



ALSA LEGAL ENGLISH HANDBOOK

RUU PPRT: Analyzing Current Provisions and Identifying Gaps for Future Legislation



A Guide to Improve Your English

ENGLISH DEVELOPMENT DIVISION

FOREWORD

**Assalamualaikum Wr. Wb.
Shalom,
Om Swastiastu,
Namo Buddhaya,
Warm regards to everyone.**

Praise and gratitude to the presence of the One God who always bring us blessings, grace, and protection upon us all.

Asian Law Students' Association Local Chapter Brawijaya University is an organization that aims to connect law students from the corners of Asia. As one of the 15 Local Chapters under the auspices of the Asian Law Students' Association National Chapter Indonesia, ALSA Local Chapter Brawijaya University always focuses and adheres to the firm principles to carry out the Vision and Objectives of ALSA as written in the ALSA Constitution. In pursuit of these goals, ALSA Local Chapter at Brawijaya University strives to always prioritize the 4 pillars of ALSA in order to create individuals who can understand the different legal systems of each member of the National Chapter within ALSA, develop its members into individuals with international insights, be responsible for the society, have a high commitment to their academics, and also have competitive legal skills to extend their benefits to the surrounding community.

With this, I, Tio Widayat, as the Director of ALSA Local Chapter Brawijaya University for the period 2023-2024, proudly present ALSA Legal English Handbook Volume 10. It is hoped that this Handbook can serve as a comprehensive guide to ALSA LC UB and other readers.

"Beacon of Distinction"

**Wassalamualaikum Wr. Wb,
Shalom,
Om Shanti Shanti Shanti Om,
Namo Buddhaya, Warm regards to everyone.**

**Together Will Be,
Connected as One,
ALSA, Always be One!**



**Tio Widayat
Director ALSA LC Universitas Brawijaya**

FOREWORD

**Assalamualaikum Wr. Wb.
Shalom,
Om Swastiastu,
Namo Buddhaya,
Warm regards to everyone.**

Let us begin by expressing our gratitude to Almighty God, for His blessings and mercy have enabled us to publish this edition of the ALSA Legal English Handbook. The ALSA Legal English Handbook is a quarterly publication aimed at discussing various legal topics while enhancing legal English skills by providing relevant terminology and concepts.

In this volume, we delve into the RUU PPRT (Domestic Workers Protection Bill) in Indonesia, a long-debated piece of legislation designed to protect the rights of domestic workers. The handbook discusses the key provisions of the bill, the rights and protections it seeks to ensure for domestic workers, and the responsibilities of employers. It also explores the importance of aligning with international standards, such as ILO Convention No. 189, and offers comparative insights into how different countries have addressed similar issues. By ratifying the RUU PPRT, Indonesia can significantly improve the working conditions and welfare of domestic workers across the nation.

As the Person In Charge, I am honored to present ALSA Legal English Handbook Volume 10. We hope this handbook serves as a valuable resource for ALSA LC UB members and other readers in understanding this crucial legal issue. Lastly, I extend my deepest gratitude to all those who contributed to the completion and success of this handbook.

**Wassalamualaikum Wr. Wb,
Shalom,
Om Shanti Shanti Shanti Om,
Namo Buddhaya, Warm regards to everyone.**

**Together Will Be,
Connected as One,
ALSA, Always be One!**



**Naira Rayyana Firdaus
Person in Charge
ALSA Legal English Handbook Vol. 10**

Table of CONTENTS

01 CHAPTER 1: INTRODUCTION

- 1.1 Overview of RUU PPRT
- 1.2 The History of Domestic Workers' Rights in Indonesia

02 CHAPTER 2: KEY PROVISIONS OF RUU PPRT

- 2.1 Rights and Protections for Domestic Workers
- 2.2 Employer Obligations and Government's Role in Enforcement

03 CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

- 3.1 RUU PPRT's Alignment with ILO Standards
- 3.2 Comparative Analysis of Domestic Worker Rights Across Countries
- 3.3 The Role of Ratification in Policy Development
- 3.4 Implementation and Enforcement Challenges of RUU PPRT

04 CHAPTER 4: CLOSING

- 4.1 Long-Term Impact of The Ratification of RUU PPRT
- 4.2 Conclusion

05 GLOSSARY

06 BIBLIOGRAPHY



CHAPTER 1: INTRODUCTION

1.1 Overview of RUU PPRT

In Indonesia, domestic workers have long been a lifeline for many families, especially in big cities like Jakarta. However, domestic workers' rights are often ignored by the state, resulting in a lack of protection. Domestic workers are particularly vulnerable to injustices, such as inadequate wages, unclear health insurance, and the risk of violence. Therefore, it is time for Indonesia to pass a law that protects the rights of domestic workers and prevents unwanted incidents from happening to them.

Rancangan Undang-Undang tentang Perlindungan Pekerja Rumah Tangga (RUU PPRT) has been proposed since 2004. Since then, the RUU PPRT has gone through various stages of discussion but has not been passed until now. However, in March 2023, the RUU PPRT was designated as the DPR RI Initiative Proposal Bill. The RUU PPRT considers that every citizen has the right to work and a decent livelihood, in accordance with human rights, as mandated in Pancasila and the 1945 Constitution. Domestic workers (DWs) are also entitled to recognition and treatment in accordance with human dignity, as well as protection to prevent discrimination and violence. It is important to guarantee basic rights, welfare, and education for domestic workers, as well as maintain a balance of rights and obligations with employers. Therefore, regulation in the form of law is needed to ensure legal protection for domestic workers. [1]

The RUU PPRT has many things designed to protect the rights of domestic workers and avoid misunderstandings about domestic workers in the future. While these articles establish a foundational framework, it is crucial to assess their effectiveness through the lens of relevant legal doctrines. For example, the principle of *ubi jus ibi remedium*—which asserts that where there is a right, there must be a remedy—should inform Articles 11 and 12, which address dispute resolution mechanisms and sanctions for violations. This principle underscores the necessity for accessible legal recourse for domestic workers facing rights infringements. Then in Article 5, it details employer obligations to provide protection and uphold the rights of domestic workers. However, the practical implementation of these obligations can be evaluated through the duty of care principle. This principle mandates that employers not only fulfill their responsibilities but also proactively ensure a safe working environment. Such an approach could significantly reduce instances of abuse and exploitation. In Article 7, the rights of domestic workers—including fair wages and social security—are outlined. To enhance these protections, it would be beneficial to integrate specific guidelines regarding wage calculations based on regional living costs, aligning with the principle of equity in labor compensation. This would address disparities that may arise from varying economic conditions across different areas.



[1] [kompas.id](https://www.kompas.id). (2023). PRT's Long Struggle to Achieve Independence.

<https://www.kompas.id/baca/english/2023/08/20/en-perjuangan-panjang-prt-menggapai-kemerdekaan>

CHAPTER 1: INTRODUCTION

If this bill can be passed, it will be in line with the Ministry of Women Empowerment and Child Protection (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak (PPPA)), which has five mandates for women. One of them is to reduce the number of acts of violence against women and children. Domestic workers are one of the parties who often experience violence and discrimination at work. According to the International Labour Organization (ILO), in the Asia-Pacific region, as many as 71% of domestic workers have no limit on normal working hours and no weekly rest rights. Normal working hours and do not have the right to weekly rest, with the number of victims reaching 64%. Where the number of victims reaches 64%. Regarding the status of domestic workers, there are only 87 million in the world, with 4.2 million in Indonesia. There are only 87 million domestic workers in the world, with around 4.2 million in Indonesia. Based on the number of domestic workers in Indonesia, around 30% are girls. This data shows that there are many domestic workers in Indonesia. This data shows that there are many domestic workers who are threatened or victimized. Victimized, so there are already a lot of vulnerable groups (women and children (going through these children)) who have gone through this misery.

1.2 The History of Domestic Workers' Rights in Indonesia

Historically, PRT has been facing poor working conditions, low wages, and a lack of legal protection, especially during the Suharto regime (1967–1998), which prioritized economic growth over labor rights. In the late 1990s, following democratization, awareness of labor rights began to grow, leading to the emergence of non-governmental organizations or NGOs advocating for domestic workers. In 2004, Indonesia ratified the International Labour Organization (it is called "ILO") Convention No. 189, highlighting the need for national legislation to protect domestic workers.

The early 2000s marked a significant turning point. In 2004, the Indonesian government ratified the ILO Convention No. 189, which focused on decent work for domestic workers. This ratification brought attention to the need for national legislation that would protect the rights of domestic workers. Despite this progress, the implementation of protections remained weak. There were calls for a dedicated law to address the specific needs of domestic workers, leading to the drafting of the Domestic Workers Protection Bill (RUU PPRT). While the RUU PPRT has yet to be fully enacted, ongoing discussions in parliament reflect a growing recognition of the importance of domestic workers, especially in light of their contributions during the COVID-19 pandemic. The future of their rights depends on sustained advocacy and political commitment to provide comprehensive protections. [2]



[2] Konde.co, T. (2020, November 15). Kisah Pekerja Rumah Tangga, dari masa kolonial hingga Masa Kini. <https://www.konde.co/2016/03/kisah-pekerja-rumah-tangga-dari-jaman/>

CHAPTER 1: INTRODUCTION

The push for the PRT Protection Bill to be passed immediately has become one of the recommendations from the 34th Nahdlatul Ulama (NU) Congress in Lampung in December 2021. At the NU Congress in Lampung, the RUU PPRT was discussed in the Bahtsul Masail Qanuniah Commission. This forum encourages scholars and the wider community to be able to educate the public regarding the profession of domestic workers and their rights and obligations in accordance with the Islamic principles of Ahlusunah wal Jamaah. Previously, President Joko Widodo ordered Minister of Law and Human Rights Yasonna Laoly and Minister of Manpower Ida Fauziyah to immediately consult with the DPR regarding the RUU PPRT.[3]

If made with periodization, the history of the ratification of the RUU PPRT goes like this. In 2004, the RUU PPRT was first proposed by the National Domestic Workers Advocacy Network to the DPR and was included in the 2005 to 2009 national legislation. In 2010, seven DPR fractions consisting of FDDIP, FPKB, FPNasDem, FPGerindra, FPKS, FPHanura, and FPPP initiated the RUU PPRT to be discussed in Commission XI of the DPR through Panja RUU PPRT. In 2011, Commission IX of the House of Representatives conducted research in 10 districts/cities. In 2012, Panja RUU PPRT conducted a comparative study of RUU PPRT abroad and public tests in 3 cities: Malang, Medan, and Makassar. In 2013, the draft of the RUU PPRT from Panja RUU PPRT was finalized by Commission IX and submitted to the Legislative Body of the DPR. 2014-2018 The RUU PPRT settled on the Prolegnas waiting list. In 2019, the RUU PPRT became an annual priority Prolegnas since Willy Aditya became the chairman of the Legislative Body of the DPR RI.

July 1, 2020 The RUU PPRT was discussed at Baleg into a draft bill and academic text. 2021-2022 One of the NasDem factions continued to propose the RUU PPRT to become the DPR's initiative, but it has not yet been brought to the plenary session. In August 2022, KSP formed the RUU PPRT task force, consisting of relevant ministries and institutions. January 18, 2023 President Jokowi affirms the government's commitment to accelerate the ratification of the RUU PPRT and assigns relevant ministers to consult with the DPR so that the RUU PPRT is immediately enacted. February 14, 2023 In a plenary meeting, the NasDem faction interrupted because they could not pass the RUU PPRT. February 21, 2023 Chairman of Panja RUU PPRT Willy Aditya urges the DPR leadership to MKD because the PRT draft is ignored. March 21, 2023 The RUU PPRT becomes the initiative proposal of the DPR RI in a plenary session of the DPR session in Senayan Jakarta.



[3] Nu.or.id. (2023). Perjalanan 19 Tahun RUU PPRT Sebelum Jadi RUU Usul Inisiatif DPR. <https://nu.or.id/nasional/perjalanan-19-tahun-ruu-pprt-sebelum-jadi-ruu-usul-inisiatif-dpr-wibia>

CHAPTER 2: KEY PROVISIONS OF RUU PPRT

2.1 Rights and Protections for Domestic Workers

RUU PPRT provides comprehensive protection for domestic workers. Listed in article 11 of RUU PPRT guarantees the rights of domestic workers, namely: a. carry out worship in accordance with the religion and beliefs he/she adheres to; b. work humane working hours; c. get leave in accordance with the agreement between the domestic worker and the employer; d. get wages and holiday allowances in accordance with the agreement with the employer; e. obtain health social security as a recipient of contribution assistance; f. obtain employment social security in accordance with the agreement with the employer; and g. terminate the employment relationship in the event of a breach of the employment agreement.

Furthermore, RUU PPRT regulates the right of domestic workers to terminate the employment relationship in the event of a breach of the employment agreement.[4] This gives PRT the strength to protect themselves from adverse situations. With these provisions in place, RUU PPRT not only functions as a legal tool but also as a step forward in improving the dignity and worth of domestic workers in Indonesia.

Overall, RUU PPRT aims to create a safer and fairer work environment for domestic workers, considering the many discriminations that often occur to domestic workers, such as the problems of insufficient wages. Thus, RUU PPRT is a significant step towards the recognition of the rights of domestic workers as an integral part of society. RUU PPRT also provides guarantees on freedom of expression and religion.

2.2 Employer Obligations and Government's Role in Enforcement

An employer is an entity that hires and compensates employees to provide them with a job through professional advancement, in which they set the terms of employment, such as salaries, benefits, and working conditions. While managing the employees, employers are bound to create a healthy and appropriate work environment that promotes productivity. This leads to mutual collaboration where the employees are expected to contribute actively to the organization.

Based on Article 14 of the RUU PPRT, employers could obtain concrete information regarding domestic workers' identities and capabilities and manage their other duties in the organization. In addition, employers must provide the proper facilities and necessities for domestic workers to ensure their rights are fulfilled according to Article 15 of the RUU PPRT.



[4] Rancangan Undang-Undang Perlindungan Pekerja Rumah Tangga

CHAPTER 2: KEY PROVISIONS OF RUU PPRT

Governments have an important role in protecting the rights and welfare of domestic workers, who frequently suffer hazardous working conditions. Their responsibilities include creating and implementing labor laws that ensure the minimum wage, overtime compensation, and safe working conditions for all employees. Furthermore, they should establish channels for reporting abuses and discrimination, protecting workers regardless of immigration status. Governments can help improve domestic workers' livelihoods and dignity by raising knowledge of their rights and guaranteeing compliance.

Following Article 25 of the RUU PPRT, the central and local governments have the obligation to supervise the implementation of domestic workers' rights protection, such as guiding the domestic workers and involving government apparatus' supervision up until the evaluation of the policies.



CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

3.1 RUU PPRT's Alignment with ILO Standards

ILO, or the International Labour Organization, was established based on the Versailles Treaty in 1919, the same year the League of Nations (LON) was founded. Over time, the ILO became a specialized agency of the United Nations in 1945. The primary goal of the ILO is to enhance social justice for all workers worldwide.[5] The preamble of the ILO's constitution states that lasting peace can only be achieved through social justice. However, current working conditions still reflect injustice, leading to instability and threatening the well-being of life. Therefore, improving working conditions, labor norms, and addressing unemployment is crucial.[6]

The ILO has played a pivotal role in creating global labor standards that promote decent working conditions and social equity. These standards are reflected in various conventions and recommendations, which member states are encouraged to adopt and implement. In Indonesia, the Draft Bill on the Protection of Domestic Workers (RUU PPRT) seeks to align with these global labor standards, particularly those set by the ILO. The bill aims to address issues related to the exploitation of domestic workers, such as low wages, long working hours, and lack of access to social security and protection against abuse. By adopting and implementing provisions that comply with ILO conventions, Indonesia can improve the working conditions of domestic workers and enhance social stability and justice, aligning itself with global efforts to eliminate unfair labor practices and promote the dignity of all workers.[7]

One example of an ILO convention relevant to the RUU PPRT is ILO Convention No. 189 concerning Decent Work for Domestic Workers, which was adopted in 2011. This convention establishes minimum standards for domestic workers, including reasonable working hours, fair wages, social security benefits, and protections against abuse and harassment. In alignment with this, the RUU PPRT includes provisions that limit working hours for domestic workers, ensuring they are entitled to rest periods and days off. This reflects the convention's emphasis on fair working time. Additionally, the RUU PPRT mandates that domestic workers receive proper wages aligned with minimum wage standards and be granted social protection benefits, such as health insurance, similar to what is recommended in the ILO convention. By incorporating these elements, the RUU PPRT moves towards ensuring decent working conditions for domestic workers in Indonesia, reflecting the broader ILO objective of



[5] Kementerian Luar Negeri Republik Indonesia. (n.d.). International Labour Organization (ILO). Retrieved from <https://kemlu.go.id>.

[6] International Labour Organization (ILO). (2006). Sekilas tentang ILO. ILO. Retrieved from <https://www.ilo.org>

[7] International Labour Organization, *The Regulation of Domestic Workers in Indonesia: Current Laws, International Standards, and Best Practice* (ILO, 2006), 22.

CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

promoting fair and humane treatment for workers globally.[8] In the Draft Bill on the Protection of Domestic Workers (RUU PPRT), several articles align with the principles of ILO Convention No. 189 on Decent Work for Domestic Workers, as follows:

- Article 10: Working Hours and Rest

The RUU PPRT stipulates that domestic workers are entitled to reasonable working hours and rest periods. This aligns with Article 10 of ILO Convention No. 189, which emphasizes the importance of fair working hours and adequate rest periods, including weekly days off.

- Article 11: Fair Wages

The RUU PPRT includes provisions that domestic workers are entitled to wages equivalent to the minimum wage standards applicable in their region. This is in line with Article 11 of ILO Convention No. 189, which emphasizes that domestic workers must receive fair wages in accordance with national regulations.

- Article 13: Social Security

The RUU PPRT also ensures that domestic workers are entitled to social protection, such as health insurance and employment insurance. This reflects Article 14 of ILO Convention No. 189, which encourages countries to provide domestic workers with equal access to social security schemes, similar to formal sector workers.

- Article 15: Protection from Violence and Harassment

The RUU PPRT states that domestic workers must be protected from all forms of violence, harassment, and exploitation, both physically and mentally. This reflects Article 5 of ILO Convention No. 189, which requires countries to protect domestic workers from all forms of abuse, violence, and discrimination.[9]

3.2 Comparative Analysis of Domestic Worker Rights Across Countries

Domestic worker rights have become a pressing issue globally, with various countries adopting distinct legal frameworks to regulate the employment conditions and protections afforded to domestic workers. The disparity in these legal protections is reflective of the broader socio-political and economic factors that influence domestic worker protections in each country. It has evolved differently across various jurisdictions, shaped by cultural, historical, and legal factors that vary across the globe. In comparing these rights, it has



[8] Annisa Salsabila and Arimbi Fajari Furqon, "20 Years of the PPRT Bill: Deceleration of Domestic Workers' Value," *Modern Diplomacy*, May 5, 2023, <https://moderndiplomacy.eu/2023/05/05/20-years-of-the-pprt-bill-deceleration-of-domestic-workers-value/>.

[9] International Labour Organization (ILO). (2011). *C189 - Domestic Workers Convention, 2011 (No. 189)*. Retrieved from <https://normlex.ilo.org>.

CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

become clear that while some countries have made significant progress regarding domestic worker rights, the rest lag behind, with legal products that still leave these workers at risk of abuse and exploitation.

In Latin America, domestic workers still continue to face struggles, despite its recent progress. Domestic workers have historically received extremely low pay and been denied full labor protections. These workers are mostly women from racial, ethnic, and religious minorities. According to ILO estimates, 37% of domestic workers worldwide are found in Latin America. They typically come from racial and ethnic minorities, are predominately female, and have low wages on average.[10] However, in the past two decades, domestic workers have increasingly organized to demand equal rights, and this activism has led to reforms in some countries.[11] As of 2017, eight out of 18 Latin American countries had granted equal rights to domestic workers, with varying success across nations like Brazil and Uruguay compared to Mexico and Peru, where protections remain inadequate.[12] The journey towards comprehensive rights and protections continues, necessitating persistent advocacy amidst ongoing socio-economic inequalities.[13]

South Africa still faces challenges despite the progress in legislative protections. While certain life aspects may have improved due to this labor law, domestic workers still face various forms of oppression.[14] According to Budlender's study in 2019, domestic workers are marginalized in their relationship with their employers, which leaves them virtually helpless, and they are exploited through long hours and low pay. Even violence in the form of verbal and physical abuse, sexual harassment, and assault still remains a significant issue in the world of domestic workers in South Africa. The 'private' nature of domestic labor makes it difficult for the authoritative figures to monitor and enforce labor protections for them. Another problem faced by the authorities is that domestic workers often lack negotiating power and, as a result, face restrictions on their freedom. While domestic workers show a degree of autonomy in managing their situations, their options remain limited. All things considered, additional steps are required to enhance the rights and working conditions of domestic workers in South Africa because legislative changes alone are insufficient to completely address their vulnerable situation.[15]



[10] Blofield, M., & Jokela, M. (2018). Paid domestic work and the struggles of care workers in Latin America. *Current Sociology*, 66(4), Page 532.

[11] *Ibid*, Page 533.

[12] *Ibid*, Page 532.

[13] *Ibid*, Page 536-537.

[14] Budlender, D. (2019). Informal employment and the decent work agenda: a comparative analysis of domestic workers in South Africa. *International Labour Review*. Page 205-206.

[15] *Ibid*, Page 212-213.

CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

By contrast to the previous comparisons, in the Philippines, domestic workers (or commonly referred to as Kasambahays) enjoy their legal protection under the Domestic Workers Act of 2013 (Republic Act No. 10361), which is usually known as the Batas Kasambahay. This law provides comprehensive rights, including mandatory written employment contracts, entitlement to the minimum wage, and access to social security benefits such as health insurance and pension schemes. The law also mandates rest periods, such as at least eight hours of uninterrupted rest per day and one day off per week.[16] These measures reflect a commitment to improving the welfare of domestic workers and mitigating the risks of exploitation and abuse in the household setting. We can say that the Philippines is the pioneer in extending robust protection to domestic workers, reflecting its commitment to the ILO's standards. This legal product underscores the Philippines' proactive stance in aligning its domestic legislation with international norms, thus providing a framework for effective advocacy and enforcement. This study also indicates that the implementation of the Batas Kasambahay has positively impacted the lives of many domestic workers, enhancing their access to rights and protections, although challenges remain in enforcement and awareness.

Just like in the Philippines, domestic workers in France are enshrined within the general labor laws, providing a comprehensive framework for protection. The French Labour Code ensures that domestic workers are entitled to minimum wage, social security coverage, and paid leave, reflecting a broader commitment to labor rights in the country.[17] France distinguishes between casual and professional domestic work, with the latter category enjoying more robust protections, such as detailed regulations on working hours, duties, and compensation. One of the critical legal frameworks governing domestic work in France is the collective agreement on home employment, which establishes standards for wages, working conditions, and dispute resolution mechanisms.[18] This agreement aims to enhance the status of domestic workers and promote fair labor practices within the sector. The formalization of domestic work through systems like the "Chèque emploi service universel" (CESU) has contributed to better social protections for workers.[19] Furthermore, France's compliance with the European Union's labor directives reinforces its commitment to protecting domestic workers, making it one of the leading European countries in this regard.



[16] Habacon, J.P.P. (2019). Buhay Kasambahay: A Case Study on The Experiences of Female Domestic Workers in Los Baños, Laguna. LPU-Laguna Journal of Multidisciplinary Research. Page 8.

[17] Gouvernement Français. (2019). Code du travail: Droits des salariés à domicile. France: Ministère du Travail. Art. L. 3141-3 to L. 3141-23, Article L3231-2. & Gouvernement Français. (1945). Code de la sécurité sociale. France. Article L. 241-1

[18] Devetter, F. X., & Rousseau, S. (2009). The impact of industrialization on paid domestic work: the case of France. European Journal of Industrial Relations, 15(3), Page 297.

[19] Carbonnier, C., & Morel, N. (2015). The political economy of household services in Europe. Palgrave Macmillan. Page 78.

CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

The French approach illustrates the significance of collective bargaining in advancing labor rights and addressing the unique challenges faced by domestic workers. By fostering an environment where domestic workers can negotiate their terms of employment, France sets a precedent for other countries to follow, emphasizing the importance of dialogue and collaboration between employers and workers.

To conclude, domestic worker rights differ globally, influenced by the local socio-political and economic state of each region. In Latin America, where many domestic workers are women from marginalized groups, they still face low wages and weak protections, despite recent reforms in countries like Brazil and Uruguay. South Africa also struggles with enforcement, as domestic workers experience long hours, low pay, and abuse, with little oversight in private homes. In contrast, the Philippines has made strides with its 2013 Domestic Workers Act, providing contracts, minimum wage, and social benefits, though challenges in enforcement remain. France similarly offers strong protections through labor laws and collective agreements, setting a standard for fair treatment. While some regions have made progress, consistent advocacy and enforcement are still needed globally.

3.3 The Role of Ratification in Policy Development

The role of the ratification of the RUU PPRT in shaping policy development in Indonesia is substantial. In Indonesia, considering the majority of domestic workers (PRT) are women, this requires special affirmative measures. In the context of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), this affirmative mandate is legitimate, as it involves taking additional or different actions aimed at improving the welfare of marginalized women. Moreover, the passage of the RUU PPRT could guarantee security and labour rights within the country. This would provide people with more opportunities to work domestically, reducing the need to work abroad, where they are vulnerable to human trafficking. It would also expand domestic workers' access to constitutional rights, such as social protection and health, while strengthening the community of employers as close partners to domestic workers, developing public support, and taking action to prevent violence and protect domestic workers from threats.

According to Lita Anggraeni, National Coordinator of the National Advocacy Network for Domestic Workers, there are seven key reasons why the RUU PPRT should be passed immediately. The first benefit of passing this bill is the classification of domestic workers into two groups—part-time and full-time domestic workers. Education and training can be provided free of charge through government-facilitated training centers, ensuring that domestic workers are trained to immediately begin work in households. Disputes can be

CHAPTER 3: IMPORTANCE OF RATIFYING RUU PPRT

resolved through negotiation or mediation. Currently, it is difficult for domestic workers to obtain justice in cases of disputes. There are frequent cases of human trafficking, employing and falsifying identities, rotating, and confining domestic workers. In this case, the state, as the protector of domestic workers, must consider the role of enacting this bill in shaping policies that will positively impact domestic workers in Indonesia.

3.4 Implementation and Enforcement Challenges of RUU PPRT

The demand for discussion and ratification of the RUU PPRT has become increasingly intense, driven by civil society.[20] The push for an immediate discussion has also been voiced by the National Commission on Violence Against Women (Komnas Perempuan), particularly in response to the actions of the Hunger Strike Alliance for the RUU PPRT. A hunger strike in front of the Indonesian House of Representatives (DPR RI) building has been ongoing since August 14, 2023, as a form of protest demanding that the DPR RI resume discussions on the RUU PPRT. For two decades, uncertainty surrounding the ratification of the RUU PPRT has persisted, leaving domestic workers (PRT) in a vulnerable position without adequate legal protection. Domestic workers are often invisible labour forces, yet they play a crucial role in sustaining the economic, service, and other public sectors.

Komnas Perempuan, civil society, and the government have made various efforts to urge the DPR and the government to promptly discuss and ratify the RUU PPRT.[21] Given the legislative process regulations, if no consensus is reached on any article during the remaining time of the current legislative period, the RUU PPRT will be categorized as a non-carryover bill. This means the RUU PPRT would need to return to the planning stage in the next DPR RI session from 2024 to 2029. JALA PRT and Kowani have submitted written statements to DPR RI representatives as evidence of civil society's demand for immediate ratification.

Jumisih, the Chairperson of the Federation of United Indonesian Labor Unions (Federasi Serikat Buruh Persatuan Indonesia), strengthened this demand by highlighting the significant struggles domestic workers face amid ongoing discrimination. Despite the government submitting the List of Issues (DIM) for the RUU PPRT in May 2023, the discussion and ratification of the bill have stalled in the DPR RI. The public has been waiting for 19 years for its ratification. Civil society, through various movements, has undertaken numerous actions and efforts to push the DPR RI to discuss and ratify the RUU PPRT, but so far, there has been no significant progress.



[20] Siaran Pers Komnas Perempuan tentang Hari Pekerja Rumah Tangga Nasional 2024, "Tahun 2024, Titik Kritis bagi RUU PPRT", Komnas Perempuan, <https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-komnas-perempuan-tentang-hari-pekerja-rumah-tangga-nasional-2024>

[21] *Ibid.*

CHAPTER 1: CLOSING

4.1 Long-Term Impact of The Ratification of RUU PPRT

The ratification of the RUU PPRT will profoundly impact Indonesia's labor laws, particularly in safeguarding the rights of domestic workers (DWs). This legal framework heralds a new era where the rights and welfare of domestic workers are not just acknowledged but fiercely protected. As we delve into the long-term implications of this bill, it becomes clear that its impact will extend far beyond the immediate benefits to domestic workers, influencing the broader socio-economic landscape of the nation.

The ratification of the RUU PPRT stands as the most crucial impact as it sets clear legal standards for the employment of domestic workers. By officially recognizing domestic workers as formal laborers, this bill grants them essential rights like minimum wage, regulated working hours, and access to healthcare, which were previously often denied. This framework addresses enduring challenges in the domestic work sector, ensuring a more equitable and just environment for all. Not only protecting domestic workers from the legal standards for employment, the ratification of the RUU PPRT can serve as a powerful safeguard against the potential abusers that domestic workers frequently endure.

Another long-term effect of the bill is its potential to enhance the social welfare of domestic workers. It will likely lead to the inclusion of DWs in social security systems, such as health insurance and pension plans, similar to the reforms enacted in the Philippines following its ratification of the International Labour Organization's (ILO) C189 convention. Consequently, this will significantly improve the living standards and financial security of domestic workers in Indonesia.

The ratification of the RUU PPRT is also expected to significantly impact the social and economic well-being of domestic workers. By providing legal protection and ensuring fair treatment, the law empowers domestic workers to negotiate better terms and conditions of employment. This will improve living standards and financial security for these workers and their families. Additionally, the RUU PPRT will enhance the recognition and value of domestic work, challenging harmful stereotypes and discrimination against this profession.

4.CONCLUSION

In Indonesia, domestic workers have long been a lifeline for many families, especially in big cities like Jakarta. However, domestic workers' rights are often ignored by the state, resulting in a lack of protection. RUU PPRT has been proposed since 2004. Since then, the RUU PPRT has gone through various stages of discussion but has not been passed until now. However, in March 2023, the RUU PPRT was designated as the DPR RI Initiative Proposal Bill. The RUU PPRT considers that every citizen has the right to work and a decent livelihood, in accordance with human rights, as mandated in Pancasila and the 1945 Constitution.

CHAPTER 1: CLOSING

RUU PPRT provides comprehensive protection for domestic workers. Listed in Article 11 of RUU PPRT guarantees the rights of domestic workers. Furthermore, RUU PPRT regulates the right of domestic workers to terminate the employment relationship in the event of a breach of the employment agreement. Overall, RUU PPRT aims to create a safer and fairer work environment for domestic workers, considering the many discriminations that often occur to domestic workers, such as the problems of insufficient wages. Thus, RUU PPRT is a significant step towards the recognition of the rights of domestic workers as an integral part of society. RUU PPRT also provides guarantees on freedom of expression and religion. Last but not least, the RUU PPRT states that domestic workers must be protected from all forms of violence, harassment, and exploitation, both physically and mentally. This reflects Article 5 of ILO Convention No. 189, which requires countries to protect domestic workers from all forms of abuse, violence, and discrimination.

The ratification of the RUU PPRT stands as the most crucial impact as it sets clear legal standards for the employment of domestic workers. By officially recognizing domestic workers as formal laborers, this bill grants them essential rights like minimum wage, regulated working hours, and access to healthcare, which were previously often denied. The ratification of the RUU PPRT is also expected to significantly impact the social and economic well-being of domestic workers. Additionally, the RUU PPRT will enhance the recognition and value of domestic work, challenging harmful stereotypes and discrimination against this profession. The demand for discussion and ratification of the RUU PPRT has become increasingly intense, driven by civil society. The public has been waiting for 19 years for its ratification. Civil society, through various movements, has undertaken numerous actions and efforts to push the DPR RI to discuss and ratify the RUU PPRT, but so far, there has been no significant progress.

GLOSSARY

CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women): Individuals employed to perform household tasks such as cleaning, cooking, and caregiving within a private residence.

RUU PPRT: Rancangan Undang-Undang tentang Perlindungan Pekerja Rumah Tangga, a draft law in Indonesia aimed at protecting the rights of domestic workers.

Health Insurance: A type of insurance coverage that pays for medical and surgical expenses incurred by the insured.

Discrimination: Unjust or prejudicial treatment of different categories of people, often based on race, age, gender, or employment status.

Health Insurance: A type of insurance coverage that pays for medical and surgical expenses incurred by the insured.

ILO (International Labour Organization): A specialized agency of the United Nations that sets international labor standards and promotes social justice for workers worldwide.

Social Protection: Policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people's exposure to risks, and enhancing their capacity to manage economic and social risks.

Minimum Wage: The lowest remuneration that employers can legally pay their workers, intended to ensure a basic standard of living.

Task Force: A temporary group formed to carry out specific tasks or missions related to legislation or policy development.

Labor Rights: Legal rights concerning the relationship between workers and their employers, including fair wages, safe working conditions, and the right to organize.

Social Justice: The view that everyone deserves equal economic, political, and social rights and opportunities

Gender-Based Violence: Harmful acts directed at individuals based on their gender, often affecting women disproportionately in domestic work settings.

Public Awareness Campaigns: Initiatives aimed at educating the public about specific issues, often used to promote rights or changes in policy.

Human Dignity: The intrinsic worth of all individuals that must be respected and protected in all circumstances.

Employment Agreement: A contract between an employer and employee outlining the terms of employment, including duties, wages, and working conditions.

Working Hours: The amount of time an employee is expected to work during a given period, typically defined by law or employment contract.

Leave Entitlement: The right of employees to take time off from work for various reasons such as illness, vacation, or personal matters.



BIBLIOGRAPHY

Budlender, D. (2019). Informal employment and the decent work agenda: a comparative analysis of domestic workers in South Africa. *International Labour Review*.

Blofield, M., & Jokela, M. (2018). Paid domestic work and the struggles of care workers in Latin America. *Current Sociology*, 66(4).

Carbonnier, C., & Morel, N. (2015). The political economy of household services in Europe. Palgrave Macmillan.

Devetter, F. X., & Rousseau, S. (2009). The impact of industrialization on paid domestic work: the case of France. *European Journal of Industrial Relations*, 15(3).

Gouvernement Français. (2019). Code du travail: Droits des salariés à domicile. France: Ministère du Travail. Art. L. 3141-3 to L. 3141-23, Article L3231-2. & Gouvernement Français. (1945). Code de la sécurité sociale. France.

Habacon, J.P.P. (2019). Buhay Kasambahay: A Case Study on The Experiences of Female Domestic Workers in Los Baños, Laguna. *LPU-Laguna Journal of Multidisciplinary Research*.

International Labour Organization (ILO). (2011). C189 - Domestic Workers Convention, 2011 (No. 189). Retrieved from <https://normlex.ilo.org>.

International Labour Organization (ILO). (2006). Sekilas tentang ILO. ILO. Retrieved from <https://www.ilo.org>

International Labour Organization (ILO). (2006). The Regulation of Domestic Workers in Indonesia: Current Laws, International Standards, and Best Practice.





BIBLIOGRAPHY

Kementerian Luar Negeri Republik Indonesia. (n.d.). International Labour Organization (ILO). Retrieved from <https://kemlu.go.id>.

Konde.co, T. (2020, November 15). Kisah Pekerja Rumah Tangga, dari masa kolonial hingga Masa Kini. <https://www.konde.co/2016/03/kisah-pekerja-rumah-tangga-dari-jaman/>


Kompas.id. (2023). PRT's Long Struggle to Achieve Independence. <https://www.kompas.id/baca/english/2023/08/20/en-perjuangan-panjang-prt-menggapai-kemerdekaan>

Nu.or.id. (2023). Perjalanan 19 Tahun RUU PPRT Sebelum Jadi RUU Usul Inisiatif DPR. <https://nu.or.id/nasional/perjalanan-19-tahun-ruu-pprt-sebelum-jadi-ruu-usul-inisiatif-dpr-wibia>

Rancangan Undang-Undang Perlindungan Pekerja Rumah Tangga Siaran Pers Komnas Perempuan tentang Hari Pekerja Rumah Tangga Nasional 2024. (2024). Tahun 2024, Titik Kritis bagi RUU PPRT. Komnas Perempuan. <https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-komnas-perempuan-tentang-hari-pekerja-rumah-tangga-nasional-2024>

Salsabila, A., & Furqon, A. F. (2023). 20 Years of the PPRT Bill: Deceleration of Domestic Workers' Value. Modern Diplomacy. <https://moderndiplomacy.eu/2023/05/05/20-years-of-the-pprt-bill-deceleration-of-domestic-workers-value/>.

Siaran Pers Komnas Perempuan tentang Hari Pekerja Rumah Tangga Nasional 2024. (2023). Pengesahan RUU Perlindungan Pekerja Rumah Tangga: Penting dan Mendesak. Komnas Perempuan. <https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-komnas-perempuan-mendorong-pengesahan-ruu-pprt>



THANK YOU

TOGETHER
WILL BE,
CONNECTED
AS ONE,
ALSA, ALWAYS
BE ONE!

Proudly Presented by English
Development Division ALSA Local
Chapter Universitas Brawijaya