA PRT in strengthening Sapulidi DW union in Jakarta, Indonesia. From 2015 to 2017, JALA PRT with support from the ILO Jakarta's Promote Project⁴³ expanded/intensified its work in Greater Jakarta, Bandar Lampung and Makassar. In Jakarta, JALA PRT collaborated with Sapulidi DW union in order to strengthen Sapulidi organizational capacity. The collaboration aimed firstly at enhancing Sapulidi's role as an organization by and for DWs which will fight for the realization of DWDW in Indonesia. Secondly, it was aimed at enhancing Sapulidi DW union's roles in DW movement, labor movement, women

42 According to estimates by the ILO Jakarta using the National Employment Survey data year 2012, the number of DWs workers in Jakarta reaches 428,551 people, while West Java Province has 501,825 DWs aged 15 years and over (ILO, 2013).

43 Promote Project is a project promoting decent work for domestic workers to reduce child domestic work. The Project was implemented by ILO Jakarta with a support from United States Department of Labor.

movement and social movement, and in social dialogues to voice out their interests and to take part in policy advocacy together with other workers. For this purpose, JALA PRT conducted comprehensive capacity building involving Sapulidi committee and regular members. The capacity building activities included intensive trainings and assistances to Sapulidi DW union in various fields such as organizing and unionizing, developing union members' perspectives on DW protection, campaigning and advocacy, increasing access to justice, and developing union programs that can provide immediate and relevant benefits to members. Capacity-building practices implemented in these areas had shown some positive and promising results.

Interventions

1. Perspectives development through School of Insight

School of Insight⁴⁴, one of JALA PRT's main education programs in DW Institute which, is essential in building a solid foundation for DWs to join and develop DWs organization/union. School of Insight holds educational sessions for Sapulidi committee, DW leaders and regular members who want to attend to develop critical awareness of DW, strengthen their perspectives, based on of Human Rights, Citizens' Rights, Women's Rights, Workers and Children's Rights, on protecting domestic workers and to build attitudes and commitments to make changes toward better working and living conditions of DWs. The School of Insight participants were the organizational leaders, who then pass the knowledge to the members of the team 10.⁴⁵ However regular members who are interested can always participate in the School.

44 Although the name bears the word 'school', the education sessions do not have to be delivered in a classroom. Education sessions can be done anywhere: classroom, gardens, public meeting space, etc.

45 Sapulidi DW Union consists of a number of sub domestic workers communities and sub domestic workers community consists of a number of team 10 with 10 domestic workers as members.

2. Organizing domestic workers

In the early stage of organizing DWs, outreaching DWs was carried out by organizers from JALA PRT and some DW leaders provided information on areas with concentration of DW working or living and situation in the areas. Organizing DWs by NGO staff clearly has limitations. Their access to meet with DWs is limited as DWs are scattered and in most cases must be met one by one for organizing purposes, making it difficult for NGO staff to outreach them. The most important thing is that the interests to develop DW organization, including to increase the organization membership, should be the responsibility of the DW organizations themselves. As it is always emphasized by JALA PRT, DWs should not entrust their fate to others, rather DWs have to fight for themselves for better working and living conditions.

To capacitate Sapulidi DW union in recruiting members, JALA PRT provided trainings on organizing DWs to Sapulidi committee and regular members in collaboration with Urban Poor Consortium (UPC)⁴⁶ and ILO Jakarta, which trainings were also attended by DWs from other DW organizations from Jakarta, Bandar Lampung (Lampung Province), Makassar (South Sulawesi Province) and Malang (East Java Province). The trainings essentially trained the use of RAP method for organizing DWs. The RAP method consists of 6 steps that can be done repeatedly in order to convince DWs on the need for a change toward decent working and living for DWs and invite DWs to become members of DW organizations to jointly fight for the change.⁴⁷ In this RAP method, the importance of DW's participation is emphasized from the very beginning and the newly recruited members are requested to pay their dues when joining the organization. RAP method had been documented into training manuals on DWs organizing (please see below list of references).

46 The Urban Poor Consortium (UPC) is a non-governmental organization that works to fight for the rights of urban poor communities and has experiences with the organizing urban poor communities.

47 On RAP method, please refer to Decent Work for Domestic Workers: Eight good practices from Asia, page 98 - 117 (http://www.ilo.org/jakarta/whatwedo/publications/WCMS_571087/lang--en/index.htm)

RAP – SIX STEPS

1. **Introduction.** The rapper introduces both her/himself and the organization, including its objectives. The introduction must be short, clear and presented in simple language. Ideally, this is the stage at which the rapper gains the trust of the target.
2. **Explore the problems.** The rapper has to explore the problems faced by the target, rather than present a list of general DW issues. This moment represents a first step in raising awareness about DW conditions, and it allows the rapper to collect useful information to be later used in persuading the target to join the organization (steps three and four). It is important for the target to feel comfortable during the conversation, so rappers should make use of small talk and open-ended questions; they should avoid anything that suggests an interrogation. The aim is to let the target talk about her working situation and about the problems she/he may face with issues such as wages, daily working hours, days off, payment, paid holidays, and social security.
3. **Raise awareness regarding responsible factors.** The rapper should use the information acquired in step two to discuss the causes of any issues at hand. The rapper needs to identify who should be held accountable for them and why. The rapper emphasizes how the target's problems are related not only to the individual employer/DW relationship and links the received information to DW rights, raising awareness about elements of decent work, the absence of relevant labour legislation, and about how the organization can be more effective in advocating DW protection while voicing DW interests. This step presents an opportunity for both rapper and DW to explore and better understand the issues regarding DW, by first identifying the issues and then discussing who or what might be responsible for them.

4. **Vision/dreams.** Various elements of awareness having been raised, the conversation moves to the target's dreams and expectations for the future. The rapper should encourage the target to discuss means of achieving these aspirations, and then discuss whether it is possible and/or easier to reach the dreams individually or in collaboration with other fellow DWs. Next the organizer describes how the organization – as a collective of fellow DWs, with similar issues and dreams – might help her/him achieve these objectives.

The rapper explains what the organization does for its members and the advantages of participation. This step provides the opportunity to present the organization's activities and visions, showing how it empowers DWs so they can advocate for their own interests – such as school activities, learning about rights, and learning how to negotiate with employers and to find supports in handling cases.

5. **Invitation to join.** The rapper asks the target to join the organization and to attend a meeting. If the answer is yes, the rapper collects her name and telephone number and the signed organization registration form. If the answer is no, the organizer tries to repeat step three, explaining again why it is important to join the organization. If the target still does not want to join it is important not to exert undue pressure. The rapper should simply take her contact information and approach her another time, repeating the Rap from step three.
6. **Encourage the target to take action.** If the domestic worker is willing to join, the rapper then encourages her to participate in the next meeting and to invite others, including friends.

RAP method for DW organizing was introduced by JALA PRT and UPC to substitute the previous 'live in method of DW organizing' which involved the following steps: social integration, community investigation to explore problems in the community, to list issues and design activities to address community needs, to mobilize supports, community meetings and activities for maintaining membership. This method takes approximately 6 months to start recruit DWs to join organization and only a few DWs could be recruited.⁴⁸ In this method, DW organizers were mainly from the NGO. With this 'live in' method, the growth of the membership was slow. There is a need to find a method that enables a quick recruitment and simultaneous outreach in various communities by DW leaders themselves in order to achieve significant number of DW union members. DW leaders will also be responsible in maintaining the membership. In addition to the need to increase membership, creating DW leaders who will do the recruitment and maintenance are also important. As a social movement, the role of DWs need to be built starting from organizing and maintaining works.

The trainings on organizing DWs were complemented with trainings and guidance on how to unionize, mentoring to develop organization's statutes and budgets and how to manage the organization / union administration. Whatsapp Group (WAG) was specifically created to discuss issues in organizing DWs among DWs and JALA PRT organizers.

3. Campaigning on DWDW using social media

Social media provides a new opportunity to campaign more broadly and affordably for DWs protection. Together with ILO Jakarta's Promote Project, trainings on writing and on using social media such as facebook, twitter and citizen journalism were given by JALA PRT to Sapulidi committee members, particularly the committee members responsible for the campaign, and regular members of the DW organizationz, as well as to non government organization (NGO) staff.

This campaign did not only target the public but also to raise awareness among members of the DW organization themselves. To complement

48 According to JALA PRT, they can recruit around 100 DWs in a year to be the members in 2 (two) urban communities

the trainings on social media use for campaigns, writing trainings were also provided to committee members and regular members. As with the organizing issue, a WAG on media campaigns had been created as a forum for communication, discussion and coordination related to campaign activities among DWs and NGOs staff.

4. Training for paralegal⁴⁹ to assist domestic workers facing cases

Several members of Sapulidi DW union participated in a paralegal training organized by JALA PRT, LBH APIK Jakarta (Legal Aids for Women and Children Jakarta) and ILO Jakarta. This training was intended to provide basic knowledge and skills to DWs and NGO staff to assist DWs who face cases. The training promotes the application of perspectives of Human Rights, Citizens' Rights, Women's Rights, Workers and Children's Rights in assisting woman or child victims. Many DWs are still reluctant to disclose the violences they experienced and prefer to remain silent because of fear and distrust in legal action and also they worry on the long process of litigation process. Having paralegals from their own circle is expected to make DW victims and survivors be more opened to report cases and take to legal actions when necessary.

5. Encouraging and facilitating Sapulidi DW union to network with other stakeholders.

The struggle for the protection of DWs requires supports from other stakeholders. The more the supports the stronger the voice and pressure on policymakers to take actions on protecting DWs. It is therefore important to build solidarity with other stakeholders and together create cross cutting issue/cross sectoral movement. DW issues are also human right issues, women issues, labor issues as well as citizenship issue. Sapulidi DW union would need to be part of the women movement, human right movement and labor movement. For such networking purpose, JALA PRT encouraged and facilitated Sapulidi DW union to take part in relevant activities together with other stakeholders.

49 Paralegal is a person who has been trained, and therefore has knowledge and skills, on the law, that assist to handle legal problems faced by other people or community. In performing its role usually a paralegal supervised by an advocate working in legal aids organization. Paralegals serve as a bridge between advocates and communities in areas hard to reach by advocates.



Meeting with Network for Pro Women Empowerment Policy discussing national legislation



Action for May Day 2017 together with Action Committee on Women and Women Labor Union FBLP raising the issue on violence against women workers/labor.

Sapulidi DW Union, for example, participated in a joint action of women movement to advocate for the Sexual Violence Elimination Bill. This issue is particularly important for DWs as most DWs are women and they are vulnerable to and experience sexual harassments and violence. Sapulidi DW union together with trade unions, people with disability organizations, women organizations and the Advocacy Committee for ILO Convention on the Elimination of Violence and Discrimination in the World of Work urge the Government of Indonesia to support the adoption of the Convention.



Meeting with Political Fraction of PPP, Indonesian Parliament to urge the Fraction to push deliberation of DW Protection Bill

6. Facilitating Sapulidi DW union's committee and regular members to engage in policy advocacy activities

JALAPRT provided advocacy training (litigation and policy) and facilitated the involvement of Sapulidi DW union committee and regular members in advocacy processes such as lobbying and hearing with members of parliament and government together with other stakeholders. Committee members of Sapulidi DW union were also encouraged to become resource persons in various forum to discuss DW protection in Indonesia and to speak up to voice out their concerns as DWs. As a way to improve quality of Sapulidi members' participation in advocacy forum, JALAPRT facilitated Sapulidi to conduct reviews of the Sapulidi's role in the forum to identify areas that needs to be further improved.

7. Facilitating Sapulidi DW union to develop activities that can provide immediate benefits for its members

JALAPRT facilitated Sapulidi DW union to develop activities that can provide immediate benefits to its members, such as by setting up Whatsapp Group that provides information of vacancies for DWs (locally called Group Loker), providing consultations for members on employment contract, forming DWs cooperatives which is currently still in the preparation stage, and providing assistances to DWs facing cases. The Group Loker is created not only to provide information on vacancies, but also to share information on ex employers with good or bad track record, to remind each other on the elements of decent work when looking for works, employment contract and to be a media for consultation on how to negotiate with the prospective employers. Immediate benefits for DW union's members play an important role in maintaining a sense that joining DW union is beneficial and therefore will maintain their membership in the DW union. Immediate benefits can also be a factor that attracts DWs to join the DW union.

Results/Impacts

- a. With committee and regular members actively recruiting new members, the number of DWs who joined Sapulidi had increased significantly from time to time. At the beginning of organizational

strengthening efforts, Sapulidi members were about 140 DWs. By December 2016, the number increased to 1,015 DWs and by the end of 2017, members of Sapulidi had reached 2,035 DWs. These members are living and / or working in 11 (eleven) areas in Greater Jakarta and members in each of these areas, to facilitate intensive coordination with members and organizing activities, had organized themselves into a sub DWcommunity. As per September 2017, there have been 11 sub communities of organized DWs in Jakarta and the surrounding, as follows:

1. Bintaro
2. Cilandak Ampera
3. Cirendeup Ciputat Lebak Bulus
4. Ciledug Pondok Ranji
5. Cipete
6. Depok Citayem
7. Jagakarsa Ciganjur
8. Kemang
9. Kuningan Cassablanca
10. Pakubuwono Gandaria
11. Terogong

For year 2018, Sapulidi sets a target of 4,000 members accumulatively to be achieved.

	Jan	Feb	Mar	Apr	Mei	Juni	Juli	Agst	Sept	Oktr	Nov	Ds	
Bintaro	10	10	10	10	10	10	10	10	10	10	10	10	120
EA	35	35	35	35	15	15	35	35	35	35	35	15	385
CLIB	30	30	30	30	15	15	30	30	30	30	30	15	315
Cipete	35	35	35	35	35	35	35	35	35	35	35	35	415
Ciledug	20	20	20	20	20	15	15	20	20	20	20	20	230
Jagakarsa	5	5	5	5	5	5	5	5	5	5	5	5	60
Kemang	15	15	15	15	15	15	15	15	15	15	15	15	180
Kuningan	35	35	35	35	15	15	35	35	35	35	35	15	385
Pakubuwono	35	35	35	35	15	15	35	35	35	35	35	15	385
Terogong	35	35	35	15	15	35	35	35	35	35	35	15	385
Depok	35	35	35	35	15	15	35	35	35	35	35	15	385
TOTAL	185	185	185	175	141	151	116	221	221	221	221	141	2021

Target for organizing activity 2018 developed by Sapulidi DW union based on results of meeting of sub group and Working Meeting of Sapulidi DW union



Marking the achievement: 2,027 members of Sapulidi DW union by 17 December 2017

- b. Sapulidi DW union had also been experiencing sharp increase in membership fee payment. By the end of 2017, the membership fee payment was IDR 115,990,000 (USD 8,649)⁵⁰ with around 60% members active in paying the membership fee.
- c. Better administration of Sapulidi DW union in which the DW union has recorded data of its members and has developed a work plan (method and target).
- d. Sapulidi DW union's committee and regular members were engaged in campaign using social media such as facebook and twitter, blogs and citizen journalism. Besides that, Sapulidi's committee members often became resource person in interviews by various print, audio and audio visual media where they voiced out their aspiration for DWDW.
- e. Sapulidi's committee and regular members were also involved in advocating DWDW in Indonesia together with other stakeholders.
- f. Sapulidi DW union had been able to provide immediate benefits to its members such as providing paralegal assistance for members with cases, job vacancy information and in the future will be supplemented with benefits from becoming members of a DW cooperative.

50 Exchange rate in February 2018, USD 1 = IDR 13,400



Sapulidi DW union joined other stakeholders to meet a political fraction in Indonesian Parliament

Success factors

- a. While the sufficient financial and technical supports from the collaborating agency in this case ILO Jakarta was crucial, the promising impact of the interventions would not be attained without the empowering approach applied by JALA PRT in collaborating with Sapulidi DW union. In this approach, JALA PRT as well as Sapulidi DW union shared equal responsibilities in ensuring outcomes of the collaboration. Responsibilities of Sapulidi's committee and regular members among other were reflected in active participation, despite abundant challenges to do so, in the activities implemented by JALA PRT and in following up activities and in self funding their participation in the follow up activities.⁵¹
- b. The trainings given to Sapulidi's committee and regular members did not stop in the classroom. Intensive direct assistances to Sapulidi DW union in implementing follow up activities were also provided by JALA PRT. Putting the knowledge gained from the trainings into practice is not a simple process. Often adjustments

51 For example, cost for participation in the training on organizing DWs was covered by JALA PRT and ILO Jakarta, but the actual organizing activities was carried out by DWs using their own resources, including for example participation in coordination meetings.

need to be taken to respond to different context and discussion on issues and challenges faced in following up activities is certainly helpful for Sapulidi DW union.

- c. The exploration to look for more effective methods for organizing domestic workers have brought JALA PRT and Urban Poor Consortium to formulate Rap method and this method proves to be an effective method for organizing DWs.
- d. Very intensive work within the period 2015 - 2107 is made possible with smart phone ownership by most of Sapulidi's committee members as well as regular members which was key as a coordination and knowledge sharing tool. It also allows members of Sapulidi to be active in internet based social media.
- e. Commitment from Sapulidi leaders at every organizational level - from the central, sub DW communities down to Team 10 - to take action and to run their organization for their mission and vision has made important contribution to the success of the strengthening activities.

Challenges

As in Indonesia there is not any regulation that protects the rights for DWs to organize, employers do not feel obliged to fulfill this standard. Some employers forbid DWs to join DW organization. For DWs who have joined the organization, to be active in capacity building and organizing activities is not an easy matter as well. The limited time that DWs had and the lack of family and employers support for their participation in capacity-building activities often constrained them from participating. To overcome these issues, JALA PRT facilitated discussions among DWs to find solutions. It was always emphasized by JALA PRT to DWs that the advancement of the DW union depends on its members not on others and if they really want the desired change to happen they should put efforts. Even if solutions to challenges could be identified and formulated, they can only be realized when DWs themselves put enough efforts.

Dynamic of the DW organization which is resulted from competition among DW leaders and sub DW communities poses another challenge. It needs to be handled carefully so as not to cause friction in the organization. JALA PRT had worked to assist DW leaders to manage the group dynamic by building a common rule, emphasizing collective leadership, information transparency and shared decision making.

Sustainability

By the end of the Promote Project's support, Sapulidi DW union had developed some capacities needed to further grow as DW union that can carry out its role in advocating DW protection in Indonesia. With its committee and regular members capacity in recruiting DWs to join the organization, the DW union's membership is expected to increase continuously. This growth in membership needs to be complemented by the ability to maintain membership. Overall, the Sapulidi's capacity to maintain membership needs to be further strengthened by developing clear strategies. DW cooperative, which is currently still in the process of development, will be instrumental for membership maintenance once it is operational.

In addition to capacity in member recruitment, as an organization, Sapulidi had developed capacity to conduct campaigns using various channels, especially social media that are relatively inexpensive and able to reach out wider audience. By networking with other stakeholders, Sapulidi had gained recognition as a DW union and had, together with other stakeholders, been engaged in policy advocacies for DW protection. Further capacity building to deepen the perspectives of the DW union's committee and regular members on DW protection will certainly contribute to Sapulidi's capacity in formulating messages for campaign and in meaningful participation in social dialogue discussing their plight.

The sustained impact of this practice is possible as the practice emphasized on building capacities of Sapulidi DW union. JALA PRT as the facilitator had implemented quality capacity building that clearly contributes to sustainability of this practice. The emphasis on DW

union's responsibilities in the struggle for DWDW is an important sustainability factor. With these responsibilities, Sapulidi committee and regular members were engaged in organizational activities using their own resources and hence follow-up of the capacity building activities such as recruitment of new members, social media campaigns, participation in policy advocacy, etc can be implemented without depending on external financial supports.

Replicability

To replicate this practice in other areas, funding support and technical assistances from donor agencies will certainly be helpful. The training manual development and the conduct of the trainings were primary cost center of the practice. With the manuals had been produced and are now available for use, the cost for trainings will be the main budget components should this practice be replicated.

The most important condition for succesful replication is the existence of an NGO or a trade union that will facilitate DWs in developing their organization. It is true that DWs should be the ones in the front line in fighting for DWDW but they need supports and assistances to be in that position and to perform its roles effectively. The facilitating organization, an NGO or a trade union, should have a high level of commitment considering that working for the protection of DWs is very challenging.

Further, the NGO or trade union need to apply the principle of building critical awareness of DWs as human being, citizens, workers and women as well as the principle of partnership in collaborating with the facilitated DW organizations which means that both parties have equal responsibility to ensure the achievement of desired impacts. These principles need to be reflected in the content and the process of all activities undertaken. The NGO or trade union personnels capacitating the DWO need to have broad perspectives on the issues of DW protection in order to build critical awareness of DWs which is vital to laying a strong foundation for DWs to get organized. Mentoring DW union to put knowledge into practice must also be provided.

Training the NGO and trade union personnels on DWDW, methods and approaches in strengthening DW union have to be done for succesful replication of this practice.

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7. Improving domestic worker skills as an entry to decent work for domestic workers

Background / context

Domestic workers (DW) contribute significantly to the welfare of families and societies through their valuable and often indispensable services. They have allowed million of people to work productively in the world of work outside their homes or to pursue their personal development. Despite such valuable contribution, in many part of the world, DWs have not yet received legal protection as workers making them vulnerable to abuses and exploitation such as working long hours, low wages, excluded from social protection and, in extreme cases, physical and sexual abuses. DWs suffer not only because basic labour protection is not available to them, but also because general lack of respect for domestic workers within society.

Domestic work is often viewed by society as a job that does not require any skill and considered as merely an extension of the natural task of women in the family. Even if DWs are capable to do good domestic work, in general they are still not decently valued which then affect their welfare. On the other hand, many people enter the domestic work without equipping themselves with sufficient skills thinking that every women can do the works. This has hampered DWs from performing their tasks in accordance with the employers' expectation and employers are consequently reluctant to value their work more appropriately.

The skills development and professional recognition of DWs play an important role in promoting decent work for domestic workers (DWDW). Skills training can help raise the status of domestic work as a recognized profession. This, in turn, would improve domestic workers' employability and prospects for better employment condition.

Objectives

To build DW skills, ILO Jakarta's Promote Project⁵² had piloted a skill training program for DWs in Malang, East Java Province in collaboration with LPKP⁵³, a member of JARAK, and in Jakarta in collaboration with JALA PRT⁵⁴ as implementing agencies. The piloting involved development of skill training curriculum and program and capacitating project partners to implement the trainings which should meet the national standard. The capacity building included competency based training methodology which consists of how to conduct training's need analysis, developing competency based training program, designing learning media and planning material presentation in face to face session. Training on technical areas, particularly on housekeeping and family cooking, was also provided to instructors.

Interventions

In 2015, the Government of Indonesia adopted a new Indonesia National Work Competency Standard (Standar Kompetensi Kerja Nasional Indonesia/SKKNI) 2015 for **Individual Service Serving Household** under the Minister of Manpower Decree no. 313/2015. The new SKKNI, which has accommodated some elements from the Regional Model Competency Standard (RMCS) for Domestic Workers⁵⁵ developed by ILO Regional Office for Asia Pacific, is used as the main reference to organize training/education activities for both migrant and local domestic workers and to assess their competency by certification agencies. The SKKNI 2015 on **Individual Service Serving**

52 Promote Project was a project to promote decent work for domestic workers to reduce child domestic work. Supported by the United States Department of Labor, Promote Project was implemented by ILO Jakarta in 2013 to 2017.

53 A local NGO based in Malang which is a member of JARAK, a Network of NGOs which works to eliminate child labor in Indonesia

54 JALA PRT, stands for Jaringan Advokasi Nasional Perlindungan Pekerja Rumah Tangga (National Advocacy Network for Protection of Domestic Workers), is a network of civil society organization and individuals that actively advocates for decent work for domestic workers in Indonesia.

55 These standards constitute a set of benchmarks that define the skills, knowledge and attributes required for domestic work as an employment. The standards are designed to be used as a basis for developing national standards and as a regional reference point.

Household covers 8 areas of work: housekeeping (including laundry), child caring, family cooking, baby sitting, care taking, gardening, pet care, and family driving.

Except for baby-sitting or care taking, it is very rare that DWs who work locally in Indonesia receive skill trainings. Although there are some regulations⁵⁶ at the local level that require DW suppliers to provide education and training to DWs who will work locally, these regulations lacks of enforcement power as they do not impose sanctions if training/education for DWs was not done. At the national level, there is not any law that requires provision of skill training for DWs who will work locally. This is different with DWs who will work abroad (outside Indonesia) in which the national law⁵⁷ stipulates that Central Government has the duty and responsibility to provide and facilitate the training of Indonesian migrant workers candidates, including migrant DWs, through skill training which budgets should come from the education function.

Curriculum, syllabus and modules development

As a first step in piloting the skill training for DWs, ILO Jakarta's Promote Project, assisted by a team of national consultant, developed a curriculum for housekeeping, laundry and family cooking by referring to the SKKNI 2015 for **Individual Service Serving Household**. The focus on housekeeping, laundry and family cooking is made based on the feedback from stakeholders, including Domestic Worker organization on the market's need of these skills. The curriculum consists of 21 units as listed below:

- Five (5) core competency, consisting of:
 1. Self-equipping on work condition and risk

56 Regulation of Governor of Jakarta Province no 191 year 2010 on Operational Licensing for Domestic Workers Supplier Agencies, Regulation of Governor of Yogyakarta Special Province no 31 year 2010 on Domestic Workers, Regulation of Mayor of Yogyakarta City no 48 year 2011 on Domestic Workers.

57 Law no 18 of 2017 on the Protection of Indonesian Migrant Workers

2. Applying Occupational Safety and Health procedures in the workplace
 3. Self-equipping on document and protection
 4. Developing emotional maturity and work motivation
 5. Implementing cooperation at work environment
- Five (5) technical competency of Housekeeping, consisting of:
 1. Applying basic principles of environmental cleaning
 2. Operating cleaning equipment
 3. Cleaning family room and bedroom
 4. Cleaning bathroom and toilet facility
 5. Cleaning kitchen area
 - Three (3) technical competency of laundry, consisting of:
 1. Washing clothes and linen
 2. Ironing clothes and linen
 3. Treating clothes and linen
 - Eight (8) technical competency of family cooking, consisting of:
 1. Using basic methods of cooking
 2. Cooking various foods
 3. Cooking food of animal protein
 4. Making soup
 5. Making appetizer
 6. Making dessert
 7. Making beverages
 8. Serving foods and beverages

The curriculum is completed with syllabus and module, and each module includes information book, workbook and assessment book.

Under SKKNI 2015, it is possible to develop a cluster training program. For example, 200 learning hours can consist of technical competencies of housekeeping and cooking depending on the training needs

analysis results. Core competencies are mandatory and should be part of any training program referring to SKKNI 2015. Under SKKNI 2015, the learning hours also do not have to be counted from a face to face learning sessions but it can also be hours from apprenticeship or working experiences.

Training for instructors on competency based training methodology and technical training on housekeeping and family cooking

As part of the piloting preparation, Promote Project conducted trainings to build capacity of instructors in methodology to deliver competency-based training (CBT) referring to the national competency standard for instructors. The training was conducted on 30 May to 4 June 2016 and participated by 21 people who are staff of LPKP and other potential local partners in Malang and seven (7) DW leaders from DW organizations from Jakarta, Lampung and Yogyakarta. The content of the training covered (a) training program development; (b) learning media design; (c) preparing material presentation / delivery; and (d) face to face learning process. At the end of the training all participants were assessed by assessors and certified as competent instructors. Technical training on housekeeping and family cooking were also provided to the instructors who would be instructors in the piloting the skill training in Malang and in Jakarta. Instructors of skill training are required to have 2 (two) training certificates, one is on training methodology, the other is on technical areas.

Piloting domestic worker skill trainings by LPKP, a JARAK member in Malang area, East Java Province

Prior to piloting the skills training for DWs in Malang, LPKP conducted training need analysis to tailor the training curriculum into the local needs. Each curriculum consists of 200 learning hours (1 learning hour is 45 minutes) covering competency units (core and technical) and non-competency units to be delivered. A mini workshop to develop lessons plans of the curriculum was also conducted, followed by teaching simulation to ensure quality of the training to be piloted.

The pilot of DW skill training in Malang by LPKP applied 2 models:

a. Community based training

A community based DW skill training targeted those who already worked as DWs. As DWs have limited time to attend the training, the community based skill-training addresses this situation by conducting the training at a premise close to where DWs live and at times when DWs have time to attend the training such as in the afternoon / evening or in the weekend. Under this model, classes on theory were conducted in the community but the practice classes were conducted in Sekolah Menengah Kejuruan (Vocational Senior High School) which location was a bit far from where DWs live. This vocational high school focuses on tourism/hotel industry and therefore it had facilities for practices on housekeeping, laundry and family cooking. LPKP arranged transportation for participants to attend the practices in this vocational high school. It took about 3 months to deliver the 200 learning hours in the community-based model (October - December 2017).



A learning session in a community-based DW skill training by LPKP in Malang

49 DWs participated in the community based training and they were grouped into 5 (five) classes according to where they live. These participants were members of DW organization which establishment was facilitated by LPKP. The instructors of the technical competency were from the Vocational High School while for the core competency were from LPKP.

b. Center based model

The second model is a center-based model where the trainees are required to stay in the center for 22 days to take 200 learning hours. The trainees were mainly those who will work as DWs (job seekers). Implemented in 3 October to end of October 2016, in total 39 participants participated, divided into 2 classes, both learning housekeeping and family cooking. The training was held in the Education Center of Malang (locally known as SKB Malang), which is under the management of Ministry of Education. This Center provides various non-formal education services and equipped with accommodation for participants.

As part of the efforts to inform wider public and stakeholders on the DW skill training program and to emphasize the importance of the training to the participants, an official launch of the DW skill training was held by Promote Project on 4 October 2016. The launch was attended by local stakeholders from the government offices from Malang District and from East Java Province, employers association and trade unions. A representative from the Ministry of Manpower was also present. The launch of the skill training for DWs received high attention from the media with more than 20 news / articles written by the journalists from main on line as well as print media, including from Kompas, a national newspaper.

Piloting domestic worker skill training by JALA PRT

DW skill training by JALA PRT was piloted in the period of May to August 2017. The training program was for family cooking and housekeeping (which also include laundry). The training instructors were DW leaders from Sapulidi DW union who had been trained and certified as instructors. As this was the first time for these DW leaders to be the



A learning session on housekeeping in domestic worker skill training by JALA PRT

skill training instructors, Promote Project hired a senior instructor to coach them in delivering the training. Feedbacks were provided to the instructors on what need to be strengthened in delivering the session. Through this coaching process it was expected that the capacity of DW instructors to deliver the training could be further enhanced.

20 (twenty) out of 25 (twenty five) participants managed to attend 80% of the required learning hours and are eligible to participate in the certification process. However only 17 participants attended the certification process and all of them passed the competency assessment. Some participants could not meet the 80% of the required attendance and could not participate in the assessment due to reasons such as difficulties in getting permission from their employers and husbands and because they have to work overtime.

The training schedule was agreed by the participants and instructors as the following:

Day	Hours	Number of Learning Hours
Wednesday	07:00 - 09:30 p.m.	3 learning hours
Saturday	3:00 - 07:30 p.m.	5 learning hours
Sunday	09:00 a.m. - 03:00 p.m.	8 learning hours

Certification

The DW skills training piloted was designed in a way that its participants are eligible to be certified by a professional certification body. DWs who pass the certification get a certificate issued by the National Professional Certification Board. This certification needs to be repeated every three years.

Workshop on domestic worker skills as an entry to decent work for domestic workers

To share the experiences from the pilot exercise with constituents and other stakeholders and to identify further actions to be taken to build DW skills in Indonesia, the Project held a **Workshop on Domestic Workers Skills as an Entry to Decent Work for Domestic Workers** in Jakarta on 15 March 2017. 40 people participated in the workshop, representing Ministry of Manpower, Ministry of Education, Manpower Offices from Provinces (Jakarta, Lampung, South Sulawesi and East Java), NGOs, Trade Unions, DW organizations, Employment Training Institutes, Institutes for Profession Certification and Association of DW Recruitment Agencies. The workshop identified some actions that need to be taken to build DWs skills in Indonesia, among others are the needs to:

- Develop a government regulation, which requires the provision of skill training for DWs who will work within the country. Such a regulation can be at the national as well as local level.
- Implement DW skill trainings in sending areas of DWs.
- Undertake training needs assessments among employers of DWs to understand their needs in terms of DW skills.

- Implement the community-based model of DW skills training through the Community Learning Centers under the Ministry of Education.

During the piloting the DW skill trainings, the Project always engaged the relevant units in the Ministry of Manpower as part of its advocacy efforts for possible adoption of the DW skill training by the authority.

Result / impact

Of the 89 participants who participated in the pilot in Malang, 74 followed the certification tests conducted by Profession Certification Agency in January - February 2017 and 73 of them were certified competent (1 participant needed to do another test before finally passing the assessment). After piloting phase I, LPKP with support from Promote Project provided training to another 90 DWs who were members of DW organization of Anggrek Maya. However, the supports from Promote Project were only to deliver lessons of 150 learning hours from the required 200 hours. After the training of 150 learning hour program was completed, LPKP succeeded in getting funding supports from other agencies that allowed them to deliver the remaining 50 hours of lessons and to finance competency test for the participants. Meanwhile, from 25 participants who took part in piloted skill training in Jakarta conducted by JALA PRT, 17 participants attended the certification program and all graduated and certified competent.

The DW skill training clearly brought benefits to DW participants. Misni, a DW from Pandanwangi, Malang, East Java who passed the certification provided her testimony.

"I just did my domestic work the way I know. After participating in the skill training, I learnt how to do the domestic work in more professional manner. Now I can cook, iron and clean better."

Meanwhile Asminingsih, DW participant from Balearjosari, Malang, East Java said:

"I could do my cleaning, cooking and washing better and I even improve my communications with my employer."

Improved skills had brought better earning for some DWs. A DW had reported that she received an increased incentive as her employers recognized that she works better after the training.

This practice had produced curriculum to train DWs who will work as DWs in the field of house keeping, laundry and family cooking. This curriculum can serve as a reference for future DW skill training programs.

Success factors

Skill training offers relatively tangible and immediate benefits to DWs so that they were enthusiastic to attend this training and tried to overcome the time constraints. DWs were also motivated because they learned that the training results would be certified by the National Certification Board which made them proud of themselves. The existence of a DW organizations makes the recruitment of trainees easier because trainees were members of DW organizations who had developed understanding that DW skill training is important for their professions to be recognized and appreciated.

Challenges

In general, the limited time that DWs had was a challenge for DWs to attend all required hours of trainings. Consequently some participants could not complete the training or could not take the certification exam because they could not leave their works. In addition some employers did not give permission to DWs to participate because it will reduce the flexibility for DWs to do overtime works.

The center-based model in Malang faced difficulties to mobilize participants. It was not clear whether it was due to the requirement to stay in the dormitory for the whole training duration which was approximately 3 weeks or because domestic work was not a job that many would aspire. After attending the center-based training and getting the certificate, some participants graduated from the center based training got jobs other than domestic work such as job in restaurants or catering business. On one hand this shows that the provided training had positive benefits for the participants. On the other hand it also shows that domestic work is still being undervalued in that people would prefer other jobs when they have skills.

Sustainability

The trainings are clearly beneficial for DWs. It had increased DWs capacity that help boost their self confidence in performing their works which hopefully will lead to recognition and appreciation of the skills by their employers. Technically JALA PRT and LPKP had also developed their capacity to implement DW skills training based on national standard. Together with the now available curriculum, training program, some locally available certified trainers / instructors as well as some practical tools (session plans, power point presentation, etc), the capacity of the Project partners constitute a capital to sustain DW skills training program given the funding is available. One way that can be taken to fund the future training is for LPKP and JALA PRT to register themselves as training institutions to Ministry of Manpower or Ministry of Education. Registered training institutions are eligible to access training grants from both ministries. The Ministry of Education implements Vocational Skill Education Program to which training providers or local NGOs could access financial support to conduct skill trainings. Meanwhile the Ministry of Manpower has budget allocation for vocational programmes that can be accessed by training providers in coordination with government owned vocational training centers.

Replicability

The cost for DW skills training is quite high which includes cost for the instructor's fee, which is calculated per hour, training venue, procurement for practice equipment, procurement of practice materials and the cost for certification. In addition, the training must be organized in a way that meet established requirements according to national standard to ensure that trainees can participate in examination for certification. All elements of skill training such as curriculum, instructors, venue for practice, certification etc must also meet the established requirements. It is therefore not very easy to replicate DW skill training due to funding constraints as well as the capacity of implementing agencies. Replication may be easier if it is implemented in collaboration with government-owned training centers or private training institutions that already have instructors as well as infrastructure to conduct trainings for DWs that will work overseas. However not all areas have training centres with such program. To train DWs who work locally, replication will also be easier if in the new geographical area there is already a DW organization that will facilitate the recruitment of training participants. In the same time the DW skill training program can also be used to attract DWs to join the DW organization.

The absence of a binding regulation that requires training for DWs who work locally at the national level poses a challenge in replicating this scheme. The broader replication of the DW skill training program clearly requires funding support, ideally from the government. This can be achieved if there is a regulation requiring the government to provide access to skill trainings for DWs. In Malang Regency, as an effort to make DW skill training program as part of government program, DW organization and other stakeholders had advocated Regent Regulation of Malang Regency on Increasing Competency of Female Domestic Worker. This regulation that had been endorsed by Malang Regent through Malang Regent Regulation no 4 year 2018 will be a legal basis for local government to allocate budget for DW skill trainings.

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8. Work improvement in domestic environment (WIDE)

Background / context

Domestic work is often considered to have low occupational hazards and risks because, in addition to being considered as light work, most of the works is done at 'homes' that are considered safe places. In fact, 'homes' are not always safe environment. Various occupational hazards and risks could be found easily at homes be it physical, biological, chemical, ergonomical as well as psychological.

Hazard at home:
physical⁵⁸



Hazard at home:
psychosocial⁵⁹



58 Source of picture: <https://gavitridiya.wordpress.com/2013/03/20/10-cuplikan-keadaan-kampus-versi-gavitridiya/>

59 Source of picture: pkk.pemkomedan.go.id

Hazard at home:
biological⁶⁰



Hazard at home:
chemical



Hazard at home:
ergonomical



60 Source of picture: <http://tamankebunayah.blogspot.co.id/>

Risk at home: **irritation caused by water fleas**⁶¹



Risk at home: **burns caused by hot frying oil splash**⁶²



Risk at home: **back pain due to unergonomical position**



61 Source of picture: <http://www.iki-informasi.com/2016/02/mensembuhkan-kutu-air-di-telapak-tangan.html>

62 Source of picture: <http://info-tips-kehidupan.blogspot.co.id/2016/01/pertolongan-pertama-setelah-tersiram-Air-Panas.html>

Risk at home: **gas cylinder exploded, domestic worker and employer family members got injured**⁶³



Box 1. Accident at home

Gas Cylinder Exploded in Duren Sawit, 3 People Injured⁶⁴

Jakarta - A gas cylinder exploded in the kitchen of a house on Jalan Palem Indah, Duren Sawit, East Jakarta. As a result 3 people suffered injuries.

"There were 3 injured people," said East Jakarta Head of Fire Control and Rescue, Gatot Sulaiman, in his statement on Thursday (18/05/2017).

Gatot said the three wounded were Joni (45), Yati (35) and Raska (3). The three victims are currently being taken to Pondok Kopi Islamic Hospital, East Jakarta.

"Immediately rushed to the hospital," said Gatot.

The fire occurred at 05.00 pm. The fire was caused by a leak in the gas hose so that the gas cylinder exploded.

"The cause of the fire due to leakage of gas and gas cylinders exploded," said Gatot.

(Hariyanto, 2017-DetikNews, 18 May 2017)

63 <http://www.murianews.com/2017/08/18/123149/tabung-elpiji-meledak-suami-istri-dingagel-pati-dilarikan-ke-rumah-sakit.html>

64 Original news is in bahasa

The above news is one of the many cases of health and safety neglect in the domestic work sector. The kitchen is one of the DW's workplace that holds various potential hazards, such as fire and explosion hazards arising from the use of electronic appliances, gas stoves and cylinders. Leakage of gas cylinders as in the above news resulted in an explosion and injured a domestic worker and members of her employer's family. This case shows that Occupational Safety and Health (OSH) in the domestic work sector is not only important for domestic workers (DWs) but also for employers.

Other news of OSH neglect cases in the domestic work sector can easily be found in the mass media showing the low safety conditions experienced by DWs and the vulnerability of DWs of OSH violation. Working long hours, working without adequate equipment, working with a stressful atmosphere are examples of work conditions that can threaten the health and safety of DWs directly or indirectly.

Objectives

All workers are entitled to OSH, including DWs. The fulfillment of OSH is important for workers to perform their work safely and healthy. In the context of domestic work, OSH is not only vital for DWs but also important for employers as the workplace of DW is the home of the employer. A safe and healthy workplace for DWs is a safe and healthy living place for employers.

In order to improve OSH conditions in the domestic work, the ILO Jakarta's Promote Project developed a program named Work Improvement in Domestic Environment (WIDE Program). This program applies the Participatory Action Oriented Training (PAOT) approach which emphasizes voluntary OSH improvement.⁶⁵ The program is implemented using a practical and easy to apply tool for DWs and employers to monitor OSH conditions in the house and based on the assessment they are expected to make voluntary improvement.

65 Ton, That Khai; Kawakami, Tsuyoshi; Kogi, Kazutaka. Participatory Action-Oriented Training; ILO DWT for East and Southeast Asia and the Pacific. - Hanoi: ILO, 2011

The practicality and easy-to-apply methodology are very important features of the tool for OSH improvement in informal sector as in many cases the improvement will be done voluntarily. The tool was then introduced to DWs and employers through trainings at grass-root level by Promote Project's partners.

Interventions

ILO Jakarta's Promote Project⁶⁶ developed a program for OSH improvement called Work Improvement in Domestic Environment, abbreviated as WIDE. The WIDE program was developed using the Participatory Action Oriented Training (PAOT) approach to enhance voluntary participation of DWs and employers in finding solutions for improving OSH in the domestic work environment. WIDE program helps DWs and employers to take immediate improvement actions by mobilizing available local resources. A DW and / or an employer can start with small improvement actions with locally available materials and skills. Sharing experiences in making the improvement in workplace is encouraged to spread practical solutions and local good ideas to other people and workplaces.

a. Develop a 'checklist' to capture work and living conditions that need to be improved

The Promote Project prepared a draft checklist to examine OSH including living conditions in domestic work which was designed to capture as many as possible checkpoints. The checklist is to be used by DWs and employers to assess checkpoint conditions. Each checkpoint has a question of whether improvement action is required or not. If YES, then DWs and employers should ask whether the action should be prioritized. The improvement must meet the PAOT principles, namely: low cost, easy to do and use local resources.

66 Promote Project aimed at promoting decent work for domestic worker to reduce child domestic work. It was implemented by ILO Jakarta in 2013 to 2017 with a support from United States Department of Labor (USDOL).

b. Consultation with stakeholders to finalize draft checklist

Guided by senior labor inspector of the Ministry of Manpower (MoM) and senior OSH expert of the ILO Regional Office of Asia Pacific, the draft checklist was consulted to stakeholders including DWs and employers in a workshop in May 2015 where stakeholders reviewed and discussed in detail the draft checkpoints to see whether they were relevant or not with domestic work, or there might be new checkpoints that stakeholders wanted to add.

c. Conduct training for facilitators to expand the use of 'WIDE'

Combined with the consultation workshop to improve draft checklist, a training of trainers was also conducted for NGO staff and DW leaders who will conduct training for DWs and employers at the local level. This training introduced the checklist, discussed how to use the checklist and introduced the Participatory Action Oriented Training (PAOT) approach used in the WIDE program.

Box 2. Principles of PAOT⁶⁷

1. Solutions-oriented approach

PAOT focus on the practical actions of participants. Trainers or facilitators only show local good examples and ideas to stimulate the participants' own thinking. Therefore PAOT uses the training method in which local good ideas and solutions are highly supported to stimulate participants to actively discover their own solutions.

2. Bottom-up approach

PAOT is a method of training where simple and low-cost good solutions are highly appreciated. Trainers or facilitators therefore do not have to explain a lot, rather they facilitate the participants to find their own solution.

67 Ton, That Khai; Kawakami, Tsuyoshi; Kogi, Kazutaka. Participatory Action-Oriented Training; ILO DWT for East and Southeast Asia and the Pacific. - Hanoi: ILO, 2011

3. Positive approach

PAOT focus on positive points or good achievements. Therefore PAOT trainers need to be positive in order to recognize or find as many good points as possible in the workplaces or in the community. PAOT encourages facilitators to observe good examples and look for appropriate ways to further improve existing conditions. In the PAOT programme, we always use the words “points to be improved” when people are discussing solutions instead of “problems” or “bad points”. By using this participatory manner, we can facilitate participants to come up with their own solutions. The action checklist is a practical tool to help participants prioritize their points to be improved and lead to practical solutions.

4. Step-wise approach

PAOT looks for small, practical, step-by-step solutions which provide visible benefits and which can be accepted by the community, despite these solutions not always being 100 per cent completed. PAOT trainers (or facilitators) always pay attention to positive and strong points, even the simple and small ones, then encourage the community to step up with their improvement actions. Follow-up activities to provide support to the community for these step-wise solutions are always important. Based on this approach, local people therefore continue to look for their points to be improved and try to improve them step-by-step.

5. Multi-faceted and practical approach

PAOT training has a wide scope and tries to look at multiple aspects of community work and life rather than focus on a single factor or specific problem. The impact of limiting the training to one specific problem or solution might be that taking action might be difficult in some communities. A multi-faceted approach helps participants to flexibly identify their priority actions and to be free to create their own solutions.

d. Test checklist

The Project piloted the WIDE checklist in February to May 2016 in Malang in cooperation with LPKP⁶⁸ (JARAK member) and in Surabaya (East Java) in collaboration with Genta Foundation. The piloting was to see if the tool was workable or not in the community. The piloting exercises indicated that the tools could be used in the community and provided some inputs which were then used to finalize WIDE checklist.

Box 3 Final version of WIDE checklist

The final 'WIDE' Checklist includes 8 checking areas:

1. Material handling and storage;
2. Workplace design;
3. Machinery/equipment Security;
4. Physical Environment;
5. Welfare facilities and work organization;
6. Wages and benefits;
7. Communication and right of success; and
8. Situation of child domestic workers (CDW)

Each area consists of several check points. For example for area 1. Material Handling and Storage, check points include:

1. Storage of materials in their respective places;
2. Use of trolley or wheeled equipment for moving heavy objects;
3. Good storage for groceries which is covered;
4. Use of separators to avoid direct contact of goods/materials and the floor;
5. Use of handles for all containers (baskets, buckets and boxes of goods);
6. Easily accessible materials and labeling to prevent mistakes;
7. Use of environmentally friendly materials for shopping bags and articles;

68 An NGO, member of JARAK (a network of NGOs that works for child labor elimination in Indonesia)

8. Placing dangerous materials or goods out of reach of children;
9. Use of additional tools to lift heavy load safely and more efficiently.

How to use checklists

1. Determine the work area to be examined;
2. Spend a few minutes to walk around the work area and assess the condition (ideally to be done together with the employer; otherwise, the DWs need to discuss the results with the employers);
3. Determine if improvements are needed, and if needed, assess whether they need urgent action.
4. Determine what improvement should be done (ideally decision is taken together with the employer)
5. Sharing experiences of OSH improvement undertaken with other DWs and employers

Examples of how to use the WIDE check list

2. The use of rollers or wheeled equipments to move heavy objects

Do you propose action?

☐ NO ☐ YES

☐ PRIORITY

Remarks:



9. Use of additional tools to lift heavy loads safely and more efficient

Do you propose action?

☐ NO ☐ YES

☐ PRIORITY

Remarks:



e. Training for DWs in Jakarta, Lampung, Makassar, Malang and Surabaya and training for employers in Malang and Surabaya

Members of DW organizations in Jakarta, Lampung, Makassar, Malang and Surabaya had been trained to use the WIDE checklist. The domestic worker is expected to involve her employer in using this WIDE checklist. In Surabaya and Malang, in addition to DWs, employers of DW also had been trained.

f. Dissemination of WIDE checklist

To widely introduce the WIDE tool, the WIDE checklist has been printed and distributed to DWs for their guidance in checking, assessing and negotiating action to improve their working environment. A simpler version of the guide has also been developed and printed for distributions in various events. Both version are available in the ILO Jakarta website in the following links:

http://www.ilo.org/jakarta/whatwedo/publications/WCMS_480271/lang--en/index.htm

http://www.ilo.org/jakarta/whatwedo/publications/WCMS_548900/lang--en/index.htm

An instructional video on the improvement of OSH in domestic environment was produced based on the WIDE program to outreach more users. The instructional video on WIDE, available in bahasa only, is used in the trainings and can be seen in the following link:

<https://www.youtube.com/watch?v=F1yxXTvDL0>

To introduce and disseminate information on WIDE program, the Project conducted knowledge Sharing Workshop on WIDE Program in collaboration with Woman Empowerment and Family Planning Office (BPPKB) of East Java Province to share experiences from the piloting of the WIDE checklist. The checklist was also introduced to the Provincial Office of Women Empowerment and Family Planning (BPPKB) in South Sulawesi and yielded positive responses from the Office.



BEFORE



AFTER



BEFORE



AFTER



BEFORE



AFTER

Results / impacts

WIDE training had been provided to members of DW organizations in Jakarta, Bandar Lampung (Lampung Province), Makassar (South Sulawesi Province), and Malang and Surabaya (East Java Province). In Surabaya, training was also provided to employers at the community level whereas in Malang training was provided to employers in areas where Promote Project was piloting community-based monitoring for DWs and CDWs. Monitoring on follow up of WIDE trainings in Malang indicated that DWs had made some improvements in their workplace, in collaboration with their employers. Below are some examples of improvements in the workplace conditions that had been undertaken.

Many stakeholders appreciated WIDE Program. They never thought before about how their homes could pose hazards and risks and they found the WIDE tool would be useful to help both employers and DWs to improve OSH in domestic work.

Success factors

WIDE checklist is easy to apply and OSH improvement can be done step-by-step and low cost. The fact that WIDE program brings benefits to both DWs and employers, it earns supports from both sides, DWs and employers. Often, Promote Project used the WIDE program to start discussion with employers on DW protection. Coordination with DW organization in WIDE training delivery was key to outreach significant number of DWs.

Challenges

WIDE training activities have limitations in reaching a large number of DWs or employers because trainings require participants to physically present within a certain time in a certain place. Trainings also need funding even though WIDE training can be relatively inexpensive when the trainings were conducted at community level. To overcome this limitation Promote Project had produced a simpler version of WIDE

checklist booklet and printed the booklet in relatively large numbers for wide distribution. The booklets were distributed to employers and DWs in various events. In addition, Promote Project also produced instructional videos and upload them into youtube to reach wider audiences.

Areas and checkpoints in the WIDE checklist which concern rights of DWs such as 'welfare facilities in the work place' and 'wages and benefits' are difficult to deliver in a short training as raising awareness of DWs and employers regarding DW rights requires a process and time. Therefore during the piloting of the checklist, DWs and employers did not really touch these areas.

Sustainability

Sustainability of WIDE program is ensured by the availability of various instruments to disseminate WIDE program to DWs and employers. Those instruments include WIDE checklists, simpler booklet on WIDE checklist and instructional video on WIDE program that can be used as references by those who are interested to conduct WIDE trainings in the future.

Replicability

The existence of a DW organization in an area where this practice will be replicated will greatly assist the implementation of WIDE trainings. Reaching DWs for training is not easy because they are scattered in so many households in that it is difficult to invite them to attend the training. If a DW organization exists, we can collaborate with the organization to train their members. Another possible strategy is to invite DWs and employers together in a training. This approach will be effective if conducted in collaboration with local authorities. Invitation to the trainings can come from the local authorities which will make it more authoritative. For replication, work areas and checkpoints in which conditions are to be assessed need to be tailored to the social, economic and physical environment of the areas or houses where DWs' work.

Reference list

Daftar Periksa pembinaan perbaikan keselamatan dan kesehatan kerja di lingkungan rumah tangga bagi majikan dan pekerja rumah tangga (Checklist on improvement of OSH in domestic environment for employers and domestic workers), ILO Jakarta, 2015, available in bahasa only.

http://www.ilo.org/jakarta/whatwedo/publications/WCMS_480271/lang--en/index.htm

Keselamatan dan kesehatan kerja (K3) di lingkungan rumah tangga (OSH in domestic environment), ILO Jakarta, 2016, available in bahasa.

http://www.ilo.org/jakarta/whatwedo/publications/WCMS_548900/lang--en/index.htm

Peningkatan Keselamatan dan Kesehatan Kerja di lingkungan Rumah Tangga (WIDE) (Improvement of OSH in Domestic Environment), ILO Jakarta, 2016, an instructional video on WIDE, available in bahasa only.

<https://www.youtube.com/watch?v=F1yxXTvDL0>

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9. Expanding domestic worker's access to justice

Background / context

The public generally views that violence against Domestic Workers (DW) occurs only against DWs working abroad. The fact is that violence also occurs against DWs working locally within the country. There had been cases of violence against DWs working within the country that were not less 'terrible' than cases of violence against migrant DWs. An example is the case of Atik⁶⁹, 21, a DW who had worked as a DW since the age of 12 years and by 2016 had worked for 9 years with her employer in Jakarta. Atik experienced physical, sexual and economic violence committed by several members of her employer's family during the period 2007 to 2016. The case was reported by Atik to the police after she managed to escape from her employer's house. Atik experienced multiple violence ranging from physical violence, sexual violence, and economic violence in which she was not paid for working as DW with her employer for 9 years.

Another case was of Mimin⁷⁰, a 15-year-old, a child domestic worker (CDW) who also experienced physical violence (ironed and clawed) by her employer. Mimin worked in North Jakarta and her case was revealed in March 2016. Another case also occurred in 2016 that befell a DW named Nuning⁷¹ who worked in Bandung Regency, who was tortured by her employer during the period 2011 to 2016. In 2015 there was also a case of violence against a DW by her employer who was a member of Parliament. These cases, like other cases of violence against women, are an iceberg phenomenon. Only a small percentage of all cases of violence against DWs working within the country that can be detected or emerged into the surface. This is not to mention cases related to economic violence such as unpaid salaries, delayed salary, being dismissed without severance pay, etc. that were never reported in the mass media.

69 Not real name of the victim

70 Not real name of the victim

71 Not real name of the victim

According to the monitoring conducted by JALA PRT (National Domestic Workers Advocacy Network)⁷², cases of violence against female domestic workers in Indonesia consist of physical, sexual, psychological, economic violence. The below graph illustrated the incidence of violence against DWs which data was collected by JALA PRT from mass media and from cases reported by members of DW organizations.

Table 1. Data on cases of violence against DWs covering physical, sexual, psychological and economic violence and multi-violence cases

Year	2012	2013	2014	2015	by Nov 2016
No. of cases	327	336	408	402	228

DWs in Indonesia are not yet recognized as workers. Labor Law no. 13 of 2003 concerning Manpower and its derivatives, does not accommodate domestic workers as workers. The lack of legal protection of DWs as workers and the working relationships with particularly pronounced power imbalance in favor of employers has made DWs vulnerable to violations against their rights as workers.

In a patriarchal society where male position is higher than women in all aspects of life, including social, cultural and economic, it is not easy for women victims to get supports even from their own families due to stigmatization of ‘good’ women versus ‘bad’ women. Women who work as DWs receive the discrimination twice because they also have to also face the attitude of people who still degrade their status as DWs. DWs are viewed as the property of their employers and outsiders do not have right to intervene. Therefore, in many cases, employers’ mistreatment to DWs occurs for too long period of time, without social control and assistances from their surrounding or local authorities authorized to stop the violence. When help arrives, it is usually already too late.

72 A network of NGOs and individuals who are very active in advocating policies to protect DW in Indonesia. JALA PRT is one of the main partners of ILO Jakarta’s Promote Project, a project that promoted decent work for domestic workers and elimination of child labor in domestic work.

Many of the violence cases against DWs are not surfaced or filed to the authority because of various factors. DWs, in general, do not have access to legal aid and dispute settlement mechanism services. They do not know where to complain because they do not have information about the available legal aid. DWs do not have knowledge of their rights and are afraid of possibility that their employers will intimidate them and their family, or of long legal procedures that will take up much of their time.

Objectives

To address the DW's limited access to justice, JALA PRT with support from the ILO Jakarta's Promote Project⁷³, worked to expand DWs' access to justice. This effort involved establishing cooperation with legal aid agencies to become advocates for DWs experiencing cases. Given the limited number of advocates and their outreach, DW leaders had been trained to become paralegals to provide assistances in handling cases experienced by DWs. Paralegal is a person who is not an advocate but has knowledge in legal aspect and procedural law. With the supervision of lawyers or legal aid organizations, paralegals play a role in helping the justice seekers/survivors in the community. This paralegal can work alone within the community or work for legal aid organizations.

The fact that DWs' rights as workers have not been legally protected and therefore there are limitations of employment regulations that can be applied in handling the DW cases, had encouraged JALA PRT and its partners to seek strategies in the fight for legal justice for DWs. These strategies were documented in the Compilation of domestic workers and child domestic workers cases to be used as a future reference in the handling of DW cases. Efforts to widen access to justice for DWs included also strengthening police capacity through the development of modules and training for police.

73 Promote Project was implemented in the period of 2013 to 2017 and aimed at promoting decent work for domestic workers (DWDW) to reduce the number of child domestic workers in Indonesia.

Interventions

To increase access to justice for DWs, JALA-PRT with support from the ILO Jakarta's Promote Project built collaboration with legal aid agencies such as LBH Jakarta (Legal Aid Institution of Jakarta) to provide legal assistance to DWs experiencing cases related to workers' rights (worker aspect) and LBH APIK Jakarta (Legal Aid Institution for Women and Children of Jakarta) to provide legal assistance to domestic workers facing physical/sexual violations and human trafficking (female and child aspects). Both institutions are highly experienced institutions and strongly committed to providing legal assistance to marginalized groups. Established in 1970, LBH Jakarta is the largest legal aid organization in Indonesia that provides free legal aid to victims of injustice, the poor, legal blind and oppressed people in Jakarta and its surrounding areas and in the Province of Banten. Meanwhile LBH APIK Jakarta was established in 1995 and is very active in providing legal assistances, inside and outside the court, to poor women who are politically, economically, and socially weak. In addition LBH APIK Jakarta provides training and empowerment to the community members and law enforcement officers both in handling victims and in violence prevention.

One of the challenges in enabling access to justice for marginalized people is the limited number of advocates and a strategy to overcome this problem is by creating paralegals from the community itself so that more cases can be processed and dealt with. In order to create paralegals among DWs, JALA PRT in collaboration with LBH Jakarta and LBH APIK Jakarta and with support from ILO Jakarta's Promote Project, conducted paralegal training for DWs with a Human Rights, Citizens, Women's Rights, Workers and Child perspectives. As paralegals, DWs will be able to provide assistances at community level or at the DW union level. The training was provided to 18 DWs, members of DW organizations in Jakarta, Bandar Lampung (Lampung Province) and Makassar (South Sulawesi) using **Paralegal training module: for the handling of domestic worker cases** that was developed by JALA PRT, LBH APIK Jakarta, LBH Jakarta with support from ILO Jakarta's Promote Project. The contents of the module include:

- Materials to build perspective on gender and human rights

- Materials to build basic knowledge of law and legislation
- Material to develop skills as a paralegal

DW organizations in Jakarta, Bandar Lampung and Makassar formed a paralegal team and informed members about legal aid programs, and invited members to report to their organizations if their rights were violated. The paralegal team handles cases with the following steps:

- DWs report to DW organizations in case of violence/abuses (physically, sexually, psychologically, and economically)
- Paralegals conduct assessments of reported cases
- The DW organizations coordinate with JALA-PRT, LBH Jakarta and LBH APIK Jakarta (depending on type of the case, for work norms related, the case will be coordinated with LBH Jakarta and when it concerns physical, sexual and trafficking violence it will be coordinated with LBH APIK Jakarta)
- Suggestions are given by the organization to DWs
- DWs conduct their own negotiations with employers to look for solution. When needed DWs will be accompanied by paralegals.
- Should negotiation by DWs themselves did not result in mutual agreement, LBH Jakarta, in coordination with JALA PRT, will mediate the parties.
- If the agreement is not reached, LBH Jakarta will take a legal action on behalf of the DWs.

In addition to providing legal aid to DWs, JALA PRT, DW organizations and its networks actively assisted DWs who experienced cases even if they were not members of DW organizations to ensure that these cases were prosecuted, especially for criminal cases.

Many challenges were faced in providing legal aid to DWs and CDWs and to address these challenges JALA PRT and its partners, especially LBH Jakarta and LBH APIK Jakarta had to make some breakthroughs so that DWs could get the justice. All of the experiences and lessons learned from the case handling had been documented to serve as a

learning material for future handling of DW cases in a book entitled **The compilation of cases of domestic workers and child domestic workers.**

Law enforcement officials, especially the police, have an important role in ensuring that the handling of DW cases can provide justice for DWs. Police is the entrance to the handling of legal cases because the police is the one who receives reports of criminal acts from citizens, including DWs. Unfortunately the responses of law enforcement officials tended to corner women / children as victims and women / children in conflict with the laws. The lack of perspectives on the rights of DWs of law enforcement officials had led to many DW cases unprocessed. Police often denied reports on violence cases from DWs and tended to suggest DWs to resolve cases outside the court.

One of the strategies to ensure justice for DWs in legal case handling is by encouraging law enforcement officials, in particular the police, to develop gender sensitivity and women's rights perspective, including an understanding of the context of violence against women. With such understanding and perspective, the police is expected to be more responsive in protecting women's rights who are victims or in conflict with the law. To respond to the above needs, JALA PRT and ILO Jakarta's Promote Project conducted training for police using the **Training module for police: handling cases of violence against domestic workers and child domestic workers.** The training was implemented on September 2017 for 4 (four) days in Bogor, West Java and was participated by 29 police officers from women and child units from the national level, provincial and district level police offices. This module can be downloaded at http://www.ilo.org/jakarta/whatwedo/publications/WCMS_582115/lang--en/index.htm. Module is available only in Bahasa.

The handling of DW cases would need some services ranging from hotline services, legal aids, counselling, safety houses, education services, etc. There is a need, therefore, to build an informal referral mechanism among these service providers so that case handling can be done in more effective way and people will know which provider to contact for what services. ILO Jakarta's Promote Project mapped the service providers in Greater Jakarta, Bandar Lampung City,

Makassar City and Greater Malang in East Java Province and facilitated the development of an informal network of service providers in the four areas. The Promote Project, in cooperation with JARAK⁷⁴ also strengthened hotlines in Bandar Lampung, Makassar and Malang Raya to be one of the channels for reporting cases of violence against DWs.

Results / impacts

A number of DWs (18 people) from the DW organizations in Jakarta, Lampung and Makassar had received paralegal training organized by JALA PRT, in collaboration with Promote Project. The training was guided by the developed module and this module can be accessed at the ILO Jakarta web site.

The expansion of access to justice had helped domestic workers who had experienced cases with the following results:

- a. 2 multi-violence cases had been processed in the court.
- b. 21 economic cases: unpaid salaries, unpaid holiday allowances, unpaid severance pay, had been settled through negotiations between domestic workers and employers assisted by paralegals.
- c. 17 cases concerning work norms have been addressed through a legal notice and mediation with DWs got their rights.

Success factors

In providing legal assistances, DW organizations collaborated with legal aid agencies that are knowledgeable in the issue of DWs and together with JALA PRT put efforts to ensure that the legal process undertaken could provide justice for DWs. The existence of the DW organization is key to this effort to widen access to justice. In addition to the fact that DW organizations provided awareness-raising sessions

⁷⁴ JARAK is a network of NGOs working for the elimination of child labor in Indonesia. JARAK was one of Promote Project's partners.

so that their members had the courage to report when they had cases, DW organizations can also be a practical and reachable place to where DWs can report cases. Furthermore, the paralegal team of the DW organizations will provide assistances to members faced cases. Case handling was a topic that was discussed in the School of Insight so that every DW leader knows the basics of case management.

While undergoing litigation process, JALA-PRT and its network were engaged in continuous advocacy (non litigation) activities through press conferences, online petitions, talk shows in the media, approaches to law enforcement, government and parliament. These non litigation activities helped mobilize supports from the public which were very important to ensure that the ongoing trial for DW cases were done in accordance with the applicable laws.

Challenges

Many DWs were still reluctant to seek a solution to their case because they felt uncomfortable about raising their problems with their employers or afraid of being fired. JALA PRT and DW organizations had been continuously providing consultations to DWs so that DWs had more in-depth information to base their decision whether to raise the case or not. Another challenge was the limited number of DWs who become paralegals. Paralegal work is an intensive work and requires perseverance, patience and plenty of time to help victims accessing justice. Many potential DWs could not become paralegals because of their limited time that they had. To address this challenge, JALA PRT plans to conduct paralegal training at least twice a year to create new paralegals from different sub DW communities to make paralegal service reachable by DWs.

The lack of adequate regulations and policies that recognize and protect DWs as workers is a challenge in handling DW cases related to workers rights. Furthermore, written employment contract is not commonly used and therefore when a dispute arises, it lacks basis for legal action. The most widely adopted strategy in handling cases related to worker's rights is to encourage DWs to negotiate with employers

and mediation by legal aids institute. These strategies were applied because of the limitations of the applicable employment regulations. In some cases, this strategy was quite successful, especially for DWs who had employment contracts with their employers. Mediation also shortened the time for settlement of the case and did not cause social effects.

Negotiation and mediation cannot be applied to all cases, especially to criminal cases. Such cases would have to be reported to the police for legal actions. However, just reporting the cases to the police for legal processing are not sufficient in handling of DW cases. Due to the structural barriers to properly respond to DW cases, in addition to the litigation processes, JALA PRT and its network complement the legal action with continuous advocacy such as raising public supports through press conference, online petition, talkshow in media, approaching government and legislative bodies. This strategy was proven successful to encourage DW cases to be brought into court.



Members of DW organization observed the trial of a DW case to ensure that DW gets justice

Sustainability

In terms of social sustainability, the increased DWs' access to justice had provided social benefits to victims and survivors. At present, legal aid activities are already a part of DW organization's activities, especially in Jakarta, Bandar Lampung and Makassar so that more cases will be handled in the future. Case handling is a topic that is discussed in the School of Insight so that every DW leader knows the basics of case management.

JALA PRT and DW organizations had drawn on experiences of collaborating with other service providers such as witness protection agency and safe houses managed by the Ministry of Social Affairs which collaboration will continue after the support of Promote Project completed. In addition, instruments to increase the capacity of DWs to become paralegals and to assist cases experienced by members of DW organizations are readily available and experiences from handling DW cases had also been documented for future reference.

Replicability

The key element to replicate this initiative to other region is the existence of a DW organization or NGO which will work to raise awareness among DWs about their rights. These organizations would need to have a strong perspective on DW issues. Trainings to strengthen such perspectives can be provided by JALA PRT including to the collaborating legal aids institutions in the new areas. Creating paralegal and strengthening paralegals is an element that need to be done for succesful replication.

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10. Promoting written employment contract for domestic workers to improve working conditions

Background / context

The informal nature of domestic work, along with the uncertainty of employment relations, implies ambiguity with regard to the rights and obligations of workers and employers on a reciprocal basis. This is detrimental not only to domestic workers (DWs) but also to employers, with a power imbalance that is in favor to the employers. Even if there is a provision of labor laws governing domestic work, this does not necessarily end the informal employment nature of domestic work due to a number of factors such as the dominance of oral agreements; lack of knowledge of existing applicable laws among employers and workers; insufficient capacity of institutions responsible for law enforcement; the fact that homes are not considered workplaces (therefore are not open to inspection) and attitudes toward domestic work as women's work, that tends to make household work undervalued.

The working conditions of most DWs, including in Indonesia, cannot be considered a 'decent work'. Decent work deficits, such as long working hours, no daily and weekly rest periods, low wages, high rates of late payment of wages, lack of access to medical care and social security including maternity benefits for women are results of the lack of formal employment relations between DWs and employers. Social norms and customs or oral agreements do not provide adequate protection for the rights of DWs.

There is no doubt that many employers treat their DWs well but the absence of legal standards and formal contractual arrangements keep the workers dependent on the employers' good intentions. As a subordinate in the employment relationship, DWs are vulnerable to exploitation and abuse.

In the event of disputes, DWs are in a weak position and do not have concrete basis for raising and enforcing legal actions. The formalization of employment relationship between DWs and employers through written employment agreements will assist in achieving clarity and transparency in rights and duties, in general, and will help both parties avoid misunderstandings. When problems arise, employers may also rely on formal contract and arrangements for fair remedies and settlements. In addition, formalization can contribute to the recognition of DWs as 'real workers' who provide important services and contributions to the society and the economy.

Objectives

Realizing the protection of DWs requires simultaneous interventions at both the national and local levels using various strategies, including building protection initiatives from the smallest group in the hope that this initiative can be developed as a culture. One of the most important protective initiatives that can be built from below is the use of written employment contract between DWs and employers. Written contract is a form of strong protection for DW as well as employers because the agreement is written on paper and can be an evidence if parties forgot or denied things that had been agreed or if there is a different understanding of what had been agreed. In the oral employment contract, there is a risk of forgetting and denial of what had been agreed by both parties.

To promote written employment contract, JALA PRT⁷⁵ first provided education to members of DW organizations on the importance of written employment contract, and conducted consultation with DW organizations to review existing models and jointly developed new model employment contract. The new model employment contract was then introduced to DWs through special meetings or education sessions at the DW Institute. JALA PRT also facilitated members of DW organizations to share their experiences in negotiating written

75 JALA PRT, stands for Jaringan Advokasi Nasional Perlindungan Pekerja Rumah Tangga (National Advocacy Network for Protection of Domestic Workers), is a network of civil society organization and individuals that actively advocating for decent work for domestic workers in Indonesia.

employment contract with their employers so that other DWs can learn lessons from those experiences.

Interventions

As part of the activities of DW Institute, JALA PRT Secretariat and its member organization, delivered educational sessions to members of DW organization in Jakarta, Bandar Lampung (Lampung Province) and Makassar (South Sulawesi) on the importance of written employment contract between DWs and employers. This session on the employment contract is one of the topics discussed in the ***Alternative education for domestic workers module: a handbook for facilitators*** prepared by JALA PRT.

Promotion of written employment contract for DWs and employers had been initiated since 2004 by RUMPUN Tjoet Njak Dien⁷⁶ and Tunas Mulia DW union as part of Yogyakarta's DW School program. This initiative was not easy to implement due to the fact that written employment contract was very new and majority of employers did not recognize DWs as workers, let alone be bound in a written contract that contains the rights of DWs, especially those rights that were considered non-existent.

Benefits and challenges arised from using written employment contract. DWs' employers felt that using the written contract helped create clarity on the rights and obligations of DWs and employers. DWs' welfare was also improved because through the contract negotiation, they better wages, normal working hour, weekly day off, annual leave, menstrual leave, medical expenses, holiday allowance, right to organize, and access to dispute settlement which they did not have without written employment contract. The difficulties that arised in using written employment contract included the fact that often both parties acted not in acordance to what had been agreed. For example, DWs asked for permission to go back home in the village suddenly. From the employer's side, the employer continuously asked for helps

76 An NGO based in Yogyakarta Special Province

from DWs to perform works which were not in the contract and the DWs were not able to discuss this openly with the employers.

In addition to the written employment contract that was practiced in Yogyakarta's DW School, there was also written employment contract practiced among members of Sapulidi DW union who worked with expatriate employers. Expatriates from certain countries had recognized DWs as workers and they applied written employment contract when hiring DWs.

In the course of practicing written employment contract both in Yogyakarta and among Sapulidi DW union members, there were several issues that arised which could lead to labor disputes. Those issues were (a) legal language in written employment contract that can lead to multiple interpretations; (b) some standards had not been included in the contract such as severance payment, mechanism for termination and social security. There was a new law namely Law no 24/2011 on Social Security (health security and employment security), which must be referenced in the employment contract as DW right. The previous model contract only included medical expenses that need to be covered by the employers.

It is therefore important to review existing written employment contract to see whether its content and mechanisms have reflected the decent work situation of DWs and to fill in the gaps due to new developments in DW related standards and legislation. For this purpose, JALA PRT with its members and DW organizations in Jakarta with support from the Promote Project held a workshop to review and revise written employment contract for DWs and employers, in January 2017. The workshop objective was to prepare a sample of a decent work based employment contract for DWs and employers to be used as a reference for DWs in negotiating terms of employment. In developing new model contract, JALA PRT and DW organizations referred to indicators of decent work for domestic workers (DWDW) that consists of 20 items of decent work standard based on ILO Convention 189 on DWDW and ILO Recommendation 201 on DW Recommendations, as below:

1. Written employment contract
2. Normal working hours 40 hours per week and interval rest between working hours
3. Minimum wage
4. Overtime
5. Weekly day off at least 24 hours per week
6. National holidays
8. Maternity leave
9. Menstruation leave
10. Accommodation
11. Health food/beverages
12. Holiday allowances
13. Social security
14. Severance pay
15. Occupational Safety and Health
16. Right to keep documents, to socialize and associate
17. Access to dispute settlement
18. Job description based on normal working hour
19. Access to education and skills trainings which are conducted by the Government
20. No child domestic labor

The workshop also discussed issues and shared experiences in using the written contract as inputs in formulating the new model contract. This workshop and several follow-up meetings resulted in a new model employment contract that reflects the rights of DWs under the ILO Conventions and some existing regulations in Indonesia (see box 1).

Box 1. Items in the new model employment contract

- Details of DW and employer identity
- Responsibility and Priority Tasks (Job description)
- Working hours
- Wage
- Overtime
- Weekly day off
- National public holidays
- Annual leave
- Accommodation and food/beverages
- Holiday allowance
- Social security
- Severance pay
- Occupational Health and Safety
- Right to keep documents, socialize and associate
- Other things: dispute resolution, confidentiality, etc.
- Freedom of association
- Annual wage increase by percentage of wage if employment contract is extended
- Period of the contract
- Probation period
- Termination of the contract

Following the finalization of the text of new model employment contract, in March 2017, JALA PRT together with Promote Project conducted a socialization of the new model employment contract to members of DW organizations which was participated by more than 250 DWs from various DW organizations in Greater Jakarta among others Sapulidi DW union, Vipamas DW organization, Pondok Cabe DW organization, Sedap Malam DW organization, and Panongan DW organization. The new model employment contract was also introduced to DWs in educational sessions for DW leaders who then pass on this information

to members of sub DW communities and team 10s. JALA PRT also facilitated the sharing of experiences among DWs in negotiating written employment contracts using Whatsapp Group, facebook or face to face sessions in DW Institute. Consultations to negotiate employment contracts were provided by each DW organization and by JALA PRT to DWs who need information or guidance in negotiating written employment contract.

Written employment contract is part of the decent work protection of DWs and its content and mechanism should reflect the decent work condition of DWs. Although currently DWs are not recognized as workers and excluded from labor law coverage, through written employment contract, JALA PRT and DW organizations have been trying to socialize and implement the decent work for DWs using the written contract.

Results / impact

The model employment contract, in English and Bahasa Indonesia, which reflects the terms of employment of DWs as set forth in the ILO Convention 189 and the relevant legislation in Indonesia, to be used as a reference by DWs in negotiating employment contract with their employers can be obtained from JALA PRT Secretariat. A number of DWs had been able to negotiate written employment contracts although the outcome of negotiations did not mean that the DWs get all the decent work standards contained in the new model employment contract. A number of other DWs managed to improve the contents of their written employment contract as a results of negotiation using the new model contract.

Here is a Whatsapp message sent to the National Coordinator of JALA PRT, by a DW who managed to negotiate some rights with her employer.⁷⁷

77 Original messages are in bahasa

4/15, 7:08

I would like to thank for your guidance and assistance. Thanks God, I have a chat again about the employment contract with my boss. My boss agrees to give me a paid maternity leave of 40 days if I get pregnant and give birth to my baby.

4/15, 7:10 PM

I also ask for health insurance (government scheme) for myself for 1st class as my husband and my children already have BPJS (government health insurance). My boss has agreed with my request.

Another experience told by a DW in an article⁷⁸ uploaded to a citizen journalism platform.

Initially, I did not have a written contract. Because in my opinion if the employer is good, the salary and working hours are appropriate, holidays and holiday allowance are also provided, written contract is not needed.

Since joining activities in Sapulidi DW union, I learned a lot, one of them about written employment contract. It turns out that the employment contract contains DW rights as workers, and I do not have some of them. I get BPJS (government health insurance) paid by my employer each month for my daughter and husband as well

After studying the contents of the employment contract, it is apparent that many of my rights as domestic workers have not been fulfilled

And I tried to explain to my employer to make a written employment contract by giving example of employment contract of DW - employers.

I am optimistic that I would get a written employment contract because my employer is an expatriate who works in one of the oil and gas companies in Jakarta and is definitely using a contract of employment as well in his work. I am a domestic worker: domestic workers have the same rights as other workers.

78 Original article is in bahasa

The employer studied the example of the employment contract, and finally made a written employment contract for me after two years working without such contract.

Another DW finally found an employer who were willing to hire her with a written contract as seen in the following FB status.

FB status of Dianna Wati, 19 March 2018

Alhamdulillah (thanks God) ... finally got a written employment contract. Working 5 times a month and entitled to worker rights that I want and fight for in the organization. The validity period is for 6 months ago, if we can get along, we will extend it.

Success factors

The willingness of DWs to negotiate a written contract depends on whether the DW has awareness of his or her rights as a DW. Therefore, the critical education given to members of DW organization on the situation of DWs and their rights as workers and the importance of written employment contracts are key factors for the successful promotion of its use.

Sharing experiences among DWs, encouraging and supporting each other to negotiate for written employment contract among DWs also contributed to the success of the practice. By sharing experiences that were done through Whatsapp and facebook or face to face meeting in DW School of Insight, DWs got inspired and learned the lessons from their fellow DWs. The guidance provided by DW organization and JALA-PRT to DWs seeking written employment contracts also helped build DW confidence to negotiate.

Challenges

Many DWs were not brave enough to ask for written contract from their employers fearing of getting a negative response. Some DWs reported that their employers or prospective employers were not happy when they asked for a written employment contract and a DW reported she did not get the job for asking for a written employment contract with her prospective employer. To address this issue JALA PRT and DW organization provided consultation and advice to DWs who are willing to negotiate an employment contract. In overcoming difficulties in getting a written employment contract, DWs were advised to apply a gradual approach in getting their rights as DWs. It is suggested that at least 50% of DWs' rights listed in the model employment contract can be gained by DWs when negotiating written employment contract with employers.

In addition to the challenges that came from DWs themselves, the challenge of making written employment contract also came from employers' side. Employers consider DWs not workers and consequently there is not any need to sign a written employment contract. Eventhough what will be put in the contract is the rights and obligations that have been agreed orally, there is a reluctance from the employer to put it in written. Written contracts are relatively new to employers and they are quite surprised to see the rights of DWs listed in the model contract that they are supposed to meet. The less supportive responses of employers for the use of written employment contract is exacerbated by the fact that there are no strong regulation requiring DWs and employers to enter into written employment contract. According to Minister of Manpower Regulation no 2 of 2015, the employment contract between DWs and employers can be made in writing or orally. In response to the absence of strong regulation, advocacy for stronger DWs protection regulations continues to be undertaken by JALA PRT, its members and DW organizations.

Sustainability

The social sustainability of the promotion of the use of written employment contract is evident in the presence of a number of DWs who had successfully obtained written employment contracts from their employers and / or earned more rights than before. The use of written employment contracts will be promoted continuously by JALA PRT to DW organizations and their members so that more DWs are expected to use written contracts when working.

Replicability

The promotion of the use of written employment contract carried out in Jakarta is a replication of similar activity by JALA PRT conducted in Yogyakarta. Just like in Yogyakarta, in Jakarta this promotion targeted DWs who had joined DW organization. As members of DW organization, these DWs had received information about the need for written employment contract. Without the DW organizations, it would be difficult to communicate and convince DWs on the the importance of written employment contract. To reach more DWs and employers, this promotion needs to get endorsement from the government.

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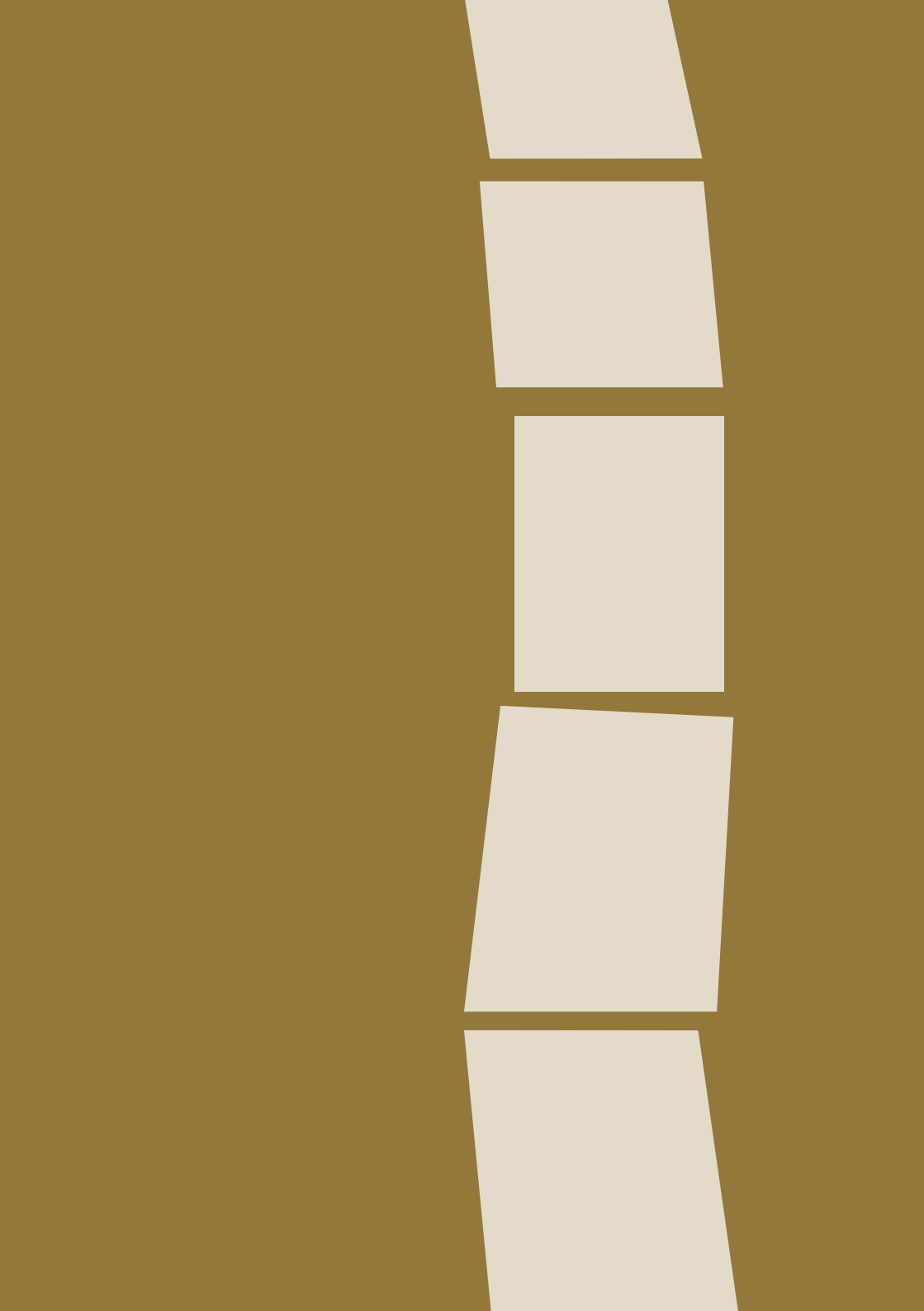
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**PROMOTING DECENT WORK FOR DOMESTIC WORKERS
AND ELIMINATION OF CHILD LABOR IN DOMESTIC WORK:**

**TEN EMERGING
GOOD PRACTICES
FROM INDONESIA**



International
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