

# Year report FNV Mondiaal

Indicators of Decent Work, Trade Union Strengthening and Sustainability

Report 2010

**Country: INDONESIA**

**Date: 30 JANUARY 2011**

This report should be filled in from a country perspective; only those DW objectives will be addressed that are indicated in the country grid (see annex).

Names of the FNV Partner organizations active in country (please include names of GUF affiliates involved as well) over the report year.

Labour NGO's:	Central:	Trade union (mention also GUF to which affiliated):	Membership based organizations:	Other (network, university, NGO):
-	-	FSPMI (IMF)	-	-
		Kahutindo (BWI)		
		FSBNI, FSPM (IUF)		
		FSP KEP (ICEM)		
		Farkes Reformasi, SP PLN, SP AP1, SP PDAM (PSI)		
		KPI, IKAGI, SP JICT, SPKA, STDA SBSI (ITF)		
		SPN (ITGLWF)		

## Decent work

If any, describe at least 3 examples of significant actions by partner organizations as a result from projects that have been supported by FNV over the past year? Please use the format below and indicate clearly under which DW-objective you classify each example. (for orientation see annex for country grid and description of the DW objectives)

### **Trade union action/actions of partner organisations**

Example 1 – IUF and the union struggle at Nestle plant

DW objective	DW2 – right to organise and collective bargaining
Name of partner organisation	Nestle Panjang Union (SBNIP), Lampung province affiliate to Indonesian Nestle Unions Federation (FSBNI) member of IUF
Sector	Food – 'Nescafe'
Type of action:	Mass action/demonstration and public/international campaign on the trade union rights. The case was started by the rejection by the Nestle management of the proposal by the Nestle Panjang Union (SBNIP) on wage scaling in the collective bargaining. Instead of going to the negotiation table with the union, the management asked for verification of union's membership by the Manpower Office, which then released an annulment of the union's registration and thus their right to negotiate.
- strike	-
- demonstration	During the negotiation processes, the SBNIP members wore red shirts with letters saying: 'GOOD FOOD, GOOD HEALTH, STRONG UNION, SAFE JOB, SAFE ENVIROMENT'; with black bandana saying: 'Unity is Power'; which attributes are still used by SBNIP members till present. Later on 15 workers came to Jakarta to launch a demonstration in front of Nestle headquarter and submitting a letter to the Minister of Manpower.
-recollection of signatures	Joint signature to reject the company's establishment of a company union (FBKNI) at Nestle Panjang; and a protest letter to the Ministry of Manpower due to the annulment of the SBNIP's union registration number. Later, on June 1, 2010, European Nestle Workers Council, consisted of twenty Nestle unions around Europe, after a meeting in Geneva, Switzerland, sent a joint statement demanding Nestle to stop the union busting practices at the Panjang plant to Nestle CEO, Paul Bulcke.
-writing letters to politicians	-
-other:	International campaign on the issue was also launched to all Nestle workers around the world, who then responded by various demonstration and solidarity actions around the world:  1. On June 22, 2009, ten representatives of Malaysian union demonstrated in from of the Nestle Panjang plant supporting the SBNIP.  2. the New South Wales unions in Australia, held a demonstration 30 August 2010 in front of Nespresso shop in the centre of Sydney.  3. Members of the Hotel Trades Council, a union that

	<p>represents 30,000 hotel and restaurant workers in New York, rallied at the Nespresso café boutique on 5th Avenue in solidarity with Nestlé workers in Indonesia on October 5, 2010.</p> <p>4. On October 7th - the World Day for Decent Work, a group of trade union activists and supporters from UNIA, Switzerland's largest inter-professional union, put up banners and handed out leaflets in front of the Nespresso shop in Geneva in support of the Nestlé Panjang workers' struggle for trade union rights.</p> <p>5. UK trade unionists were protesting outside the Nespresso Café in London's Knightsbridge on 13 October, 2010. The demonstration is part of a global campaign, revolved around widespread concerns over the treatment of Indonesian workers at Nestlé's Nescafé factory in Panjang.</p> <p>6. On November 26, 2010, in solidarity with Indonesian SBNIP union, group of workers' activists from food division of "Solidarność" distributed 500 leaflets in front of one of the supermarkets in Krakow, Poland. Customers of supermarket center LIDL, which sells and promote Nescafe, were informed about conflict at Nescafe plant in Indonesia, where Nestle management almost for three years have been denying the SBNIP union the right to collective bargaining.</p> <p>7. IUF-affiliated locals of the Agro Industrial Workers Union and Confederation of Labour of Russia visited the brand new Nespresso boutique in Moscow. With the picket, they expressed their support for Indonesian Nestlé workers united in the SBNIP union, and their demand to fully recognise SBNIP collective bargaining rights at the Nescafé plant in Panjang, Indonesia. During the one-hour picket, the activists collected signatures for a petition which was then handed in to the manager of the boutique.</p> <p>All these actions were to complete a series of international actions by the union and its affiliate previously: in 2008, the SBNIP Panjang together with the IUF reported Nestle Panjang to the Committee of Expert of the ILO. In November 2008, SBNIP and IUF similar report was sent to the Switzerland government due to violation of the OECD guideline, especially the violation of the ILO Conventions No. 87 and 98.</p> <p>The union also organised action to reject the one sided policy of the management on wage scaling by returning the wage increase in April, May and June 2010 with coins and small change to the management.</p>	
When was the action carried out	Month January - December	Year 2010
Who else participated in the action	<p>In Lampung Region:</p> <p>KPBL, SPKMF, SPMSL, SBPSI, SBMUJ, PPPGL, SP CPB, SP Sheraton, ABM Lampung, KBH Lampung, SMI, AJI, FPR, AGRA, FMN</p>	

	<p>National: SBNI Cikupa, SBNI Kejayan, SBNI Gempol, FSPM, FPBJ, GSBI, ABM, KASBI, SP BAngo Unilever, SP Arnott, FES, TURC, AJI Indonesia, SP Sari HUsada Yogyakarta</p> <p>International: IUF, FIEU (Malaysia), CNWU (Philippine), UNIA (Swiss), KCTU (Korea), Nestle Korea Labour Union, HKCTU (Hongkong), AMWU (Australia), Food Renggo (Japan), LIVS (Swedia), Nestle Chile, Nestle Goa and Nestle Ponda (India), Nestle European Works Council, Norwegian Unions, Hungarian Meatworkers, Nestle Tunisia, SINDALIMENTA (Romania), Uruguay Nestle Workers, Ukrainian unions, The Russian Confederation of Labour, The Trade Union of Automobile Industry Workers, National Union of Workers of Nestle Peru, Nestle Workers Union San Fransisco, National Executive Committee of Food and Allied Workers Union FAWU (South Africa), Nestle Germany Works Council, BCTGM (USA), Australian unions in the state of New South Wales led by Union NSW.</p>		
Number of people involved (distinguish between men and women)	<p>Total</p> <p>96 workers at Nestle Panjang (<i>workers in the factory 304, with 194 permanent workers, 20 contract workers, and 90 outsourced), plus hundreds of workers around the world</i></p>	Men 96 workers	Women -
Describe the beneficiaries (in terms of gender, ethnic origin, age, etc.)	Apart from the 96 workers of Nestle Panjang, the case also give Nestle Unions Federation a joint campaign and struggle, regardless of the company efforts to divide them.		
What makes you or the FNV partners say the action has been successful?	Despite the situation whereby collective bargaining at the company has not been established yet, the action is an evidence of international solidarity that has provided union leaders at the plant level an experience of international campaign against such a big company. As explained by Mr Eko, the chairman of SBNIP, because of the case he and his colleagues have learned about their rights and how to fight for that using the network and solidarity among workers around the world. He himself had been to Geneva together with the IUF to share about their struggle to international audience. This is an important step for generally weak unions bargaining position in Indonesia.		
Can you describe how FNV has supported the action	-		
Additional comments:	This is quite a typical struggle by independent trade union at the plant level in defending trade union and workers rights at the workplaces in Indonesia, particularly occurred after the <i>Reformasi</i> in 1998 that provide of the development of new independent unions in the country. While the Indonesian government seems to have 'accepted' unions existence (through the Trade Union Act No. 21/2000), the employers seem still reluctant in accepting the unions' role in the daily works of the workplace.		

**Reactions of government authorities (positive or negative)**

DW objective	DW2 – right to organise and collective bargaining		
Name of the government authorities involved	National -	Local Manpower Agency in Lampung Province and Bandar Lampung City	
Qualify the effects as:	Positive: no	Negative: yes	
Indicate the type of effects: - approval of new labour legislation	-		
- implementation of approved labour legislation	-		
- changes in existing labour legislation	-		
- other:	-		
Describe the major issues that are addressed through the acts of government	As a direct response to the Nestle company's demand the Manpower Agency in Lampung Province and Bandar Lampung City had again verified the membership of the SBNIP union and annulled its registration number. Although later on due to lack of factual support the Agency had reregistered the union it had caused the weakening of the morale of the union and its members.		
Name the principles of the policies that are formulated	-		
No. of people who will benefit from or are affected by this	Total 304	Men 284	Women 20
Describe if and how women will particularly benefit from this or will be affected	Women in the Nestle Panjang plant normally work in the managerial department and are not members of the union.		
Describe if and how persons in the informal sector will particularly benefit from this or will be affected	-		
Can you specifically describe how the pressure exercised through activities by FNV partners has influenced the behaviour of the authorities in this regard	The national and international campaigns about the case have directly affected the decision of the Manpower Agency's decision to re-register the SBNIP union.		
Additional comments:	Manpower Agency being used by company to suppress unions is not a typical case in Panjang, since there have been reports about similar situation in other regions, and particularly occurred since regional autonomy. There have been some efforts by the unions to stop the trends by, among others, promoting the importance of the implementation of labour inspection convention that has been ratified by Indonesia.		

DW objective	DW 2: right to organise and collective bargaining		
Name of the government authorities involved	National: Constitutional Court	Local: -	
Qualify the effects as:	Positive: partly	Negative: partly	
Indicate the type of effects: - approval of new labour legislation	-		
- implementation of approved labour legislation	-		
- changes in existing labour legislation	The Constitutional Court decision no. 115/PUU-VII/2009 that annulled articles 119 and 120 of the Manpower Law No. 13/2003 brought consequences that even small unions (less than 50 percent of workers in one enterprise support) have also rights to collective bargaining at the plant level.		
- other:	-		
Describe the major issues that are addressed through the acts of government	Based on the Manpower Law articles 119 and 120 only unions with more than 50 percent of workers' support can be parties in the collective bargaining. In the case of there have been more than one unions in one enterprise, it should get evidence of support from 50 percent plus one workers by signatures. The Constitutional Court annulled this and make possible any unions at one enterprise, regardless of the number of their members, join the negotiation process together with unions with bigger support. Such a decision maybe good for small unions, yet, it causes problems for the already bigger unions.		
Name the principles of the policies that are formulated	The rights of any unions to collective bargaining at the plant level.		
No. of people who will benefit from or are affected by this	Total 3,414,455 union members in the formal sector	Men: not available	Women: not available
Describe if and how women will particularly benefit from this or will be affected	-		
Describe if and how persons in the informal sector will particularly benefit from this or will be affected	-		
Can you specifically describe how the pressure exercised through activities by FNV partners has influenced the behaviour of the authorities in this regard	Because of this decision SBNIP at Nestle Panjang plant have even more narrow chance to negotiate with the Nestle management, since the company in response to the big campaign on Nestle misconducts had helped the establishment of new union, which did not get big support from the workers. This brought more difficulties in implementing the right to collective bargaining.		
Additional comments:	-		

**Reactions of companies/employers**

DW objective	DW2: right to organise and collective bargaining	
Name of company/ employer	Nestle Indonesia Panjang Factory, Lampung/Factory; Manager: Gilbert Sinamo	
What are the measures taken by the companies? Describe:	1. Rejecting to bargain with the registered union.	
	2. Facilitating fake union at the plant level to challenge the workers supported union.	
	3. Intimidation through unfair transfer and isolation to union officials involved in the collective bargaining team.	
Qualify the effect as:	Positive: no	Negative: yes
Type of company:	Y	
Multinational		
National	-	
Local	-	
Sector	Food; 'Nescafe'	
Number of fixed employees that benefit	194 workers	
Number of outsourced employees that benefit	90 workers	
% women employees	15%	
What are the factors that have influenced the company into taking these measures?	The company wanted that the wage raise policy to become company's so called 'prerogative right' without obligation to consult with the union.	
Can you specifically describe the influence of the pressure exercised by the FNV partners in this regard	Intimidation through unfair transfer and isolation to union officials involved in the collective bargaining team.	
Additional comments:	-	

**Example 2 – FSPMI and the Action Committee for Social Security (KAJS)**

DW objective	DW7 – social security
Name of partner organisation	FSPMI, with an alliance called the Action Committee for Social Security (KAJS, consisted of tens of unions and civil society organisations).
Sector	Metal & electronic sectors.
Type of action:	
- strike	It has been discussed that if the government and the parliament failed to fulfil their constitutional duties to implement social security reforms in 2011, with universal health care as the first target, a general strike shall be launched in May – June 2011.
- demonstration	Public campaigns and demonstration in various state's institutions, eg., the Presidential Palace and the

	Parliament's building, the Central Jakarta District Court and the Supreme Court.		
- recollection of signatures	Recollection of one million signatures supporting the demands through 'people's petition'.		
- writing letters to politicians	Submission of a position paper and alternative unions' draft on Social Security Provider bill to MPs and the government.		
- other:	Press conferences and media campaigns through leaflets etc.		
When was the action carried out	Month: March – December	Year: 2010	
Who else participated in the action	Tens of unions and mass organisations concern with social security implementation in Indonesia, coming from various confederations (such as KSPI, KSBSI and KSPSI) and federations (such as FSP KEP, Kahutindo, Lomenik, ASPEK Indonesia, etc).		
Number of people involved (distinguish between men and women)	Total: Estimated tens of thousand workers around Indonesia, in particular major industrial cities such as Jakarta, Medan, Semarang, Surabaya	Men: ?	Women: ?
Describe the beneficiaries (in terms of gender, ethnic origin, age, etc.)	The KAJIS campaign on the implementation of the National Social Security System Act No. 40/2004, especially health care, will benefit not only more than 30 millions workers in formal sector but also the whole population of Indonesia (around 230 millions) through universal coverage requirement of the system.		
What makes you or the FNV partners say the action has been successful?	Thanks to the series of actions organised by the KAJIS, whereby FSPMI is one of the backbones, the issue of social security as people's rights and government's obligation and responsibility as stated on the Indonesian constitution has become public discourse, despite the government negligence to implement the Social Security System Act No. 40/2004 on time. Also because of the pressures, particularly through a 'citizen lawsuit' at the Central Jakarta District Court, the President and the Parliament are now under pressure to push the reforms and the Parliament is now deliberating a new bill on the social security providers supposed to be finished in June 2011.		
Can you describe how FNV has supported the action	FNV has supported part of the big efforts, especially in media campaigns, through socialisation and consolidation activities in the regions and production of leaflets distributed to workers and other social groups such as the urban poor, peasants, etc.		
Additional comments:	With these actions, the Indonesian unions and workers start to learn their social roles as agents of change and democracy in the society. Through the growing alliances in the national and regional levels demanding the implementation of social security system, unions try to develop genuine unity among themselves while at the same time contribute to the public welfare.		

**Reactions of government authorities (positive or negative)**

DW objective	DW7 – social security		
Name of the government authorities involved	National: National Parliament	Local: Regional Parliament	
Qualify the effects as:	Positive: yes	Negative: no	
Indicate the type of effects: -approval of new labour legislation	There have been growing supports from local government and local parliaments evident by written support statements from various regions to the formulation of the social security provider's bill as implementation of the National Social Security System Law No. 40/2004. And later on the national parliament has formed a special committee to formulate the bill, which is due in December 2010 although later on it was extended to June 2011.		
-implementation of approved labour legislation	-		
-changes in existing labour legislation	-		
-other:	-		
Describe the major issues that are addressed through the acts of government	The most important part of the new bill is that it provides a legal basis to the implementation of the first universal health care system in Indonesia.		
Name the principles of the policies that are formulated	Universal health care system based on compulsory insurance mechanisms, whereby those who work should pay premiums together with the employers while those who don't work will get support from the government from the national budget.		
No. of people who will benefit from or are affected by this	Total: 237.6 million	Men: 119.5 million	Women: 118.1 million
Describe if and how women will particularly benefit from this or will be affected	Women will benefit since most of workers in manufacturing industries in Indonesia are women.		
Describe if and how persons in the informal sector will particularly benefit from this or will be affected	Informal sector will benefit as the law guarantees universal coverage for all people regardless of their background and status of works.		
Can you specifically describe how the pressure exercised through activities by FNV partners has influenced the behaviour of the authorities in this regard	These were direct responses to workers' demands that had been organised under the banner of KAJIS, sometimes with big media coverage, which in a long term would be good to position unions in the society in general.		
Additional comments:	There is no clear and solid position within the parliament concerning the importance of social security implementation in Indonesia, close monitoring and lobbying efforts from concerned civil society are necessary.		

### Reactions of companies/employers

DW objective	DW7 – social security	
Name of company/ employer	Indonesian Employers' Association (Apindo)	
What are the measures taken by the companies? Describe:	1. through tripartite institution the Apindo is quite supportive with the plans.	
	2. yet, there is still some reluctance since there is possibility of extra-costs from employers' sides if the system operates.	
	3. supporting the citizen lawsuit by KAJIS by agreeing to give testimony in court to support the suit.	
Qualify the effect as:	Positive:	Negative:
Type of company:		
Multinational		
National	Y	N
Local	Y	N
Sector	Various sectors.	
Number of fixed employees that benefit	-	
Number of outsourced employees that benefit	-	
% women employees	-	
What are the factors that have influenced the company into taking these measures?	They generally support the efforts, but they seem quite pragmatic and rather wait and see the development without really doing activities to ascertain the implementation of the National Social Security System law. The possibility of being part of the 'board of trustees' of the coming social security providers may be one reason of their willingness.	
Can you specifically describe the influence of the pressure exercised by the FNV partners in this regard	The FSPMI President, Mr Said Iqbal, is also member of the national tripartite forum, and there along with the Apindo representatives he often brings the issue on the table of meetings.	
Additional comments:	Mr Hasanudin Rahman, one of the chairpersons of the Apindo national, has agreed to give testimony on behalf of the Apindo to support the citizen lawsuit by the KAJIS at the Central Jakarta District Court.	

### Example 3 – Kahutindo and Criminalisation of Union Activist

DW objective	DW2 – right to organise and collective bargaining
Name of partner organisation	KAHUTINDO plant level union at PT San Yu Frame Moulding, Semarang, Central Java
Sector	Wood
Type of action:	PT San Yu (Taiwanese owned) in the last two years has often delayed the payment of monthly salaries of the workers, which according to Indonesian law is a legal violation. The Kahutindo union there, under the leadership of Ms Nurimah, then reported this to the Manpower Agency

	<p>in early 2010.</p> <p>Since then the union officials started to experience intimidation and other misconducts from the employer: almost all union officials got reduction of their salaries around Rp 50,000 – 100,000 (40 – 80 euros) per month; difficulties in conducting union activities; as well as harassments directly from the owner, who is a Taiwanese.</p> <p>At the peak of this conflict between the union and the employer, in June 2010 Ms Nurimah was reported to the police for a fight with a co-worker long before in 2006. She was then imprisoned in December 2010, and a court hearing was set. This was quite extraordinary for such small case for someone to be imprisoned, even in a country with problematic law enforcement like Indonesia. Later on, the worker who reported Nurimah, in court, said that she was forced to report her by the company; while Nurimah's family effort to get court's agreement to hold her outside the prison was denied. Only later with signatures of tens of union activists and local figures along with demonstrations in from the the prison and in courts during the hearings then Nurimah was released and able to go back to work.</p>		
- strike	On Januari 13, 2010 a strike was launched to protest the delays in paying the wages for operators workers that had occurred for two years, whereas the wages for management and the foremen were prioritized.		
- demonstration	In order to support Nurimah a union/labour activists alliance called 'Free Nurimah Solidarity' was formed, consisted of unions and labour NGOs and activists in Semarang region, took a demonstration in front of the prison where Nurimah was detained. A demonstration at the Court was also launched demanding the Judges to uphold the law and justice for Nurimah.		
- recollection of signatures	A recollection of signatures to support Nurimah was done by the alliance and gaining tens of signatures from social figures such as regional MPs, trade union leaders, etc. Thanks to this Nurimah was then released under guarantee of those who signed the petition.		
- writing letters to politicians	-		
- other:	A report was also filed to the Judicial Commission in Jakarta to monitor the court where Nurimah was brought.		
When was the action carried out	Month: June - December	Year: 2010	
Who else participated in the action	'Free Nurimah Solidarity' alliance consisted of: SP Kahutindo, FSPMI, FSPI, SBSI, PGRI, ASPEK Indonesia, SPN, Jarikebu, FSP RTMM SPSI Jawa Tengah, Farkes Reformasi, FSP KEP KPSI Jawa Tengah, FNPBI, FORKOMPENAB Jawa Tengah, SBTPRP, SPTI, Yawas, TURC, and LBH Semarang.		
Number of people involved (distinguish between men and women)	Total: tens of union and labour activists	Men: around half	Women: around half

Describe the beneficiaries (in terms of gender, ethnic origin, age, etc.)	Nurimah; and she represents more than a dozen of other union activists that have been criminalised or even brought to court due to their activities with the union.
What makes you or the FNV partners say the action has been successful?	The Kahutindo was successful in gathering many parties, from unions and labour NGOs in the Semarang region, and the case has become a uniting element in the region after for quite some time there is no union gathering there. There has been a promise for the unions and labour activists to continue their successful work in freeing Nurimah from jail in other issues.
Can you describe how FNV has supported the action	The Kahutindo central board was specially sending one of its officials to work for the case in Semarang; and he was one of the direct beneficiaries of FNV support to Kahutindo.
Additional comments:	Criminalisation of union activists as form of union busting has become common in the last couple of years especially since the union in East Java success to imprison an employer for violation of the trade union rights under the Trade Union Law No. 21/2000.

**Reactions of government authorities (positive or negative)**

DW objective	DW2 – right to organise and collective bargaining		
Name of the government authorities involved	National -	Local Manpower Agency, the Police, the District Attorney, the District Court in Semarang region.	
Qualify the effects as:	Positive: partly	Negative: mostly	
Indicate the type of effects:	-		
-approval of new labour legislation	-		
-implementation of approved labour legislation	-		
-changes in existing labour legislation	-		
-other:	Despite the fact that finally Nurimah was released from jail, the acceptance of the criminal justice apparatus to accommodate employers' demands to criminalise union activists has caused more problem than solution to the problematic labour law enforcement in the country.		
Describe the major issues that are addressed through the acts of government	The case is a clear evidence of the problematic labour law enforcement in Indonesia at the moment. The use of police offices, regional manpower agencies, even the court and prosecutors' offices to criminalised union activists could be seen as forms of union busting practices supported by authorities; while the employers who violate labour law are generally able to continue their misconducts with impunity. There have been reports of similar situation in several other regions.		
Name the principles of the policies that are formulated	-		
No. of people who will benefit from or	Total: 3,414,455	Men: ?	Women: ?

are affected by this	union members around Indonesia		
Describe if and how women will particularly benefit from this or will be affected	-		
Describe if and how persons in the informal sector will particularly benefit from this or will be affected	-		
Can you specifically describe how the pressure exercised through activities by FNV partners has influenced the behaviour of the authorities in this regard	The demonstration organised by such an alliance like 'Free Nurimah Solidarity' clearly the main reason that Nurimah could feel freedom again after two months in jail for such an obscure accusation. Such an alliance has also given the authorities, especially in the regions, impression that they should pay more attention on the issue of labour law enforcement in order to tackle potential labour unrests in the regions.		
Additional comments:	-		

### **Reactions of companies/employers**

DW objective	DW2, DW6c		
Name of company/ employer	PT San Yu Frame Moulding, Semarang, Central Java; Owner: Mr. Chang (a Taiwanese)		
What are the measures taken by the companies? Describe:	1. Violating labour law provisions by delaying the payment of monthly salaries to all workers at the company.		
	2. Violating labour law provisions by intimidating and discriminating union activists by reducing their salaries and using the criminal procedures to criminalise union activists.		
Qualify the effect as:	Positive: no	Negative: yes	
Type of company:	Y		
Multinational			
National			
Local			
Sector	Wood		
Number of fixed employees that benefit	Around 500		
Number of outsourced employees that benefit	Around 200		
% women employees	About half		
What are the factors that have influenced the company into taking these measures?	There were several factors: a. the company simply didn't understand the actual laws protecting workers to organise and bargain collectively; b. the company wanted to save some more profit by delaying the payment of the workers' salaries; c. lack of knowledge and understanding about the role of the trade unions in daily company works.		

Can you specifically describe the influence of the pressure exercised by the FNV partners in this regard	The Kahutindo headquarter assigned Mr Joko to specially handled the case and gathered union activists around Semarang to work together on it.
Additional comments:	-

### DW8: Social Dialogue

(only applicable for Colombia, Peru, India, Indonesia Ghana, Brazil, Guatemala, Bangladesh, Nepal, Serbia, Kosovo and Nigeria)

#### **Output**

Active involvement of partner organizations in Social Dialogue over the past year (door een misverstand is dit deel voor Indonesië niet ingevuld, maar partners zijn over 2010 wel degelijk betrokken geweest bij sociale dialoog)

Name of partner	Name of social dialogue structure partner is involved in	What is the reason for the partner to take part in this	Contribution of partner within the social dialogue structure over the past year

Can you give one or more examples of social dialogue (that are both effective and highly regarded by unions) with governments and/or companies/employers (per type) involving FNV partner organizations, over the past year? (OOK Hier is wel voortgang te melden, maar door zelfde misverstand niet ingevuld)

Name of structure for dialogue	
Actors involved	
Division of actors in percentages	
Agreed objective(s) of the social dialogue	
Themes discussed	
Year in which social dialogue was started	
Describe how the social dialogue is organised	
Frequency of meeting	
Products and results of the dialogue this year	
Problems	
Additional comments:	

(for additional tables on reactions government authorities **copy/paste the above table**)

#### **Democratic Processes**

Can you give one or more examples of improving democratic processes with the involvement of partner unions.

Name of structure that promotes the process	Union leaders at the Jakarta branch level
Actors involved	SPN, FSPMI, ASPEK Indonesia (and SPSI LEM)
Objective	To reform the minimum wage setting mechanisms at the Jakarta Regional Wage Council by first of all reforming the unions' representatives in the Wage Council through democratic processes within the unions.
Results	There have been a reshuffle of the Jakarta Minimum Wage Council representativeness for SPN and FSPMI

	(and SPSI LEM) in order to make the unions' bargaining position better, with higher integrity and morality among the unions' representatives who have been considered as 'too long' and 'too close' to the employers and government in the Council. After being left behind the Bekasi for the first time ever in 2010, Jakarta minimum wage has increased with 15 percent more and involving the first ever workers' strike at one industrial zone in North Jakarta.
Problems	Not all unions' representatives at the Wage Councils accepted easily the process, yet, with internal democratic processes and the firm of the leaders at particularly the plant level (who actually pay the dues!) they finally could not say no but to accept the initiative.
Year in which process was started	2010
Additional comments:	Such initiative is quite extraordinary with regards to long silence of grassroots' members especially when dealing with corrupt leaders. It shows a promising internal democratic development within several unions.

Name of structure that promotes the process	FSPMI Jakarta branch
Actors involved	Mr Joko Wahyudi (chairperson), Mrs Rusmiatun (treasurer)
Objective	To reform the Minimum Wage Council.
Results	With the efforts of Mr Joko Wahyudi, Mrs Rusmiatun became the first woman ever representing unions in the Jakarta Minimum Wage Council, and successfully gave contributions by convincing all other unions' representatives there to keep close communication and trusts with workers and their unions 'outside'. She was actually the one initiated the walk-out of the unions representatives in the council since there was a deadlock with the employers' during the negotiation.
Problems	According Mrs Rusmiatun although she felt her union was quite supportive to her during the process, family was still a challenge to face. Lots of extra times during the negotiation processes reduced her time with her family.
Year in which process was started	2010
Additional comments:	Under the situation where minimum wages are the effective wages received by most workers and lack of collective bargaining power of most unions at the company levels, minimum wage setting in the Minimum Wage Councils in the regions have become the only sites for unions negotiating wages with employers and showing works in defending the rights of their members.

(for additional tables on reactions government authorities **copy paste the above table**)

## Organisational Strengthening of Trade Unions

Successful and effective unions or membership based organisations.

### **Examples of organizational strengthening of trade unions.**

Organizational analysis	Lack of trusts and leadership among union leaders make difficult any initiatives for unification of central organisations or even unification in joined issues.
Training of leaders and staff	Most of union leaders in big mainstream unions are in general coming from the same root, SPSI, the New Order sanctioned union. Due the legacy of the suppression under the authoritarian regime, they generally have similar approaches in several issues; such as politics, which is still considered taboo for unions; as well as often unhealthy competitions among themselves resulted in highly fragmented trade union movement in the country.
Introduction of measures for management improvement	In the past year there have been no significant measures introduced for union administration improvement, except some statements of several union leaders about the importance of union dues; yet, due to highly bureaucratic union structures inherited from the previous structures (SPSI) makes such initiative means some will lose the power and influence to the unions (especially those in the branch levels), it has caused some reservations to any improvement on this issue.
Innovations of internal democracy	In the past year there have been no innovation to democratise internal structure and mechanisms, except several succession of leaderships in the branch and plant levels but not in the national structures.
Proposals for restructuring like unifications of company unions or unification of centrals	In late 2009 an initiative to gather all the largest three union confederations was held in Sukabumi, West Java, under the title of 'TUMPOC' (trade union meeting for political consensus), with financial supports from FES and ACILS. The issue of unification of all confederations was discussed and resulted in several recommendations to continue the efforts in 2010. Early 2010, the next meeting was held in Jakarta and 'FREN' (national gathering forum) was agreed by all confederations leaders attending the meeting to be the operating organisation to implement the TUMPOC recommendation. Yet, due to internal competition among union leaders involved and lack of trusts as well as leadership caused the postponement of the plan, until it had disappeared from the discourses.
Other:	Despite some criticisms about it, the KAJIS seems to take over the role of the FREN/TUMPOC by gathering most of big mainstream unions on the same issue of social security reform. Yet, since the main engine of it is FSPMI, a federation instead of confederation, there is still some reservation from particularly confederation to support it. Moreover, quite a dependency on the financial support from outside donors make such initiative for unification difficult.

### Examples of alliances

<i>Think of bilateral and multilateral cooperation with trade union centrals, membership organisations, GUFs, company networks, universities, NGO's, etc that have been effective this past year</i>	
Name FNV Partner	FSP KEP, Depok branch
Name alliance that partner is involved in (mentioning names of organisations as well)	The Depok Unions' Communication Forum (SPSI LEM, FSPMI, SPSI RTMM, Farkes, SPN)
Year partner joined the alliance	2004 -2010
Main accomplishments of the alliance this year	Regular high increase in minimum wage in the Depok district; growing influence of unions in generally public policy makings in the region
Additional comments:	<p>Such an alliance is not typical of Depok district, there have been reports of similar initiatives in various regions. Such an alliance, however, is not yet strongly structured and highly dependent on the persons (union leaders) involved. Nonetheless, this is quite an important progress within a highly fragmented unions and the relatively early development of independent trade union movement in Indonesia since the reform in 1998.</p> <p>Based on the discussion with the Forum organisers, the aims of such a forum in Depok in particular are:</p> <ul style="list-style-type: none"> <li>• To develop unity among unions, regardless of their affiliates, to resolve and respond to labour problems in the regions together.</li> <li>• To develop united vision and mission.</li> <li>• Strengthening a united movement of unions to develop better bargaining position in negotiating with the government.</li> </ul>

(for additional tables on reactions government authorities **copy paste the above table**)

## Outcome

### Representation

Percentage of workers organised i.e. members of a trade union in the country	3,414,455 workers (8.19% of the formal workers)
Comments	The numbers are based on the latest verification result from the Ministry of Manpower in Jakarta. They originally come from unions' own claims and according the regulation the ministry is supposed to verify them later. However, such verification works require strong institutional supports from the regional manpower agencies, which since the regional autonomy have obligation and responsibility to manpower issues handlings in the regions. Many of regional manpower agencies have in fact stopped sending reports to the national ministry. Thus, the numbers may be safer to be seen mainly as estimation rather than exact numbers of unionised workers in Indonesia.

### Negotiation capacity

Number of workers under collective bargaining agreement	There is no exact official data on this. Nevertheless, according to unions' leaders estimation the coverage of collective bargaining agreements is around 50 percent, which means around 1.7 million workers are under CBA in Indonesia.
Comments	Most CBAs are concluded at company level with no sectoral/industrial CBAs. And most of them are merely repetition of the labour legislation, with some exceptions for those in the MNCs or big companies. Yet, even in big companies and MNCs it is common that the CBAs give only blank provisions especially on the issue of regular wage raising by simply stating that there is 'regular raising of wages' yet the formula to get the nominal raise is left unclear, forces unions to have annual negotiation with employers and to understand complex inflation statistics and numbers. Moreover, most CBAs are only applied to permanent workers, while most contractual or outsourced workers are out of them.

### Democracy and transparency

Describe an example of a union or central that has implemented innovations in terms of democracy and transparency	As in 2009 the women's caucus within the SPN union was successfully putting provisions on 30 percent quota for women in the organisation's structures, from the national to plant levels; in 2010 they tried further to implement this in reality by having women to hold important positions, such as education desks, treasury, etc. Moreover, there have been growing numbers of women hold position as plant level chairpersons.
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<p>Describe in what way FNV-support has been important for this.</p>	<p>The capacity building project from FNV to SPN have indirectly give chances to many women members in SPN to build their capacities. There has been a plan to further this through more specific projects such as gender mainstreaming and trainings, leadership, collective bargaining and advocacy.</p>
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## Sustainability

### Membership

(In case of GUF state information of affiliates that participate in the FNV project)

Name of trade union (and GUF affiliated) or central	The same as in the baseline study.
Number of members of trade union, confederation or central	
In/decrease in membership over de past year	

(for additional tables on reactions government authorities **copy paste the above table**)

## Representativeness

### **Membership trade unions/membership base organizations: women**

Name of organisation:	The same as in the baseline study.
Sector/area/company:	
Number of employees/workers in the sector or area or company that is covered by the organization/ in your country.	<number>
Number of women in that sector or area or company covered by the organization/ in your country	<number>
Number of members of the organization / trade union members?	<number>
Number of female members of the organization?	<number>
Number of union leaders?	<number>
Number female union leaders?	<number>
In case of federation: Number of union leaders at federation level (of GUFs)?	<number>
In case of federation: Number of female union leaders at federation level?	<number>

(for additional tables on reactions government authorities **copy paste the above table**)

### **Membership trade unions/membership base organizations: youngsters**

Name of organisation:	The same as in the baseline study.
Sector/area/company:	
Number of employees/workers in the sector or area or company that is covered by the organization?	<number>

Number of youngsters(<35) in that sector or area or company covered by the organization?	<number>
Number of young (<35) members of the organization?	<number>
Number of young (<35) union leaders?	<number>
In case of federation: Number of young (<35) union leaders at federation level?	<number>

(for additional tables on reactions government authorities **copy paste the above table**)

#### Legal position of the FNV partner organisation

Name organisation	PSI Jakarta office
Describe the legal position	The office was quite important as it facilitated the networking among PSI affiliates in Indonesia.
Most important changes over the past year in the legal position of the organization	The office was closed on 31 December 2010 since there was no financial support anymore.

(for additional tables on reactions government authorities **copy paste the above table**)

#### International solidarity

International solidarity has contributed to maintaining or improving the position of the trade union movement this year.	yes	no
If yes, explain:	Most of the trade unions' works are still depending on financial supports from international donors; and lack of it could cause the closing of a project or even an office. There have been not significant efforts to resolve this situation.	
Important changes in international solidarity over the past year:	There is growing understanding among international donor organisations supporting trade union movement in Indonesia about coordination among themselves. With initiative from FES Indonesia and ACILS a TUSO's meeting was held in Jakarta to discuss and share works and partners in Indonesia and tried to develop understanding and if possible job distribution among the trade union support organisations.	

Priority in labour and trade union issues according to trade union leaders:

Issue	Priority indicate 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> priority by putting 1, 2, 3,4 or 5 (you have to choose between 1, 2, 3, 4 and 5, you cannot repeat)	Improvement Indicate on a scale from 5 to 1 from most improvement you observe in society (5) to hardly any improvement (1) and no improvement (0), and when things have gone worse over the past year you can use a negative number (you can fill in a number in each box)	Activity Indicate on a scale from 5 to 1 in which field you have developed most activities (5) hardly any activities (1), or no activities (0). )You can fill in a number in each box)
Employment stability	5	- 1	1
Workweek			
Health care			
Social security	4	5	5
Salaries	2	4	4
Collective bargaining agreement	3	0	3
Eradication of discrimination			
Equal opportunities at work			
Health and safety			
Trade union freedom	1	- 1	4
Child Labour			
Forced Labour			
Reduction of informal employment			
Job creation			