




Employment Law: Quarterly Review Third Quarter 2017 - Indonesia

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Procedures for Labor Inspection

MOM Regulation No.33 of 2016 regarding Procedures for Labor Inspection was issued on November 16, 2016 (“MOM 33”).

16
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Under MOM 33, the employer and the employee will understand the mechanism of Labor Inspection in the company. MOM 33 also provides sample of forms on planning, execution and reporting mechanism during labor inspection in the company by the Labor Inspector.

MOM 33 is the implementation of Article 22 (2) of Presidential Regulation No.21 of 2010 regarding Labor Inspection.

Ministry of Manpower Regulation regarding Health and Safety for Pressurized Equipment

MOM has issued Regulation No. 37 of 2016 dated December 27, 2016 regarding Health and Safety for Pressurized Equipment (“Reg.37”).

27
DEC

Under Reg.37 regulates the implementation of health and safety in the workplace from potential hazardous from Pressurized Equipment. Reg.37 also provides sample of application forms related to Health and Safety for Pressurized Equipment that will be used by the company and MOM.

Reg.No.37 revokes (i) the previous MOM Reg No.01/Men/1985 regarding the same; (ii) the Circular Letter of MOM No.SE.No.06/1990 regarding Coloration of Steel Bottle or Pressurized Equipment, and (iii) the Decision of Director General for Guidance and Supervision of Labor Inspector No.Kep/75/PPK/XII/2013 regarding Technical Guidance for Health and Safety Expert Candidate in the field of Steam, Production, Lifting and Transport Equipment specifically for Expert Candidate in the field of Steam, Production, Lifting and Transport Equipment.

Ministry of Manpower Regulation regarding Health and Safety for Power and Production Equipment

MOM has issued Regulation No. 38 of 2016 dated December 27, 2016 regarding Health and Safety for Power and Production Equipment (“Reg.38”).

27
DEC

Under Reg.38 regulates the implementation of health and safety in the workplace from potential hazardous of power and production equipment. Reg.38 provides sample of forms on Health and Safety for Power and Production Equipment related documents that will be used by the company and MOM.

Reg.No.38 revokes (i) the previous MOM Reg No.04/Men/1985 regarding the same; (ii) the Circular Letter of Director General for Guidance and Supervision of Labor Inspector No.SE.No.01/DJPKK/VI/2009 regarding Technical Guidance on Implementation of Guidance and Examination of Health and Safety License to Officers and Operators of Steam, Production, Lifting and Transport Equipment; and (iii) the Decision of Director General for Guidance and Supervision of Labor Inspector No.Kep/75/PPK/XII/2013 regarding Technical Guidance for Health and Safety Expert Candidate in the field of Steam, Production, Lifting and Transport Equipment specifically for Expert Candidate in the field of Steam, Production, Lifting and Transport Equipment .

Wage Structure Requirement for Companies21
MAY

Ministry of Manpower Regulation No. 1 of 2017, dated March 21, 2017, regarding Wage Structure and Scale (“Regulation 1”) implements Article 92(3) of Law No. 13 of 2003 regarding Manpower and Article 14(5) of Government Regulation No. 78 of 2015 regarding Payment of Wages, which require companies to formulate and implement a wage structure and scale. A company’s wage structure and scale shall take into account employees’ work categories and positions, period of service, education and skills.

Regulation 1 revokes Minister of Manpower and Transmigration Decree No. KEP.49/MEN/IV/2004 regarding the Provision of Wage Structure and Scale.

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Important:
action likely
required

Good to know:
follow
developments

Note changes:
no action
required

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Back

Looking
Forward

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LOOKING BACK

INDONESIA

31
MAY

INDONESIA

Payment of Religious Holiday Allowances

Ministry of Manpower Circular Letter No. 3 of 2017, dated May 31, 2017, regarding the Payment of Religious Holiday Allowances for 2017 provides governors, regents and mayors across Indonesia a summary of the applicable rules for the proper payment of such allowances to employees in 2017.

INDONESIA

19
JUN

INDONESIA

Guidelines for Joint Leave in the Private Sector

The Ministry of Manpower has issued Decree No. 184 of 2017, dated June 19, 2017, regarding Guidelines for the Implementation of Joint Leave in the Private Sector. This decree provides guidance for private sector employers and employees with regard to the taking of joint leave days on selected dates around the Idul Fitri and Christmas holidays in 2017.

INDONESIA

6
JUL

INDONESIA

Elevator and Escalator Health and Safety

Ministry of Manpower Regulation No. 6 of 2017, dated July 6, 2017, regarding Elevator and Escalator Health and Safety (“MOM 6”) provides safety instructions and guidance for elevator and escalator operators and technicians, including manpower supervisors charged with carrying out elevator and escalator safety inspections.

MOM 6 revokes the following regulations: (i) Ministry of Manpower and Transmigration Regulation No. Per.03/MEN/1999 regarding Health and Safety Requirements for Passenger and Freight Elevators; (ii) Ministry of Manpower Regulation No. 32 of 2015 regarding the Amendment of Ministry of Manpower and Transmigration Regulation No. Per.03/MEN/1999 regarding Health and Safety Requirements for Passenger and Freight Elevators; (iii) Ministry of Manpower Regulation No. Per.05/MEN/1985 regarding Elevators and Escalators; and (iv) Director General of Industrial Relations Development and Labor Inspection Regulation No. Kep.407/BW/1999 regarding the Qualifications and Appointment of Elevator Technicians.

INDONESIA

8
AUG

INDONESIA

Standards for Work Training Centers

The Ministry of Manpower (“MOM”) has issued MOM Regulation No. 8 of 2017, dated August 8, 2017, regarding Standard Requirements for Work Training Centers to provide guidance on the establishment and development of work training centers in Indonesia.

MOM 8 regulates the minimum requirements for work training centers based on the specific skills and training they provide.

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Important:
action likely
required

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required

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