

# Legal Status of Domestic Workers in Indonesia in Labor Law and the Implication on Employment Relationship

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## Abstract

The research in the tradition of normative legal sciences departed from the fact that there are debates about the legal status of domestic workers in Indonesia as workers/ laborers or non workers/ laborers. The results of the study indicate that, there is a juridical denial of the legal status of Domestic Workers in Indonesia as workers/ laborers by the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower. This is due to the factors of interest (politic and economic) of the legislators, which in turn has implications on the rights to obtain legal protection and guarantee to the fulfillment of other rights in employment relationship.

**Keywords:** Domestic Workers, Labor Law, legal status and employment relationship

## 1. Introduction

The debate over the legal status of domestic workers in Indonesia, as workers/ laborers and/ or not as workers/ laborers, is a form of denial to them as human beings who have the rights to work and contrary to human dignity. The values and norms of society which are not in favor of domestic workers result in low and undignified image on their works. The scope of their works performed in the domestic sphere, which is considered in private and informal area; confirm more firmly that they do not deserve to be recognized as workers/ laborers.

The Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower., as the legal protection to workers/ laborers, should be used as a legal protection to domestic workers because they meet the criteria as workers/ laborers as stated in the provisions of Article 1 (3) of the Manpower Law is every person who does work for a wage or other forms of remuneration. Legal relationship established between employers and domestic workers also meet the elements that characterize employment relationship; the elements of work, wage and order. However, the provisions of Article 1 Paragraph (3) are obscured by the provisions of Article 1 (15) and Article 50. The meaning is that there is a vague norm in Article 1 Paragraph (3) obscured by Article 1 (15) and Article 50 of Labor Law, so that the legal status of domestic workers is not recognized as workers/ laborers by the Law No. 13 of 2003 concerning Manpower..

The denial of the legal status of domestic workers as workers/ laborers by Law Number 13 of 2003 concerning Manpower is added by the absence of specific laws that provide legal protection to them, resulting in the work included in the job situation without legal norms as workers/ laborers in general. It means a legal vacuum in terms of legal protection to domestic workers. These conditions have implications on their rights in employment relationship and they often get less humane treatment from their employers, even from Domestic Workers' recruitment agencies. For example, they are at low or no wages paid by the employer, long working hours, kinds of heavy workload, no social security and health, exploitation by recruitment agencies with the means of being employed to move from one employer to another and suffering violence (physical, sexual and psychological) of employers and employers' family members.

Departing from the fact above, this research aims to understand and analyze the legal status of domestic workers in the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower, the factors that cause Law Number 13 of 2003 concerning Manpower does not recognize the legal status of Domestic Workers as workers/ labors

and their legal implications on their rights in employment relationship.

## 2. Research Method

The research in normative scientific tradition used an integrated approach which includes; regulatory approach, conceptual approach and case approach (Sunaryati Hartono: 1994, 105 and Abdul Kadir Muhammad: 2004, 51). The sources of legal materials include: primary, secondary, and tertiary legal materials. The procedure of legal material collection was conducted through the stages of: 1) searching legal materials; 2) systematization; 3) classification and; 4) analysis. The analysis of the legal materials was conducted in analytical-prescriptive using the logic of law, legal interpretation and legal arguments for a conclusion in response to the legal issues.

## 3. Theory Framework

The theory is used as the analysis in this study, are: Law and politics relations theory, feminist legal theory and the theory of legislation.

### 3.1. Law and politics relations theory.

This theory is used as an analysis to dissect the problem with the argument that the law is a product politik, so that the legal character of the contents of each product will be determined by the balance of political forces that make it. This means, in the process of legislation to the application, a legal product, not free of political interests that make institutions. The legal status of domestic workers are not recognized by Manpower Act is, could just be because of the political interests of the legislator..

### 3.2. Feminist legal theory.

Feminist legal theory, used as the analysis in this study, with the assumption that the Act No. 13 of 2003 on Manpower which have not provided protection for domestic workers that in fact the majority of whom are women, can occur due to the strong patriarchal values are constructed by society and the state. Therefore, the legal protection for women domestic workers also based constitutional rights will be realized, if the experience of women domestic workers who incidentally is understood and reflected in the legislation formation process. According to Susan Edwards, that: *"...to examine law's claims, law's essentialism, law's masculinism and exclusion of women...(in order to) render masculinity, masculinism, structure of patriarchy – heterosexism as open to account and challenge...(for) the inexorable fact remains that law is holistically, root and branch, viscerally, temporally male.. .."* ( Susan Edwards, 1998). The statement can be interpreted that, there are limitations or restrictions of a generally applicable law to reinforce the social function between males and females. The law also described no more as a tool to assert the existence of patriarchy in a society.

### 3.3. The theory of legislation.

Legislation is the process of forming the state regulations, both at the national and at the regional level (Maria Farida Indrati Soeprapto, 1998). Theory of legislation used as the analysis with the assumption, that legislation must either contain the binding pattern of behavior in general, which applies to any legal subject that meets the elements of a pattern of behavior, so that Law No. 13 of 2003 on Manpower should also apply to women domestic workers because they are one of the legal subjects that meet the elements of a pattern of behavior in terms of labor law norms.

## 4. Research Result and Discussion

### 4.1. The Legal Status of Domestic Workers in the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower .

Examining the status of Domestic Workers in the Law of the Republic of Indonesia No. 13 of 2003 concerning Manpower, means tracing their position with regard to the categorization as workers / laborers or not as workers / laborers as the provisions stipulated in the labor law norms. Article 1 (2) of the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower, reads: *"Labor is any person who is able to do a work in order to produce goods and / or services to meet their own needs and to society"*. The phrase *"any person who 'is able to' do a work"* has a broad meaning and can be interpreted that the ones included in labor are those who 'are able to' do a work, either as workers/ laborers or not workers/ laborers. In other hand, the definition of worker/ laborer according to Article 1 (3) of Manpower Law is: *"any person who works for a wage or other forms of remuneration"*. The inherent meaning of the notion of

workers / laborers in Article 1 (3) is: a) any person who works and; b) receiving wages or other forms of remuneration as the recompensation for the work execution. The phrase "*any person who works*" has a wide meaning, not only those who work within the scope of employment relationship, but they can also be out of employment relationship, even those who do self-employment or self-workers fall into this category (Imam Supomo: 1987.26 ). The limit is the meaning of the phrase "*receiving wages or other forms of remuneration*". It means that the so-called worker is anyone who works, but only the one who receives wages or other forms of remuneration from an employer.

Based on the two articles, Domestic Workers are included in the category of labor as well as having the status of worker/ laborer. The assumptions are: a) Domestic Workers are people who are capable of doing a work; b) in view of the phrase *any person who works*, Domestic Worker is a person who works in a household (domestic) working on household work such as: ironing, washing, cooking, caring for children, caring for the sick and others and; c) Domestic Workers also receive wages or other forms of remuneration in return for the implementation of their work from their employer as the work givers. Thus, it can be concluded that Domestic Workers are included in labor category as well as workers/ laborers as stated in Article 1 Paragraph (2) and Article 1 Paragraph (3) of Manpower Law. It means that Article 1 paragraph (2) and paragraph (3) of Law No. 13 of 2003 recognize the status of Domestic Workers as labors and as workers/ laborers. Therefore, Domestic Workers should be an integral part of the employment system in Indonesia and the protection of the Labor Law.

However, it still apparently cannot be stated as a final conclusion because the labor law in Indonesia provides a foundation that someone who is categorized as a worker/ laborer and/ or not as a worker / laborer must refer to the indicators of employment relationship. It means that there are other indicators that must be met in order to clarify the categorization of Domestic Workers as workers/ laborers and/ or not as workers/ laborers. Article 1 (15) of Manpower Law reads: "*employment relationship is a relationship between businessman and workers/ laborers based on working agreement, which has the elements of work, wage, and order*". The article contains three elements, i.e.:

**1) The subjects of law in employment relationship are businessman and Workers/ Laborers.**

It is called an employment relationship when the subjects of law are not businessman and workers/ laborers. It is confirmed by Article 50 of Law No. 13 of 2003 concerning Manpower which states that, "*employment relationship occurs because of the employment agreement between businessman and worker/ laborer*". The phrase " businessman " as a subject of law in employment relationship contained in this article cannot certainly be juxtaposed with domestic workers, even if they fall into the category of workers/ laborers as referred to in Article 1 Paragraph (3) of Manpower Law. The argumentation is that Domestic Workers are not employed by an entrepreneurs and do not work in a Corporation. This classification has more obvious meaning when it is linked with the concept of businessman in Article 1 Paragraph (5) and Corporation. in Article 1 Paragraph (6) of Law No. 13 of 2003 concerning Manpower.

According to Article 1 Paragraph (5), businessman is: a. an individual, association, or legal entity who operates a self-owned enterprise; b. an individual, association, or legal entity who independently runs a Corporation which does not belong to him; c. an individual, association, or legal entity in Indonesia representing a Corporation as referred to in letters a and b who domiciles out of Indonesia. The Corporation according to Article 1 Paragraph (6) is: a. any form of business or legal entity, owned by an individual, an association or a legal entity, whether private or state-owned, which employs workers/ laborers by paying them wages or other forms of remuneration; b. social enterprises and other businesses with a board and hire someone else by giving wages or other forms of remuneration. Based on the limitations of

businessman and corporation as stated in Article 1 Paragraph (5) and (6), the status of domestic workers is clear that they are not employed as a subject of law by businessman and they do not work in a corporation. In fact, domestic workers work in the domestic sphere and are employed by an employer as a work giver.

The interpretation given by the government to the term of workers/ laborers as stated in Article 1 paragraph (3) of Manpower Law is not comparable to the term given to "employer". The term "employer" of Domestic Workers cannot be equated with the term "businessman". Employers of domestic workers in labor laws can be classified as "work giver" because he is not a business entity and thus not an "businessman". It is stated in Article 1 Paragraph (4) which reads, "*A work giver is an individual, business, corporation, or other entity that employs workers by paying them wages or other forms of remuneration*". This article can be summarized that: a) a work giver consists of: 1) individual, 2) businessman, 3) legal entities, or 4) other bodies; b) work giver has broader meaning than the meaning of businessman, in other words, a businessman must be a work giver, but a work giver are not necessarily a businessman and; c) the phrase of work giver in this article is comparable with the phrase of labor, which of course has broader meaning than workers/ laborers. Abdul Rachmad Budiono stated in detail that "*labor includes worker, while worker include laborer*" (Abdul Rachmad Budiono: 2011, 9).

The consequences of the term "entrepreneurs" and "employers", which are certainly different in this Labor Law, ultimately come about domestic workers to be excluded in the area of labor law because they are not employed by a "businessman". It means that the provisions of Article 1 paragraph (3) are obscured by the provisions of Article 1 (15) so that domestic worker's status is not recognized as a worker/ laborer by this Manpower Law. It is also evident in parts of letter (d) of the Manpower Law, which reads:

*"That the protection to labor is intended to guarantee the basic rights of workers/ laborers and to ensure equal opportunity and non-discrimination on any basis for the welfare of workers/ laborers and their families with regard to the progress of the business world"*.

The phrase of "*business world*" reflects formal sector, and certainly does not apply to domestic workers who work in domestic or household area.

## **2) Based on Employment Agreement.**

Employment relationship as a new form of legal relationship emerged after employment agreement. Article 50 of Labor Law states that, "*an employment relationship is due to an employment agreement between businessman and worker/ laborer*". Employment agreement according to Article 1 Paragraph (14) is: "*An employment agreement is an agreement between worker/ laborer and businessman or employers that contains the terms of employment, rights and obligations of the parties*". Some keyword phrases of both articles are: employment relationship, employment agreement, employer, businessman and worker/ laborer. If some of the phrases are associated one another, it can be concluded that: a) in addition to create employment relationship, employment agreements can lead to other legal relationships. The legal facts show that there are two compositions of the subject of law that can be make employment agreement; they are worker/ laborer with employers and worker/ laborer with businessman, and; b) the legal relationship between worker/ laborer and businessman is an employment relationship, while the legal relationship between worker/ laborer and employer is another legal relationship which is not an employment relationship (Abdul Rachmad Boediono 2011: 22 -23 and 27).

Based on the above description, the legal relationship between an employer and a domestic worker is not an employment relationship. The argumentation is; although domestic workers are included in the categories of workers/ laborers as stated in Article 1 paragraph (3) of Labor Law, in this Labor Law, employers of domestic workers are included in the category of work givers. Therefore, the legal relationship between domestic workers and their employers is not an employment relationship as set out in Article 1 Paragraph (15) and Article 50 of this Labor Law. This juridical fact, according

to Wijayanti, is an elimination of the subject of law in the concept of employment relationship. Employers are not only businessmen but also individuals, firms, or other entities. However, what is categorized as employment relationship under this Labor Law is limited only between businessmen and workers/ laborers, and the other relationship other than between workers/ laborers and businessman is not included in employment relationship. Whereas, the subject of law that can make the employment agreement, not just businessmen and workers/ laborers, but also work givers and employees/ workers (Asri Wijayanti: 2011, 12).

### **3) The presence of the elements of work, wage and orders.**

These three elements are cumulative. That is; the absence of one of the elements contributes to the absence of employment relationship. It is the distinguishing characteristic of employment relationship compared with other legal relationship although it also contains the element of the work. The legal relationship between domestic workers and employers also meets the three elements, i.e.: the works performed by domestic workers, including household work, such as: cooking, washing, ironing, child care, house cleaning, and others. Domestic workers also earn wages although in reality there is no standard regarding the amount and sort of wages given by employers caused by the nonexistence of specific regulations governing wages to them. The legal relationship between domestic workers and employers also meet the elements of orders; employes as the party who gives orders and domestic workers as those in command. Orders given by an employer are the obligation that must be carried out by a domestic worker.

The conclusion of the above legal fact is that Law No. 13 of 2003 concerning Manpower does not recognize the legal status of domestic workers as workers/ laborers although they meet the criteria as stipulated in Article 1 paragraph (3), which are any person who does works by receiving wages or other forms of remuneration. The legal relationship between employers and domestic workers also meet the elements that characterize employment relationship, i.e.: the elements of work, wage and orders. Then, there is a denial of jurisdiction over the legal status of domestic workers as workers/ laborers by Law No. 13 of 2003 concerning Manpower..

#### **4.2. The Factors Causing the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower Does Not Recognize the Legal Status of Domestic Workers as Workers.**

The government is dominant in the process of making of the Labor Law with the framework based on industrial and business world which is seen by the government as the only institution that can boost national economic growth. Therefore, the government policy in the field of employment should be directed to the business world including Law No. 13 of 2003 concerning Manpower. The mindset built by the government considers the sectors out of business are unimportant, and the Domestic Workers who work out of business world are certainly not accounted for in the Labour policy.

Soetandyo Wignyosoebroto stated that, when the law becomes merely a commodity for economic elites, the economically weak groups will be out of the law protection, and the law is no longer an expression of a sense of justice rooted in the community culture, but it is just a technical instrument without soul (Soetandyo Wignyosoebroto, 2012: 10). Hence, when the dominant political power in the process of establishing a rule of law does not consider any particular social group important, because they are considered not "profitable" despite the social group should involve or be involved in the process of establishing the rule of law, then what happens is, the denial of the social group existence. Liberalism *vis a vis* capitalism as the dominant political agenda in the making process of aw Number 13 of 2003 concerning Manpower does not accommodate to the social groups considered not to give any contribution to their interests. In fact, Domestic Workers, mostly women, working in informal region (household, domestic) are also not accommodated in the making process of this Labor

Law.

The fact of unaccommodating Domestic Workers in the discussion process of Labor Law Bill was clearly visible in several discussion sessions, i.e.:

**1) In the general view session delivered by each fraction in the Plenary Session of the House of Representatives, dated June 29, 2000.**

The Fraction of National Awakening Party (FPKB) highlighted the Draft of Employment Development and Protection Law which did not regulate informal workers, such as Domestic Workers (for the record, the nomenclature of the Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower when the law was still in the form of draft was the Draft of the Employment Development and Protection Law/ RUU PPK). According to the Fraction of National Awakening Party (FPKB), domestic workers must be accommodated in RUU PPK because their working hours start from 5:00 am until their employers finish dinner, with very low wages and no other life benefits, even they often get less humane treatment of their employers (the documentation archive of the General Secretariat of the Indonesian Parliament 2008: 158-161).

However, the answer given by the government against the common view of FPKB was: the approaches used in RUU PPK are not "formal" and "informal" approaches, but the approaches are based on employment relationship, so RUU PPK does not specifically regulate informal sector, which in this case is Domestic Workers. Formal and informal approach will only lead to different interpretations. As far as labor, work and receive wages, both of which work for a company or individual, it has been considered to have employment relationship and automatically subject to the conditions set forth in this RUU PPK" (the documentation archive of the General Secretariat of the Indonesian Parliament 2008: 201-202).

The government's response may seem accommodating to the existence of domestic worker, but if we look closely, it even indicates the kind of labor formalization in labor policies and indirectly is a form of denial of the status of domestic workers. In fact, the indicators used by the Indonesian government to measure labor are formal labor indicators. It indicates a clear time limit, formal employment bond with a written agreement, the production place is in a building, and others. Therefore, the status of the domestic workers who work in a domestic sphere and do not meet these indicators regarding their status as informal laborers, are not recognized as workers/ laborers by the basis that the legal relationships between the domestic workers and their employers are not employment relationship although it meets the elements of employment relationship, i.e.: work, wage and order.

If the government is consistent, why the Domestic Workers who work abroad or commonly referred to as migrant workers (TKW) are accommodated in RUU PPK, while the domestic workers working in the country are not accommodated in RUU PPK? (RUU PPK regulates the issues of labor abroad including migrant workers in Article 33 paragraph (3), Article 37 to 51). Furthermore, why are migrant domestic workers (TKW) categorized as workers/ laborers while the domestic workers, who also deserve the protection of Labor Law, working in the country are not included in the category as workers/ laborers? Have migrant workers met the elements of employment relationship as the approaches used by the government to measure worth or not worth to be included the labor protection, while the domestic workers working locally are considered not worth since they do not meet the elements of employment relationship? The reason of the Indonesian government was not so, because the consideration used were not the consideration of the jurisdiction, which is employment relationship in this case, but

more political as they relate to economic interests; that is, migrant workers are the source of national income, while for the domestic workers who work at home, are considered to have no economic contribution to the country. Then, the policy makers closed their eyes and ears of the existence of domestic workers in the country.

**2) In a Public Hearing session (RDPU) between the Special Committee (Pansus) of Indonesian House of Representatives (DPR-RI) with labor organizations and NGOs.**

The Public Hearing was held seven (7) times started from November 29, 2000 to July 4, 2002. In this session, KOPBUMI (the Consortium of Indonesian Migrant Worker Defenders) and DPP KORPRI (the Central Board Officers of the Corp of Indonesian State Employees) were invited by the Special Committee (Pansus) of DPR-RI, while the organization of domestic workers was not invited. In other hand, at that time, the organization of domestic workers has existed since 1995, such as the Clumps of Tjut Nyak Dien (RTND). Pansus did not provide a clear argument why they invited DPP KORPRI and KOPBUMI in this trial. If the legislators of labor were consistent, DPP KORPRI and KOPBUMI should not be invited since the organization of KORPRI does not have the status as workers/ laborers, but their status is State Civil Servant or State Civil Officer. The consequence of such status is; they are not subject to Labor Law, but to the Civil Service Law, which is the Law of the Republic of Indonesia Number 43 of 1999 on the Principles of Civil Service *in conjunction with* the Law of the Republic of Indonesia Number 5 of 2014 on State Civil Officer. KOPBUMI as an organization of migrant workers, including most migrant workers who also work as domestic workers in foreign countries, is certainly no different with the domestic workers in the country. Both are distinguished only by the country where they work.

**3) In a Public Hearing session (RDPU) between the Special Committee (Pansus) of Indonesian House of Representatives (DPR-RI) with NGOs and observers of women and children.**

Of all NGOs and observers of women and children (LBH APIK, Solidarity of Women, National Commission for Women, Indonesian Children Care Forum, Indonesian Institute for Child Advocacy, Indonesian Child Labor Prevention Network (JARAK), National Commission for Child Protection Committee and the Secretariat of the ILO in Jakarta), which were invited in the Public Hearing, noone examined, made suggestions or discussed about domestic workers in the country. Though they examined, discussed and gave suggestions about migrant workers that they thought a separate law should be made regarding the complex problems of migrant workers. It is actually reasonable; because migrant workers are in very bad conditions with various cases happened to them, but do the domestic workers in the country also suffer the same bad fate as the migrant domestic workers (TKW)? The fact is of course not just happened that way, but it is the legislators because of certain interests. Then, the format built in this public hearing forum was directed to examine what has already been included in RUU PPK. It shows a deliberate disregard of the law makers to make denial of the status of domestic workers who work in the country.

Based on the above facts, it can be concluded that, the basis of political interest built into the reality of the Labor Law as the order of donor institutions who in reality have never used the perspective of gender equality and Women Rights is a strong influence in the process of making this Labor Law. Domestic Workers who work locally including migrant workers, most of whom are women, equally become the victims of this labor policy. In other words, domestic workers who worked in the country and migrants workers (TKW) both become the victims of the political interest of patriarchy- capitalism based in different treatments. Capitalism does contribute in building exploitative perspective against women, which was adopted by various regulations and social institutions, including the state regarding the status and the roles to be played by women. The reality constructs and makes the culture of women exposed to a culture of "mute" and becomes the justification for capitalists to exploit upon women, including female domestic workers, with a mindset which is certainly less humanistic and tends to be patriarchal.

Maria Mies in her article entitled *Patriarchy & Accumulation on a World Scale: Women in the Internasional Division of Labour* argues that domestic work imposed on women is a capitalist strategy in creating workforce or free labor. The face of the primitive accumulation of global capitalism has made women as the main victims and makes marginalization of women, especially in the third world, to enter subsistence

working area, such as being Domestic Workers. Capitalism does not consider household work as work. Ironically, capitalism, along with patriarchal, has succeeded in reconstruct the mindset that domestic work is the nature of women and becomes the natural attributes of the physical and personality of women, basic needs, aspirations, and even comes from the basic character of women. Capitalism also glorifies family as a 'private world which is perpetuated by the fact that domestic work is charged to each family and not the state (Maria Mies, 2007: 268-275).

Actually the contributions given by Domestic Workers are enormous because almost all households from mid-level to upper-level need them. Domestic workers play an important role to ensure the maintenance and functioning of households and the welfare of their members since they can replace to finish household works. Domestic Workers allow household members to enter and remain in labor market and stimulate productivity so that they indirectly affect national economic growth. The assumption is that, by running all household duties and the care of household members (children, elderly, the sick, the disabled, etc.), domestic workers provide vital services for men and women of the household owner to have their jobs outside the home. The home services and care if handled by providers (laundry, catering, childcare, nursing homes, and so forth) would cost much more cost than the wage of a domestic worker. Therefore, household workers play an important role in the functioning of household and the welfare of its members because of the diversity of functions and high level of responsibility (Oelz Martin, 2006: 28). However, a number of facts describes that the economic and social value of the existence of the domestic workers are often or indeed "deliberately" not taken into account by people even the state which is, in fact, patriarchy-capitalist.

Patriarchal ideology constructed by gender relations based on male power and interests has always ignored female interests, including the perpetuation of gender inequality (Mansour Fakih, 1999: 37). Gender inequality is potentially harmful to the segments with no comparative and competitive advantages in relationship dialectic. The manifestations of gender inequality are: the ongoing of exploitation, violence and discrimination structurally and systemically in various fields and scope, including the fields of law (Tommy F. Awuy, 1995: 11).

According to the legal thought of feminists, the denial of women in law occurs because law is informed by men, and it is aimed to strengthen patriarchal social relations (Sulityowati Irianto et al (Editor B. Rahmanto), 2007: 354). Edwards asserts: "*... to examine law's claims, law's essentialism, law's masculinism and exclusion of women...(in order to) render masculinity, masculinism, structure of patriarchy – heterosexism as open to account and challenge...(for) the inexorable fact remains that law is holistically, root and branch, viscerally, temporally male.. ...*" (Susan Edward, 1998: 96). The statement shows how limited a generally applicable law to reinforce the social function between men and women. Law is also described only as a tool to assert the existence of patriarchal system in a society, symbolic rules full of male rules and expressed in masculine language and ways of thinking that lead to repeated suppression to women. Therefore, unaccommodated domestic workers who are mostly women who work in the country in the process of the Labor Law Draft discussion, is one kind of structural oppression upon women committed by the State, which in this case was conducted by the legislators of the Labor Law.

Moving on from the thoughts above, there are three things that can be put forward to describe the conditions occurred to domestic workers in the politics of legal labor, i.e.: a) the fact that law is a political product and law can not be isolated from the



context in which the law exists because in reality behind every legal product there are hidden political intentions (Roberto M. Unger, 1999: XVI -XVII). It means; the non-recognition of the legal status of domestic workers in the Employment Law occurs because of the political interests of the legislators. b) Domestic Workers are the victims of employment politics based on capitalism vis-à-vis patriarchy, so legally they are not considered as workers/ laborers. Their works are not considered as works and also considered natural because they are usually done by women in everyday reality in domestic area. c) The absence of the state role to protect the rights of domestic workers because they are not considered contributory in boosting the country's economic growth.

#### **4.3. The legal implications to the rights of domestic workers in employment relationship.**

The Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower which does not recognize the legal status of domestic workers as workers/ laborers brings fundamental implications to their rights in working relationship. The implications are:

##### **1) Do not get the guarantee of legal protection.**

Legal protection is a protection using legal tools or a protection provided by law and addressed to particular interests by getting the protected interest into a legal right (Harjono: 2008, 373). Legal protection is the right for all citizens of Indonesia assured by Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia. Article 28D (1), reads: "*Everyone has the right to fair recognition, security, protection, and certainty of law and equal treatment before law*". The article can be interpreted that, the recognition, security protection and legal certainty are the rights of every person including Domestic Workers who are commanded expressly by the constitution of the State of Indonesia. Therefore, the non-recognition of the legal status of domestic workers in Indonesia as workers/ laborers by Law No. 13 of 2003 concerning Manpower, automatically they also do not get the guarantee of legal protection of the Labor Law. This is contrary to the 1945 Constitution of the Republic of Indonesia, as the Constitution of the Republic of Indonesia.

##### **2) No legal reference in making employment agreement.**

Law No. 13 of 2003 concerning Manpower which does not provide protection to domestic workers, coupled with the lack of specific regulations governing them, results in the absence of a standard reference of guiding an agreement to be made, when someone will employ domestic workers. In fact, the relationship built, in the reality between a domestic worker and an employer as a work giver, does not use an employment agreement and, if available, it is carried out with oral employment agreement; and it is only in employer's perspective. Besides, employment agreement (in writing) is important, not only for domestic workers, but also for employers. Employment agreement (in writing) does not only give assurances as to their rights and obligations, but also can be used as evidence when one of the parties breaks his promise.

The chronology of employment agreement practice between employers and Domestic Workers in Indonesia is: first, a candidate of female maid is offered by a friend, neighbor, relative, or broker (unofficial suppliers) to work as a domestic worker in the house of a prospective employer. Second, at the first meeting with the employer, there is no special talk or information from the employer regarding the types of work, the wage and other rights to be obtained. Employers usually only ask for your name and origin. Regarding the type of work, wages, and other rights to be obtained are considered by employers that they have been known each other, and most domestic workers do not ask. If there is an agreement made by the two, and even then made orally, and it is certainly not in detail as a formal employment agreement because they usually only talk about the types of jobs and wages that have been determined unilaterally by the employer and the worker must approve it. Third, when the work starts and it turns out that the domestic worker does not like the kind of work, wages or other related rights or the employer's treatment, so they cannot stand. The domestic workers in Indonesia will usually leave home and not come back or become the domestic workers in other families. This often happens normally; domestic workers return home at a great feast of religion, and it is used by them not to return to their old employer, and the employer will

look for a new and better one (According to the interviews with several domestic workers in Indonesia located in Central Java; in Pekalongan, Pekalongan, Kudus, Rembang and Semarang, from October to December 2013).

The reality shows that, in the absence of agreement (in writing), on one side it harms domestic workers related to their rights that could have been ignored by employers. On the other hand, it is also detrimental to employers because domestic workers at times can suddenly leave home for various reasons, or even go without saying goodbye to employers. If it occurs, the employer's rights must also be harmed, especially if the employer is a woman working outside her home so that she would be bothered by this problem and could not take any action as the effect of the absence of employment agreement.

### **3) Violation of the Rights to Wages.**

The violations of the right to wages that often occur in the reality of employment relationship between employers and domestic workers in Indonesia, for example: low wages. In some cases, it is not even paid. The absence of regulations governing the wage for domestic workers result in their standard wages are calculated based on the average wage generally applicable in communities around the employer surroundings, employer's economic capacity, the willingness of the employers and the employer's perspective.

Based on the research results conducted by Keppi Sukei in Malang, East Java (Indonesia) in 2008, the wages of the domestics workers ranged from IDR 300,000 to IDR 500,000 per month, or below the minimum wage of Malang which was, in 2008, IDR 770,000 (Keppi Sukei: 2008, 23.). the survey results of Eni Musliha to 40 respondents in 2013 in Bandar Lampung, the amount of female domestic worker's wages in Bandar Lampung was, on average, IDR 450,000 to 750,000 for those who live in private homes, while those who do not live in private homes got around IDR 175,000 to IDR 350,000. In Yogyakarta, the survey results of Domestic Workers Protection Network (JPPRT) obtained the average wages of the workers were from IDR 400,000 to IDR 700,000 per month, but there were some who were still hired only for IDR 200,000 per month.

The writer's interview results with several Domestic Workers and employers in Central Java (Indonesia) shows that, on average, their wages were IDR 300,000 to IDR 500,000 per month. The wage may be higher or lower depending on the area where the domestic workers work, experience and skills of domestic workers and based on employers' kindness. For example, in Pekalongan city and Pekalongan regency with the conditions of different areas, the amount of the average wage for domestic workers was also different. In Pekalongan regency, it was from IDR 300,000 to IDR 400,000 per month, while in Pekalongan City it was from IDR 300,000 to IDR 500,000 per month. It is also applicable in the region of Central Java such as: Kudus and Rembang. Even in Rembang, there were still many of them paid IDR 200,000 per month. The reasons of the employers when asked about the low wages were the type of work was not hard and just helped to do household works mostly done by the employers, and all the facilities had been available and there were not many family members. Ironically, in Tegal, Central Java, there were domestic workers in the wage of IDR 175,000 per month, while in Semarang city, as a provincial city, the average wage ranged from IDR 400,000 to IDR 500,000 per month. For some families, some paid IDR 600,000 to IDR 750,000 per month, taking into account the skills and experiences of the domestic workers. For example, the Domestic Workers had the experiences working in a big city like Jakarta, Bandung, and Surabaya, and they have parenting skills, how to use technology-based household appliances and others required by the employers (According to the interviews with several female domestic workers and employers in some regions of Central Java in

Indonesia, from October to December 2013). The wage conditions mentioned above, when compared with the Minimum Wages (UMK) in each region per month in Central Java in 2014, the average wages of the domestic workers in Central Java ranged from 30% to 50% lower than the Minimum Wages in the region.

In addition to low wages, the other case affecting domestic workers in Indonesia was; their wages were not paid regularly every month or owed by their employers, even in some cases, most of them were not paid. This was supported by the National Network for Domestic Workers Advocacy (Jala PRT) in their report stating that, of the various cases assisted by them in the period of 2011-2012, a total of 273 cases, 191 or 85 percent were the cases of wages owed by various ranges of time ranged from 2 months to 3 years. The case of the non-payment of wages of domestic workers in Indonesia published was the case of Asmain (a domestic worker) who demanded the payment of her wage for 7 years (from 2004 to 2011) through her lawsuit in East Jakarta District Court against Ely Sein in 2013. The other case was the torture of 17 female domestic workers in Indonesia involving a retired police officer (MS) in Bogor city in 2014. According to Yul (19), one of the victims of the domestic workers, they were isolated and abused, and they were also not paid by their employers for 3 months (showbiz.liputan6.com., accessed on March 23, 2014).

#### **4) Long working hours.**

Domestic Workers in Indonesia, in fact, do not have the limits on working hours, or their working hours are likely 24 hours a day. For example, it was experienced by Siti (20), a domestic worker who worked in Pekalongan city, Central Java, Indonesia. According to Siti, from the beginning she came to work, she was not given the information about the works to be done so that almost all her employer's houseworks were done by her. Her employer's house was very large employer with a very large yard, and even her male employer was also ill. It required Siti to wake up at 4:00 am. After performing Fajr prayer, Siti directly prepared breakfast and made drinks for the family members of her employer, washed clothes and prepared water for bathing her sick employer, washed dishes, swept the floor of a very spacious front yard and cleaned the bathroom. Mopping the floor was done by Siti every 2 days, but the house was so big. Certainly, it took a long time and tiring. At 10:00 am, Siti's morning works were just completed, and still had to prepare lunch and then ironed the clothes of her employer. The exhausting work was usually just finished at 14:00 or 14:30 pm. In the afternoon, Siti still had to wash the dishes again, swept the floor and yard again, watered the plants and prepared water for bathing her employer. After the Maghrib prayer, Siti still prepared dinner and usually only rested at 20:00 pm and had to be ready at all times to be awakened by her employer if necessary. Moreover, every Sunday, the children and grandchildren of her employer stayed in the house so that Siti's working hours were longer than week days. (Interview with Siti, a Female Maid in Pekalongan, dated on December 6, 2013).

Long and tiring working hours as experienced by Siti was beyond the standard working and rest time. According to Article 77 paragraph (2) of Law No. 13 of 2003 on Labor, the standard working hours are 7 hours in 1 day, 40 hours in 1 week, and 6 working days within 1 week; or 8 hours in 1 day, 40 hours within 1 week, and 5 working days within 1 week. Article 79 also sets the standards that include rest time, the break between working hours, at least half an hour after working for 4 (four) hours continuously and the rest time does not include working hours; weekly break is one (1) day for six (6) working days within 1 (one) week or 2 (two) days for five (5) working days within 1 (one) week. The rest time, when used for work, is counted as overtime and entitled to full wages. However, because the rule applies only to workers/ laborers in formal sectors, it does not apply to domestic workers so that they continue to experience working conditions in long working hours.

#### **5) Heavy Workload.**

In general, Domestic Workers in Indonesia have to do all employer's houseworks, such as: cooking, washing dishes, washing clothes, ironing, mopping the floor, cleaning the house and the furniture, cleaning the yard, washing the car, shopping, caring babies and children, caring elderly, caring the sick, taking, picking up and/ or

waiting for children to school, keeping the house, cleaning the bathroom and others. Heavy workload occurs because there is no clear job description provided by employers to domestic workers, so all the houseworks become their workload.

Ironically, the heavy workload that must be borne by domestic workers is considered as normal and common in Indonesian society. In fact, if there is an agreement with a clear job description and agreed upon by both of them, it will not happen to them. The culture built by the community for a long time along with the absence of legal regulations that protects them seems to be the fortitude that they really should be treated as such.

#### **6) Do not get free time.**

In Siti's case as above, it indicates that she did not get the time off. Even, on Sunday she had to work harder than week days because on every Sunday her employer's children and grandchildren came and stayed in the house. This is actually not a problem, if the working hours are calculated in pro rata of 1 day off in 1 week. When the free time set is used for work, it is counted as overtime. For example, the working hours are calculated 7 hours in 1 day which means 40 hours in 1 week for 6 working days within 1 week. This means that, within 1 week, a domestic worker can enjoy the free time at least 1 day off with full pay, and when the working hours exceed, the working hours are then calculated as overtime. In fact, the majority of domestic workers in Indonesia do not get the day off. This is confirmed by the survey results conducted by Rumpun Gema Perempuan and Rumpun Tjoet Nyak Dien in 2008 in Tangerang, Bekasi, Depok and Kemuning (Pasar Minggu) in Jakarta to 520 domestic worker and child domestic workers. It shows that 55% of the respondents did not get a day off every week (ILO Jakarta, 2008: 8).

#### **7) Do not get the right to leave**

Leave is essentially the time provided to workers to take a rest given by employers as a compensation for the work carried out and they still have to pay the workers' wages. Each worker/ laborer who works for 12 (twelve) months continuously gets the right to annual leave of at least 12 (twelve) working days and must still earn wages (Article 78, Article 79 and Article 84 of Law No. 13 of 2003 on Labor). Leave entitlement also applies to workers/ laborers who give birth under the provision of the rest time for 1.5 months before giving birth and 1.5 months after delivery. For those who miscarry, they are entitled to 1.5-month leave or in accordance with a doctor's recommendation (Article 82 and Article 84 of Law No. 13 of 2003 on Labor).

However, the above provisions do not apply to domestic workers in Indonesia. Based on the interviews with domestic workers and employers in Indonesia, they did not get annual leave entitlements, but they only got Eid holidays. For maternity leave, it was rarely given because most employers in Indonesia would not accept pregnant domestic workers to work and stay at home. The domestic workers, who work with the system of "pocokan" or part-time, were usually still hired by employers despite being pregnant with certain consideration. For example, they had long worked in their homes, diligent, good work, still strong and healthy, and they fit with the maid. The granting of birth permit for domestic workers with the part-time model is not with the consequence of wages. It means that female domestic workers who work in part-time system, when giving birth, are not be adequately compensated by their employers during their absence from work (the interviews with several employers in Pekalongan city, dated on 3 November 2003).

Regarding the reality above, it can be concluded that so far the right to leave does not apply in reality for domestic workers in Indonesia, and the birth permit in reality is not as a leave since a leave essentially is the time off given to workers by employers as the compensation for the work performed, and still pay the right to wages which is the rights of workers.

#### **8) No right to safety and health.**

Domestic Workers in Indonesia do not get the guarantee to occupational safety and health because the works they do are not regarded as hazardous and dangerous jobs. Therefore, as long as household is not recognized as a workplace, the guarantee of health and safety for them will be difficult to obtain.

### **9) No right to social security.**

Social security right is a fundamental right for all citizens of Indonesia including domestic workers guaranteed by the Constitution, in Article 28H paragraph (3) and Article 34 paragraph (2) of the 1945 Constitution of the Republic of Indonesia. However, in reality, domestic workers do not obtain social security right as amended by the constitution. The legal status of domestic workers is not recognized as workers/ laborers, and it is frequently the reason for not providing social security for them.

### **10) No right to freedom of associaton.**

Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia reads: "*Anyone has the right to freedom of association, assembly and expression*". The phrase "any person" indicates that the right to freedom of association, assembly, and expression is a fundamental right of all people without exception including domestic workers. Limiting the freedom of domestic workers to be in organization is considered as violating Human Rights as well as the constitutional rights of citizens. This is confirmed by the Law of the Republic of Indonesia Number 18 of 1956 on the ratification of ILO Convention No. 98 of 1949 on the Right to be in Organization and Mutual Negotiation.

Whatever performed by Domestic Workers who have been in domestic area, which is considered as a private area with a very strong predominance of employers, must be with their employer's permission including in an organization. Being in organization for domestic workers is a strange thing for the people of Indonesia, even it often sounds as a term that tends to have the connotation of demeaning and belittling them, such as the term of PBB which means "Persatuan Babu-Babu" (the United Maids). Indonesian people still think that joining an organization is the right of educated ones and domestic workers who are considered uneducated do not have it.

Based on the experiences of various domestic worker organizations, they could not easily organize and / or recruit domestic workers to be invited to organize (Eko Bambang Subiyantoro: 2005, 101-109). The experiences of Domestic Worker Organization (Operata) and the Domestic Worker Union of Tunas Mulia in Yogyakarta city shows that they got opposition from their employers. Yuli Maiheni as a pioneer for domestic workers to organize eventually founded Operata and the Domestic Worker Union of Tunas Mulia in Yogyakarta. Heni (the nickname of Yuli Maeheni), the chairman, had a lot of experiences when organizing her fellow domestic workers. The constraints did not only come from employers who booed and were cynical about the existence of the domestic worker organization, but also from the community in general.

### **11). Experiencing exploitation and violence.**

According to JALA PRT, during the year of 2012-2013, there were 653 cases of violence against domestic workers successfully monitored by the institution through a variety of media and advocacy they did. The cases reported were usually only severe cases of violence and the ones reported them were usually not the domestic workers themselves. Some cases successfully reported by the media ([detikNews](http://detikNews) and [www.tempo.co/read/news/2014/02/23/](http://www.tempo.co/read/news/2014/02/23/) accessed on 4 April 2013), related to violence against domestic workers in Indonesia, for example:

- a. The case of Marlana (18 years old), a domestic worker in Surabaya tortured by her employer's family (totaling 6 people) until her foot bled and was almost rotten. They tied Marlana with a dog leash and forced her to sleep with their dog and ate human feces. The torture was carried out starting in December 2010 and uncovered in May 2011, when Tan Fang (her employer) reported Marlana to Polrestabes to Surabaya on the charge of jewelry theft worth IDR 1 billion. The Police were suspicious with Marlana's physical condition, so they investigated Tan and revealed Marlana's inhuman torture.
- b. Yati (24), a domestic worker from Sukabumi abused by her employer because she was considered not to be able to do houseworks by her employer. Yati was tortured for one (1) year with no apparent reason; even her employer punched and kicked her until she fell down when Yati was mopping the floor.
- c. Kasanah (20), a resident of Demak, Central Java, became a victim of a torture by her employer in Semarang, Central Java. The Domestic Worker was hit with a cast iron by her employer until she had a fractured hip bone and she was paralyzed only because she was considered incapable of ironing.

These cases are just some of many cases reported by the media because there are still many other cases which

are not presented here. In addition to the cases of abuse by their employers, domestic workers are also vulnerable to be the objects sold by their "bad" agents of domestic worker agency by employing them from place to place. The employers, who took domestic workers from domestic worker agencies, must pay a sum of money from IDR 250,000 to IDR 400,000. One domestic worker recruitment agency in South Jakarta even required their workers to give 20% of their monthly pay as long as they were under the auspices of the agency, with the provisions of 20% during the first two years, 15% for the third year, 10% for the fourth year, and 5% in the fifth year. This agent also required domestic workers, while waiting for placement, to pay IDR 1,000 per day. The reason was to pay the cost of training, whereas the domestic workers had paid the money before getting their training (Endriana Noerdin: 2006, 151-152).

Those various cases were only a few and only the ones reported and/ or monitored by the media. Therefore, the cases of violence against domestic workers are like an "iceberg". It means that the number of domestic workers who had suffered violence, certainly, is much more than publicly known.

#### **12) No legal certainty to the access of dispute resolution.**

Domestic Workers in Indonesia do not get access to the settlement of employment relationship through the industrial courts established by the Law of the Republic of Indonesia Number 2 of 2004 on the Dispute Resolution to Industrial Relationship. This condition does not affect the settlement of the crimes happened to those who worked in domestic area, which is regarded as private sphere, so that outsiders should not interfere the affairs of the household, who is regarded as private area, then a lot of violences against domestic workers are only considered as minor crimes and the process stopped the Police.

Various facts related to the fulfillment of the rights of domestic workers, as mentioned above, would hurt the sense of justice for domestic workers. Therefore, the recognition and specificity regarding the legal status of domestic workers in Indonesia are required. On the other hand, they also need legal protection, in order to ensure legal certainty, so that their rights are always protected and they are free from all kinds of discrimination, exploitation and violence.

#### **5. Conclusion**

The Law of the Republic of Indonesia Number 13 of 2003 on Manpower does not recognize the legal status of domestic workers in the categories of workers/ laborers, so they do not automatically get the legal protection of the Labor Law. In other hand, they meet the criteria as stipulated in Article 1 paragraph (3) of Labor Law and also meet the elements that characterize employment relationship, such as the elements of work, wage and order. The legal fact is caused by interest factors (political and economic) of the legislators of the Labor Law, with the mindset based on patriarchy-capitalism. It has the implications for the rights of domestic workers in employment relationship, i.e.: 1) do not get the guarantee to legal protection; 2) there is no reference in making employment agreement; 3) low wages, even unpaid; 4) long working hours; 5) a heavy workload; 6) do not get the time off; 7) do not get leave entitlements; 8) do not have the right to safety and health; 9), donot have the right to social security; 10), do not have the right to freedom of association; 11) suffering exploitation and violence in physical, emotional, economic, sexual and even; 12) there is no certainty of access to dispute resolution.

#### **References**

- Abdul Rachmad Budiono (2011), *Hukum Perburuhan*, Jakarta: Indeks, p, 9-32.
- Abdul Kadir Muhammad, (2004), *Hukum dan Penelitian Hukum*, Bandung : PT. Citra Aditya, p 51.
- Arsip Dokumentasi Setjen DPR RI,(2008), *Risalah Proses Pembahasan Rancangan Undang-undang Republik Indonesia Tentang Ketenagakerjaan*, Jakarta: DPR RI, p.158-161and 201-202
- Asri Wijayanti,( 2011), *Mengugat Konsep Hubungan Kerja*, Bandung: Lubuk Agung, p. 12 -23.
- Darwan, (1994),*Hukum Ketenagakerjaan Indonesia-* Buku Pegangan bagi Pekerja Untuk mempertahankan hak-haknya, Bandung : Citra Aditya, p.67.
- Eko Bambang Subiyantoro (2005),” Yuli Maiheni: Matahari Pekerja Rumah Tangga” , dalam *Jurnal Perempuan* Nomor 39, p.101-109
- Endriana Noerdin, (2006) “Situasi Pekerja Rumah Tangga di Indonesia”, dalam *Bunga Rampai Potret Kemiskinan Perempuan*, Jakarta: Women Research Institute, p. 151-152.
- Harjono, (2008),*Konstitusi Sebagai Rumah Bangsa*, Jakarta :Penerbit Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi, p.373.
- ILO Jakarta, ( April 2010) *Edisi khusus tentang Pekerja Rumah Tangga*, p.5- 11

- Imam Soepomo, (1987) *Pengantar Hukum Perburuhan*, Jakarta: Djambatan p, 26
- Keppi Sukezi (September 2008) “ Pekerja Rumah Tangga : Masalah dan Solusi Pemberdayaan” dalam *Jurnal Nabila Pusat Studi Wanita Universitas Muhammadiyah Yogyakarta Nomor 2*, p. 23.
- Mansur Fakhri, (1999), *Analisis Gender dan Transformasi Sosial*, Yogyakarta: Pustaka Pelajar, p.36-37
- Maria Mies, “ Patriarchy and accumulation on a world scale – revisited (Keynote lecture at the Green Economics Institute, Reading, 29 October 2005)” in *Int. J. Green Economics, Vol. 1, Nos. 3/4, 2007*, page, 268-275
- Martin Oelz, (2006), *Penjelasan Singkat Kebijakan 1 tentang Pengupahan Pekerjaan Rumah Tangga*, Jakarta, ILO, p.28
- Roberto M. Unger, (1999), *Gerakan Studi Hukum Kritis*, Edisi Bahasa Indonesia, Jakarta: Lembaga Studi dan Advokasi Masyarakat (ELSAM)), hal XVI – XVII.
- Soetandyo Wignyoebroto (2012) “ Hukum yang Tak Kunjung Tegak: Apa yang Salah dengan Kerja Penegakan Hukum di Negeri Ini?” dalam *Bunga Rampai Komisi Yudisial Republik Indonesia*, Jakarta: Sekretariat Jenderal Komisi Yudisial Republik Indonesia, p .10
- Sulistiyowati Irianto, dkk (Editor B. Rahmanto), (2007), *Perdagangan Perempuan Dalam Jaringan Pengedar Narkotika*, Jakarta: Yayasan Obor Indonesia, p . 354
- Sunaryati Hartono (1994), *Penelitian Hukum di Indonesia Pada Akhir Abad ke- 20*, Bandung: Alumni, p.105
- Susan Edward, (1998), *Sex, Gender and Legal Process*, London: Blacksto, p. 96
- Tommy F. Awuy, (1995), *Wacana, Tragedi dan Dekonstruksi Kebudayaan*, Jakarta: Jantera, p. 11.
- The Republic of Indonesia. The 1945 Constitution
- The Republic of Indonesia. Law Number 13 of 2003 concerning Manpower (State Gazette of The Republic of Indonesia in 2003 Number 39, Supplement to State Gazette Number 4279).

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