

▶ Comparative assessment of employment injury benefits in Indonesia against Convention 102

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► Overview

International labour standards
and social security Indonesia

Summary: Key ILS on social security

Social security branch	Minimum standards	Higher conventions	Recommendations
Medical care	C102 Part II	C130	R134
Sickness benefit	C102 Part III	C130	R134
Unemployment benefit	C102 Part IV	C168	R176
Old-age benefit	C102 Part V	C128	R131
Employment injury benefit	C102 Part VI	C121	R121
Family benefit	C102 Part VII		
Maternity benefit	C102 Part VIII	C183	R191
Invalidity benefit	C102 Part IX	C128	R131
Survivors' benefit	C102 Part X	C128	R131

Legal coverage of BPJS-TK programmes

Scheme		Wage worker			Non-wage worker
		Large/Medium	Small	Micro	
Death Benefits	JKm	Mandatory			
Employment injury	JKK	Mandatory			
Employment insurance	JKP	Mandatory		Voluntary	Not eligible
Old-age saving	JHT	Mandatory	Mandatory	Voluntary	
Pension	JP		Voluntary		Not eligible

Contribution rates of social insurance programmes (wage workers)

Scheme		% of insurable earnings			
		Employer	Employee	Government	Total
Death Benefits	JKm	0.2	-	-	0.2
Employment injury	JKK	0.1 – 1.6*	-	-	0.1 – 1.6
Employment insurance	JKP	0.24	-	0.22	0.46
Old-age saving	JHT	3.7	2.0	-	5.7
Pension	JP	2.0	1.0	-	3.0
Health insurance	JKN	4.0	1.0	-	5.0
Total	-	10.24 – 11.74	4.0	0.22	14.46 – 15.96

Contribution rates of social insurance programmes (non-wage workers)

Scheme		Amount of contribution
Death Benefits	JKm	IDR 6,800
Employment injury	JKK	IDR 10,000 – IDR 207,000 (depending on income)
Employment insurance	JKP	Not eligible
Old-age saving	JHT	2% of monthly income
Pension	JP	Not eligible
Health insurance	JKN	Class III room: IDR 42,000 Class II room: IDR 100,000 Class I room: IDR 150,000

► Contribution rates of social insurance programmes (construction workers)

Scheme		Amount of contribution
Death Benefits	JKm	0.21% of project value
Employment injury	JKK	0.21% of project value
Employment insurance	JKP	Not eligible
Old-age saving	JHT	Not eligible
Pension	JP	Not eligible

Active workers of BPJS-TK by benefit package, December 2018

Benefit package	Legal coverage	Active members		
		Wage	Non-wage	Total
JKm, JKK, JHT, JP	Mandatory for wage workers of medium and large enterprises	11.8 million	-	11.8 million
JKm, JKK, JHT	Mandatory for wage workers of small, medium and large enterprises; Voluntary for wage workers of micro enterprises and non-wage workers	15.3 million	0.21 million	15.5 million
JKm, JKK	Mandatory for wage and non-wage workers	28.1 million	2.4 million	30.5 million

► Employment injury benefits

Jaminan Kecelakaan Kerja

Legal frameworks

Law

- Number 40 of 2004 Establishment
- Number 24 of 2011 Administration

Government regulation

- Number 44 of 2015 Parameters
- Number 82 of 2019 Parameters (amendment)
- Number 37 of 2021 Change in contribution rates

Minister of Manpower regulation

- Number 26 of 2015 Procedures - wage earners
- Number 1 of 2016 Procedures - non-wage earners
- Number 10 of 2016 Procedures – return to work
- Number 11 of 2016 Health services
- Number 18 of 2018 Indonesian migrant workers

Coverage

Article 32 - C102	JKK
Not less than 50 per cent of all employees (their wives and children for breadwinner's death)*	BPJS Employment: All workers and employers including foreigners who have been working in Indonesia at least 6 months
	PT Taspen: Civil servants and candidates for civil servants, government officials, state officials, and members of the Regional House of Representatives
	PT Asabri: Armed forces, police and employees of Ministry of Defense

► Coverage – Preliminary assessment

Legal coverage

- The national legislation prescribes coverage required by C102.

Actual coverage

- The actual coverage meets the requirement by C102.

Medical care

Article 34 - C102

- General practitioner and specialist in-patient care and out-patient care, including domiciliary visiting
- Dental care
- Nursing care at home or in hospital or other medical institutions
- Maintenance in hospitals, convalescent homes, sanatoria or other medical institutions
- The care furnished by members of such other professions as may at any time be legally recognized as allied to the medical profession, under the supervision of a medical or dental practitioner

Note: Exceptional case - where a declaration made, general practitioner care, including domiciliary visiting; specialist care at hospitals for in-patients and out-patients, and such specialist care as may be available outside hospitals; the essential pharmaceutical supplies as prescribed by a medical or other qualified practitioner; and hospitalization where necessary.

Medical care

JKK	Further Notes
Basic and supplementary examination	<ul style="list-style-type: none"> ▪ Health services are provided as long as necessary based on medical needs of the participants as determined by advising doctor. ▪ Health services are provided through health facilities that are partnered with BPJS Employment (i.e. BPJS Employment trauma centre). ▪ Cost reimbursement for health care and medication only applies to services in remote areas or areas where BPJS Employment trauma centres are not available.
Initial and ongoing treatment	
First Class inpatient treatment in general public hospital at the national, regional level, or equal private hospital	
Intensive care	
Intensive treatment	
Diagnostic support	
Treatment, including comorbidities and complications associated with the work accident and/or occupational diseases	
Special treatment	
Medical equipment and implant body parts	
Doctor's/medical service	
Surgery	
Blood services including transfusion	
Medical rehabilitation	
Diagnostic examination in cases of occupational disease	
Where continued hospital treatment is not possible, participants will be provided home care	Benefit is given for a maximum of 1 year for a maximum total cost of Rp. 20,000,000.

► Rehabilitation cost, which cover the reimbursement of orthosis and/or prostheses

Benefits	Further notes
Cash benefits	Rehabilitation cost, which cover the reimbursement of orthosis and/or prostheses

Reimbursement for dental implant, hearing aid, and glasses

Benefits	Further notes
Cash benefits	The amount of the reimbursement is as follows: <ul style="list-style-type: none">▪ Dental implants: Maximum of Rp. 5,000,000▪ Hearing aid: Maximum of 2,5000,000▪ Glasses: Maximum of Rp. 1,000,000

▶ Transportation reimbursement

JKK	Further notes
<ul style="list-style-type: none">▪ Transport cost to and from the hospital from participant's house, first aid during occupational accident, and referral to other hospitals;▪ Transport cost for participants who are enrolled in the return to work program for their travel cost to and from health service and training centre.	<p>The maximum cost to be reimbursed is based on the mode of transportation:</p> <ul style="list-style-type: none">▪ Land-based (inc. rivers and lakes): Rp. 5,000,000▪ Air travel: Rp: 10,000,000▪ Maritime travel: Rp. 2,000,000

▶ Medical care – Preliminary assessment

Type of medical care

- It is not clear whether all types of medical care listed under Article 34 are provided to persons protected injured due to work-related accidents.

Cost and duration of medical care

- The programme should provide every type of medical care listed under Article 34 at no cost to the beneficiary and throughout the contingency.

Return to work programme

Article 35 - C102

- The institutions or government departments administering the medical care shall cooperate, wherever appropriate, with the general vocational rehabilitation services, with a view to the reestablishment of handicapped persons in suitable work.
- National laws or regulations may authorize such institutions or departments to ensure provision for the vocational rehabilitation of handicapped persons.

JKK

Comprehensive benefits from healthcare, rehabilitation, and job training. Procedures for the program are stated in Ministry Regulation No. 10 of 2016

▶ Return to work programme – Preliminary assessment

Return to work programme

- The national legislation complies with Article 35 of Convention No. 102.

Income replacement

Article 36 - C102

- In respect of incapacity for work, total loss of earning capacity likely to be permanent or corresponding loss of faculty, or the death of the breadwinner, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66.
- In case of partial loss of earning capacity likely to be permanent, or corresponding loss of faculty, the benefit, where payable, shall be a periodical payment representing a suitable proportion of that specified for total loss of earning capacity or corresponding loss of faculty.
- The periodical payment may be commuted for a lump sum:
 - where the degree of incapacity is slight; or
 - where the competent authority is satisfied that the lump sum will be properly utilised.

Temporary disability benefit (temporarily out of employment)

Article 36 – C102	JKK
50 per cent of previous earnings throughout the contingency	<ul style="list-style-type: none">▪ 100% of the insured's earnings for the first twelve months of incapacity and 50% thereafter▪ Compensation for temporary incapacity for work is payable until full recovery, certification of partial anatomical disability, partial functional disability, permanent total disability, or death

▶ Temporary disability benefit – Preliminary assessment

Temporary disability benefit

- The benefit complies with the minimum replacement rate required by Convention No. 102.

Permanent disability benefit (permanent inability to work)

Degree of disability	Article 36 – C102	JKK
Total disability	50 per cent of previous earnings throughout the contingency in periodical payment	<ul style="list-style-type: none"> 70% of 80 months of last wage in lump sum IDR 500,000 periodical payment for 24 months (or lump sum of IDR 12 million).
Partial disability	50 per cent of previous earnings throughout the contingency in periodical payment*	<ul style="list-style-type: none"> Partial anatomical disability = % refers to table x 80 month of last wage in lump sum Partial functional disability = % of the functional decrease x % refers to table x 80 month of last wage in lump sum

Note: The periodical payment may be commuted for a lump sum: where the degree of incapacity is slight; or where the competent authority is satisfied that the lump sum will be properly utilised.

► Permanent disability benefit – Preliminary assessment

Payment and duration of permanent disability benefits

- The programme provides benefits in lump sum for a prescribed duration.
- The Convention requires a periodical payment of at least 50% of the insured's previous earnings throughout the contingency.

Survivor's benefit (breadwinner's death)

Degree of disability	Article 36 – C102	JKK
Death grant	40 per cent of deceased's previous earnings in periodical payment	<ul style="list-style-type: none"> 60% of 80 months of last wage in lump sum subject to a minimum amount of IDR 20 million IDR 500,000 periodical payment for 24 months (or lump sum of IDR 12 million).
Funeral grant		<ul style="list-style-type: none"> IDR 10 million in lump sum
Scholarship		<p>For a maximum of two children</p> <ul style="list-style-type: none"> Kindergarten to elementary school: IDR 1.5 million per year per child (for a maximum education period of eight years) Middle school or equivalent level: IDR 2 million per year per child (for a maximum education period of three years) High school or equivalent level: IDR 3 million per year per child (for a maximum education period of three years) Higher education or training: IDR 12 million per year per child (for a maximum education period of five years).

► Survivor's benefit – Preliminary assessment

Payment, duration and amount of survivor's benefits

- The programme provides benefits in lump sum for a prescribed duration.
- The Convention requires a periodical payment of at least 40% of the breadwinner's previous earnings.

Special provisions for Indonesian migrant workers

Design parameter	Before overseas departure	After returning to Indonesia	During overseas
Coverage	prospective Indonesian migrants (individual or registered with placement agency) and Indonesian migrant workers		
Contribution rate	Rp. 37,500 per 5 months	Rate as wage or non-wage-earner	Rp. 332,500 per 5 months
Coverage period	Maximum 5 months renewable	Maximum 1 month	Maximum 25 months
Benefits	<ul style="list-style-type: none"> ▪ Health care services and financial compensation similar to described in table 3 ▪ Vocational training and guidance ▪ Cash assistance for prospective migrant who failed to depart due to no fault of their own. 		
Claim procedure	Following the claim procedures in section 2.4 of this brief and must be completed with 7 days for each stage accompanied by relevant supporting documents		
Qualifying conditions	Benefits claimed within 24 months of work accident		

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