

DISCUSSION ON MATERNITY PROTECTION IN INDONESIA

5 July 2022

TERMS OF REFERENCE

1. Background

Articles 82 and 84 of Law number 13 of 2003 provided that female workers are entitled to take 6 weeks pre-natal and 6 weeks post-natal maternity leave, and to get her wages paid in full during those periods. According to the Law, such maternity cash benefits are under the employers' responsibility, and not based on social insurance.

Draft Law on Mother and Child Welfare of December 2021 proposed extension of maternity leave from 3 months to at least 6 months for working mother. The proposed law does not have any provision on the obligation to pay the wages in full during the period.

The ILO has been requested by the Ministry of Manpower to provide inputs and facilitate discussions on the proposed draft law. In particular, regarding its linkage to economic productivity and investment attractiveness of the country, the protection of the rights of female workers in the workplace, and promotion of women's participation in the labour market.

In response, the social protection programme of the ILO Country Office for Indonesia and Timor Leste and the Ministry of Manpower is organizing a government discussion on maternity protection in Indonesia.

2. Objective

The main objective of the meeting is to contribute to policy discussions on reform options of maternity protection system among relevant government ministries and institutions in relation to the proposed draft law on mother and child protection.

More specifically, the meeting aims to:

- Discuss current conditions of maternity protection in Indonesia
- Present applicable international standards and practices in selected countries
- Discuss policy options that promotes protection of female workers, and Indonesia competitiveness and economic growth at the same time.

3. Date and Venue

The discussion will be held in a face-to-face on Tuesday, 5 July 2022, at 08.30 AM-12.00 PM (WIB) at ... (TBC)

4. Agenda

Time	Agenda
08.30-09.00	Registration
09.00-09.30	Opening remarks Ms. Michiko Miyamoto, ILO Country Director for Indonesia and Timor Leste Ms. Indah Anggoro Putri, Director General for Industrial Relations and Social Security, Ministry of Manpower

09.30-10.15	<p>Presentation on current conditions of maternity protection in Indonesia Presenter: Ms. Diahhadi Setyonaluri, LD-UI</p> <p>Presentation on international standards on maternity protection and practices in selected countries Presenter: Mr. Ippei Tsuruga, Social Protection Programme Manager, ILO CO Jakarta</p>
10.15-11.45	<p>Panel Discussion Moderator: Ms. Retno Pratiwi, Director of Manpower Social Protection, Ministry of Manpower</p>
11.45-12.00	<p>Closing Remarks Ms. Dinar Titus Jogaswitani, Director of Employment Relations and Wages, Ministry of Manpower</p>
12.00-13.00	Lunch

5. Expected Participants

This meeting is by invitation only. A maximum of 50 representatives of Ministry of Manpower, Ministry of Empowerment of Women and Child Protection, Ministry of Finance, Ministry of Law and Human Rights, Coordinating Ministry for Economic Affairs, Executive Office of the President, and the Parliament are expected to participate in the meeting. The ILO Jakarta Social Protection Manager, ILO External Collaborator from Demographic Institute of the University of Indonesia will participate as presenter in the meeting.

Number of participants from each institution:

Ministry of Manpower (17 pax)

- Industrial relations and manpower social protection (9)
- Legal bureau (2)
- Labour inspection (2)
- Vocational training (2)
- Placement and employment expansion (2)

Ministry of empowerment of women and child protection (2)

Ministry of finance (2)

Coordinating Ministry for Economic Affairs (2)

Ministry of Law and Human Right (2)

Executive office of the president (2)

Peoples' representative council (11)

ILO (6)