

REGULATION OF THE MINISTER OF MANPOWER AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA
NUMBER PER.02/MEN/I/2011
ON
IMPLEMENTATION COORDINATION AND DEVELOPMENT
OF LABOUR INSPECTION

BY THE BLESSINGS OF ALMIGHTY GOD

MINISTER OF MANPOWER AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA,

Considering : that as the implementation of the provision of Article 13, Article 16 section (3), and Article 28 of the Presidential Regulation Number 21 of 2010 on Labour Inspection, it is deemed necessary to regulate implementation coordination and development of labour inspection with the Ministerial Regulation;

Observing : 1. Law Number 3 of 1951 on Statement of Enactment of Law on Labour Inspection Number 23 of 1948 from the Republic of Indonesia for All Indonesia (State Gazette of the Republic of Indonesia of 1951 Number 4);

2. Law Number 1 of 1970 on Work Safety (State Gazette of the Republic of Indonesia of 1970 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 1918);

3. Law Number 13 of 2003 on Manpower (State Gazette of the Republic of Indonesia of 2003 Number 39,

- Supplement to the State Gazette of the Republic of Indonesia Number 4279);
4. Law Number 21 of 2003 on Ratification of ILO Convention Number 81 (ILO Convention Number 81 concerning Labour Inspection in Industry and Commerce) (State Gazette of the Republic of Indonesia of 2003 Number 91, Supplement to the State Gazette of the Republic of Indonesia Number 4309);
 5. Law Number 32 of 2004 on Local Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended several times, last by Law Number 12 of 2008 (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);
 6. Government Regulation Number 79 of 2005 on Guideline to Development and Inspection of Local Government Administration (State Gazette of the Republic of Indonesia of 2005 Number 165, Supplement to the State Gazette of the Republic of Indonesia Number 4539);
 7. Presidential Regulation Number 21 of 2010 on Labour Inspection;
 8. Decision of the Minister of State Apparatus Empowerment and Bureaucratic Reforms Number 19 of 2010 on Functional Position of Labour Inspection and Its Credit Number;
 9. Regulation of the Minister of Manpower and Transmigration of the Republic of Indonesia Number PER.20/MEN/IX/2005 on Career Path and Education and Training of Functional Position of Labour Inspector;

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF MANPOWER AND TRANSMIGRATION OF THE REPUBLIC OF INDONESIA ON IMPLEMENTATION COORDINATION AND DEVELOPMENT OF LABOUR INSPECTION.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Labour Inspection means an activity to inspect and enforce the implementation of the legislation in the field of manpower.
2. Work unit of Labour inspection in the institution with the scope of task and responsibility of the manpower within the Central Government means the work unit of labour inspection in the Ministry that carries out the manpower affairs in accordance with provision of legislation.
3. Work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Provincial Government means work unit of labour inspection within the Provincial Task Force that carries out the manpower affairs in accordance with the provision of legislation.
4. Work unit of labour inspection in the institution with the scope of task and responsibility of the manpower within the Regency/Municipal Government means work unit of labour inspection within the Regency/Municipal Task Force that carries out the manpower affairs in accordance with the provision of legislation.
5. Labour inspection development means a series of development activities conducted by the government and/or provincial government regarding institutional, human resources of labour inspection, means and infrastructure, funding, administrative, and information system of labour inspection.
6. Labour Inspection Officer hereinafter refer to as Labour Inspector means a civil servant appointed and assigned in the functional position as Labour Inspection in accordance with the provision of legislation.
7. Director General means Director General of labour inspection within the institution with the scope of task

and responsibility of the manpower within the central government.

8. Minister means Minister responsible for manpower affairs.

CHAPTER II LABOUR INSPECTION DEVELOPMENT

Part One General

Article 2

Labour inspection development is intended to support the capabilities of work unit of labour inspection in conducting the law enforcement in the field of manpower in a harmonized, coordinated, and integrated manner within the central government, provincial government and regency/municipal government.

Article 3

- (1) Labour inspection development is conducted in accordance with the national policy in this Ministerial Regulation.
- (2) Director General implements the labour inspection development at the provincial government based on the national policy as referred to in section (1).
- (3) Governor or the appointed official implements the labour inspection development at the regency/municipality based on the national policy as referred to in section (1).

Article 4

- (1) Labour inspection development as referred to in Article 3 section (1), includes:
 - a. institutional;
 - b. human resources of the labour inspector;
 - c. means and infrastructure;
 - d. funding;

- e. administration;
 - f. information system of labour inspection.
- (2) Implementation of labour inspection development as referred to in section (1) is conducted through:
- a. mentoring;
 - b. consultation;
 - c. counseling;
 - d. supervision and monitoring;
 - e. dissemination;
 - f. education and training;
 - g. coaching;
 - h. evaluation.

Part Two Institutional

Article 5

The institutional development as referred to in Article 4 section (1) point a is conducted to improve the performance through optimum implementation of task and function of the work unit of labour inspection within the institution with the scope of task and responsibility in the field of manpower.

Article 6

The performance improvement through optimum implementation of task and function as referred to in Article 5, includes:

- a. formulation of labour inspection work plan based on the analytical result of the labour inspection object and in accordance to the development of technology and regional social economic need;
- b. development of data on labour inspection object as the basis in risk mapping and formulation of the manpower norms, stipulation of norms, standards, procedure and criteria;
- c. dissemination of manpower norms to the public;
- d. management of labour inspection activity in the form of examination, assessment and investigation;

- e. issuance of permit to use production equipment, validation of equipment/installation and protection facility, granting recommendation of Occupational Safety and Health (OSH) and license for First Aid (*Pertolongan Pertama Pada Kecelakaan*, P3K) officers at the work place.
- f. determination of occupational accident and/or occupational illness;
- g. determination of wages calculation and/or overtime pay;
- h. development of Occupational Safety and Health Management System (*Sistem Manajemen Keselamatan dan Kesehatan Kerja*, SMK3) application and audit;
- i. development of the establishment and improvement activity of Occupational Safety and Health Committee (*Panitia Pembina Keselamatan dan Kesehatan Kerja*, P2K3);
- j. development and empowerment of Service Company of Occupational safety and Health (*Perusahaan Jasa Keselamatan dan Kesehatan Kerja*, PJK3) and evaluation of the result of the activities.
- k. development of the establishment and improvement of activity of the work norms' candidate;
- l. development of the Expert of Occupational Safety and Health, company's doctor and/or doctor who examines the occupational health, SMK3 auditors, officials, operators, and technicians in the field of Occupational Safety and Health (OSH);
- m. development of the establishment of the action committee of the elimination of worst forms of child labour;
- n. development in preventing the discrimination for the application of manpower norms;
- o. granting award in the field of manpower;
- p. coordination and cooperation with the related institution and profession association;
- q. reporting the result of labour inspection activity.

Article 7

In the implementation of the institutional development as referred to in Article 5, Governor or the appointed official

conduct mentoring, supervision, coaching, and evaluation to the regency/municipal government.

Part Three
Human Resources of Labour Inspector

Article 8

Human resources development as referred to in Article 4 section (1) point b may be conducted for:

- a. fulfilling the need of human resources of the labour inspector;
- b. improving the quality of labour inspector;
- c. assignment and placement.

Article 9

- (1) The fulfillment of the need of human resources labour inspector as referred to in Article 8 point a, is conducted based on the work load, labour inspection object and formation in accordance with the legislation.
- (2) To fulfill the human resources, need of the labour inspector in the province as referred to in section (1), Governor or the appointed official, proposes the participants' nomination for the training and education of the labour inspection to the Minister in accordance with the legislation.
- (3) To fulfill the need of human resources labour inspector in regency/municipality as referred to in section (1), the Regent/Mayor or the appointed official, propose the participants' nomination for the training and education of the labour inspection to the Minister through the Governor in accordance with the legislation.

Article 10

- (1) Improvement of the human resources quality of the labour inspector as referred to in Article 8 point b may be conducted through:
 - a. education and training of the Civil Servant Investigator (*Penyidik Pegawai Negeri Sipil*, PPNS);

- b. education and training of manpower for expertise/specialization;
 - c. education and training to upgrade skill;
 - d. technical counselor;
 - e. seminar;
 - f. workshop;
 - g. training of trainers;
 - h. comparative study; and/or
 - i. internship/coaching.
- (2) The material for improving the quality of human resources of the labour inspector as referred to in section (1) covers:
- a. formulation of examination/testing work plan;
 - b. examination and/or testing;
 - c. determination and calculation;
 - d. dissemination of manpower legislation;
 - e. investigation in the field of manpower;
 - f. development in the field of labour inspection;
 - g. cooperation and coordination with the partner; and/or
 - h. reporting of the result of examination/testing.
- (3) The implementation of the improvement of the human resources quality of the labour inspector as referred to in section (1) is conducted in accordance with legislation.

Article 11

- (1) The participants of the education and training of the labour inspection who has been passed and met the qualification, appointed as the labour inspector by the Minister.
- (2) The labour inspector as referred to in section (1) is appointed and assigned in the functional position of the labour inspector and placed in the labour inspection work unit within the institution with the scope of task and responsibility in the field of manpower within the central government, provincial government, and regency/municipal government in accordance with the legislation.

Article 12

In the implementation of the human resources development of the labour inspector as referred to in Article 8, Governor or the appointed official conducts mentoring, supervision, coaching, and evaluation to the regency/municipal government.

Part Four

Means and Infrastructure

Article 13

- (1) The means and infrastructure development as referred to in Article 4 section (1) point c is conducted to improve the operational ability of the work unit of the labour inspection.
- (2) The means and infrastructure development as referred to in section (1) includes the procurement and usage of the means and infrastructure.
- (3) The means and infrastructure as referred to in section (2) include:
 - a. office;
 - b. office equipment;
 - c. transportation means;
 - d. examination and testing equipment;
 - e. uniform and attribute of labour inspector;
 - f. official ID card; and
 - g. other operational support.

Article 14

In the implementation of the means and infrastructure development as referred to in Article 13, Governor or the appointed official conducts mentoring, consultation, supervision, monitoring and evaluation to the regency/municipal government.

Part Five

Funding

Article 15

- (1) The funding development as referred to in Article 4 section (1) point d is conducted to ensure the availability of the operational cost of the labour inspection.
- (2) The development of funding as referred to in section (1) is conducted to the planning and budget to:
 - a. fulfill the need and improve the ability of the labour inspector;
 - b. disseminate manpower norms;
 - c. examine and test;
 - d. investigate;
 - e. provide means and infrastructure;
 - f. manage information network;
 - g. conduct technical administration and investigation;
 - h. do functional coordination; and
 - i. do labour inspection cooperation.
- (3) Operational budget of the labour inspection as referred to in section (1) comes from the State Budget (*Anggaran Pendapatan Belanja Negara*, APBN) and Regional Budget (*Anggaran Pendapatan Belanja Daerah*, APBD) and/or other legal and non-binding sources.

Article 16

In the implementation of the funding development as referred to in Article 15, the Governor or the appointed official conducts coaching, consultation, supervision and monitoring and evaluation to the regency/municipal government.

Part Six

Administration

Article 17

- (1) The administrative development as referred to in Article 4 section (1) point e is conducted to ensure the organization

of technical administration of the labour inspection in line with the existing provisions.

- (2) The technical administration of the labour inspection as referred to in section (1) covers:
 - a. management of the data of the labour inspector;
 - b. management of the work plan of the unit and labour inspector;
 - c. management of the object data of the labour inspection;
 - d. management of the inspection activity data and/or examination of the labour inspector;
 - e. management of licensing data and/or validation of the labour inspection object;
 - f. management of the data of the labour inspection partner (institutional and personnel);
 - g. management of work accident and illness due to work and data of the labour inspection; and
 - h. management of the report of the work unit of the labour inspection.
- (3) In order to organize the technical administration of the labour inspection as referred to in section (2), an organization of the technical administration of the labour inspection is available.
- (4) To fulfill the need of the organization of the technical administration of the labour inspection at the provincial level as referred to in section (3), the Governor or the appointed official conveys the participants' nomination for the education and training of the technical administration of the labour inspection to the Minister.
- (5) To fulfill the need of the organization of the technical administration of the labour inspection at the regency/municipal level as referred to in section (3), the regent/mayor or the appointed official conveys the participants' nomination for the education and training of the technical administration of the labour inspection to the Governor or the appointed official.

Article 18

In the implementation of administration development as referred to in Article 17, the Governor or the appointed official conducts coaching, consultation, supervision and monitoring as well as evaluation to the regency/municipal government.

Part Seven

Information System of Labour Inspection

Article 19

The development of information system of labour inspection as referred to in Article 4 section (1) point f is conducted to ensure the availability of manpower information within the work unit of the labour inspection.

Article 20

- (1) The information system of the labour inspection as referred to in Article 19 is established through the organization of information network of the labour inspection.
- (2) The organization of information network of the labour inspection as referred to in section (1) covers the entry, manage, and present the data of the labour inspection.
- (3) The information of the labour inspection as referred to in section (2) consists the data of:
 - a. human resources of the labour inspector;
 - b. object of the labour inspection;
 - c. activity of the labour inspection;
 - d. occupational accident and illness due to work;
 - e. institution and partners of the labour inspection;
 - f. licensing and recommendation; and
 - g. other manpower issues.

Article 21

In the implementation of the development of information system as referred to in Article 20, the Governor or the appointed official conducts coaching, consultation, mentoring,

supervision and monitoring as well as evaluation to the reGENCY/municipal government.

CHAPTER III
WORK UNIT OF LABOUR INSPECTION COORDINATION

Article 22

- (1) The coordination between the work unit of labour inspection aims to achieve common perception in the implementation of the labour inspection.
- (2) The coordination between the work unit of labour inspection as referred to in section (1) is implemented at the national and provincial level.
- (3) The coordination at the level of reGENCY/municipal government conducts through operational technical meeting of the labour inspection.

Part One

Coordination at the National Level

Article 23

- (1) The coordination of labour inspection at the national level as referred to in Article 22 section (2) is conducted to discuss and/or agree the following matters:
 - a. policy and strategy of the labour inspection implementation;
 - b. program and activity of labour inspection;
 - c. harmonization of policy at the national, provincial and reGENCY/municipal levels;
 - d. need of institution, human resources of labour inspector, technical administration of labour inspection and the organization of information network of labour inspection;
 - e. focus on the labour inspection implementation;
 - f. manpower issue at the national and international levels.

- (2) The coordination of labour inspection at the national level as referred to in section (1) is conducted through coordination meeting at the national level organized by the Director General at least once in a year.

Article 24

The coordination meeting at the national level as referred to in Article 23 section (2) is attended by all work units of labour inspection in the institution with the scope of task and responsibility in the field of manpower within the provincial government and regency/municipal government, related institution and/or other parties as considered necessary.

Article 25

The coordination result of the labour inspection at the national level as referred to in Article 24 determined by the Minister or the appointed official and serve as the guideline in the implementation of the labour inspection.

Part Two

Coordination at the Provincial level

Article 26

- (1) The coordination of labour inspection at the provincial level as referred to in Article 22 section (2) is organized to implement the result of coordination meeting at the national level.
- (2) The coordination meeting at the provincial level as referred to in section (1) discusses and/or agrees the following matters:
 - a. local condition of the labour inspection;
 - b. need of the institution, human resources of labour inspector, technical administration of labour inspection and the organization of the information network of labour inspection;
 - c. internal and external coordination in the implementation of labour inspection;

- d. harmonization of the implementation of labour inspection between the regency/municipal government;
- e. the balance of program in the implementation of labour inspection between regency/municipality;
- f. practice and/or implementation of labour inspection adjusted with the need of regional in line with the national policy;
- g. procedure of handling and resolving the cases in the field of manpower;
- h. the result of labour inspection at the regency/municipal for the period of the last 1 (one) year.

Article 27

- (1) The coordination of labour inspection at the provincial level as referred to in Article 26 is implemented through coordination meeting at the provincial level to be organized by the Governor or the appointed official at least once in a year.
- (2) The coordination meeting at the provincial level as referred to in section (1) is attended by all work units of labour inspection in the institution with the scope of task and responsibility of the manpower within the regency/municipal government, related government institutions and/or other parties as considered necessary.

Article 28

The coordination result of the labour inspection at the provincial level as referred to in Article 27 is determined by the Governor or the appointed official and serve as the guideline in the implementation of the labour inspection at the regency/municipal level and material for the coordination meeting at the national level.

Part Three
Operational Technical Meeting

Article 29

- (1) In order to improve the performance of labour inspection and support the coordination meeting at the provincial level, work unit of labour inspection in the institution with the scope of task and responsibility in the field of manpower within the regency/municipal government may implement the operational technical meeting.
- (2) The operational technical meeting as referred to in section (1) discusses and agrees on the efforts to implement the result of coordination meeting at the national and provincial levels.
- (3) The operational technical meeting as referred to in section (1), discusses and agrees the following matters:
 - a. the conditions of the local labour inspection;
 - b. the need of institution, human resources of labour inspector, technical administration of labour inspection and implementation of labour inspection information network;
 - c. internal and external coordination in the implementation of labour inspection;
 - d. harmonization of the implementation of labour inspection with the regency/municipal governments;
 - e. practice and/or implementation of labour inspection are adjusted with the regional need and in line with the national policy.
 - f. role of labour inspection to local social economic growth;
 - g. procedure of handling and resolving the cases in the field of manpower;
 - h. other matters considered necessary in the labour inspection.

Article 30

- (1) The operational technical meeting of labour inspection as referred to in Article 29 is organized by the Regent/Mayor or the appointed official at least once in a year.
- (2) The operational technical meeting as referred to in section (1) is attended by all work units of labour inspection in the institution with the scope of task and responsibility of the manpower within the regency/municipal government, related government institutions and/or other parties as considered necessary.

Article 31

The result of operational technical meeting of labour inspection at the regency/municipal level as referred to in Article 30 is used as the material for the coordination meeting at the provincial level.

Part Four

Funding

Article 32

- (1) The cost for the implementation of the national level coordination as referred to in Article 22 section (2) is borne by the State Budget (*Anggaran Pendapatan dan Belanja Negara*, APBN), Regional Budget (*Anggaran Pendapatan dan Belanja Daerah*, APBD) for province, Regional Budget (*Anggaran Pendapatan dan Belanja Daerah*, APBD) for regency/municipality, and other legal and non-binding resources.
- (2) The cost for provincial level coordination as referred to in Article 22 section (2) is borne by Regional Budget (*Anggaran Pendapatan dan Belanja Daerah*, APBD) for province, Regional Budget (*Anggaran Pendapatan dan Belanja Daerah*, APBD) for regency/municipality, and other legal and non-binding resources.
- (3) The cost for operational technical meeting as referred to in Article 22 section (2) is borne by Regional Budget

(*Anggaran Pendapatan dan Belanja Daerah*, APBD) for regency/municipality, and other legal and non-binding resources.

CHAPTER III
MISCELLANEOUS PROVISION

Article 33

Provisions which not yet regulated under this regulation are further determined by Director General.

CHAPTER IV
CLOSING PROVISION

Article 34

This Ministerial Regulation comes into force as of the date of its issuance.

In order that every person may know hereof, it is ordered to promulgate this law by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta
on 26 January 2011

MINISTER OF MANPOWER AND TRANSMIGRATION
OF THE REPUBLIC OF INDONESIA,

Signed

Drs. H.A. MUHAIMIN ISKANDAR, M.Si.

Promulgated in Jakarta
on 26 January 2011

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

Signed

PATRIALIS AKBAR, SH.

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2011 NUMBER 39

Jakarta, 27 March 2019

Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia

DIRECTOR GENERAL OF LEGISLATION,


WIDODO EKATJAHJANA

