# REGULATION OF THE MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA NUMBER 18 OF 2017

ON

# PROCEDURES FOR COMPANY'S ONLINE MANDATORY MANPOWER REPORTS

#### BY THE BLESSINGS OF ALMIGHTY GOD

#### THE MINISTER OF MANPOWER OF THE REPUBLIC INDONESIA

- Considering: a. that in order to implement the provisions of Article 9 of
  Law Number 7 of 1981 on Mandatory Manpower Reports,
  it is necessary to regulate procedures for company's
  mandatory manpower reports;
  - b. that in line with the development of technology and information as well as to provide facility and certainty for employers and protection for workers/labors, it is necessary to refine Regulation of the Minister of Manpower and Transmigration Number PER.14/MEN/IV/2006 on Procedures for Company's Manpower Reports;
  - c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regulation of the Minister of Manpower on Procedures for Company's Online Mandatory Manpower Reports;

Observing

- : 1. Law Number 3 of 1951 on Statement of the Enactment of Law on Labour Inspection of 1948 Number 23 from the Republic of Indonesia to All Indonesia (State Gazette of the Republic of Indonesia of 1951 Number 4);
  - Law Number 1 of 1970 on Occupational Safety (State Gazette of the Republic of Indonesia of 1970 Number 1, (Supplement to the State Gazette of the Republic of Indonesia Number 2918);
  - 3. Law Number 7 of 1981 on Mandatory Manpower Reports (State Gazette of the Republic of Indonesia of 1981 Number 39, Supplement to the State Gazette of Republic of Indonesia Number 3201);
  - 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);
  - Law Number 21 of 2003 on the Ratification of 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);
  - 6. Presidential Decree Number 4 of 1980 on Mandatory Job Vacancy Reports;
  - 7. Presidential Regulation Number 18 of 2015 on Ministry of Manpower (State Gazette of the Republic of Indonesia of 2015 Number 15);
  - 8. Regulation of the Minister of Manpower Number 8 of 2015 on Procedures for Preparing Draft Law, Draft Government Regulation, and Draft Presidential Regulation Making as well as Draft Ministerial Regulation Making in the Ministry of Manpower (State Bulletin of the Republic of Indonesia of 2015 Number 411);

#### HAS DECIDED:

To issue

REGULATION OF THE MINISTER OF MANPOWER ON PROCEDURES FOR ONLINE MANDATORY MANPOWER REPORTS.

# CHAPTER I GENERAL PROVISIONS

#### Article 1

In this Ministerial Regulation:

- 1. Employer means:
  - a. an individual, a partnership or legal entity that implement their owned companies;
  - b. an individual, a partnership or legal entity that independently runs a non-self-owned companies; and
  - b. an individual, a partnership or legal entity located in Indonesia and representing companies as referred to in point a and point b that is domiciled outside the territory of Indonesia.

#### 2. Company means:

- a. every form of business, which is either a legal entity or not, which is owned by an individual, a partnership or a legal entity that is either privately owned or State owned, which employs workers/labourers by paying them wage or other forms of rewards;
- social entity and other entities that have Manager and employ other people by paying wage or other forms of rewards.
- 3. Leader means person who has the task of directly leading a workplace or their stand-alone division.
- 4. Labour Inspector Officer hereinafter referred to as Labour Inspector means a Civil Servant appointed and assigned in the functional position as Labour Inspector to supervise and enforce the implementation of legislation in the field of manpower.
- 5. Company Establishment means since the Company carried out Company's physical activity and/or obtained license.
- 6. Termination of Company means termination of Company's business activity for no more than one year

but not for the purpose of dissolving the Company, whether out of free will or in accordance with prevailing legislation.

- 7. Reopening of Company means reopening business activity after the Company has been terminated.
- 8. Transfer of Company means transferring the domicile and/or location of the Company or its ownership.
- 9. Dissolution of Company means terminating the Company's business activity permanently.
- 10. Ministry means ministry administering government affairs in the field of manpower.
- 11. Director General means director general in charge of manpower supervision.
- 12. Provincial Office means office administering government affairs in the field of manpower in provincial area.
- 13. Regency/Municipal Office means office administering government affairs in the field of manpower in regency/municipal area.
- 14. Minister means minister administering government affairs in the field of manpower.

#### Article 2

This Ministerial Regulation aims to provide accurate, prompt and accessible manpower data in Company.

#### Article 3

Company's mandatory manpower reports are carried out through the online system provided by the Ministry on <a href="http://wajiblapor.kemnaker.go.id">http://wajiblapor.kemnaker.go.id</a>

#### Article 4

The users of online system as referred to in Article 3 cover:

- a. Employer or Leader;
- b. Labour Inspector;
- c. system administrator;
- d. head of Provincial Office; and
- e. head of Regency/Municipal Office.

#### Article 5

- (1) Employer or Leader is obligated to carry out online reporting:
  - a. after establishing, reopening, or transferring a Company; or
  - b. before transferring, terminating or dissolving a Company.
- (2) Reporting is carried out 30 (thirty) days after or before carrying out activities as referred to in section (1).
- (3) In addition to the reporting as referred to in section (1), Employer or Leader is obligated to carry out periodic reporting annually in December.

#### Article 6

The reporting as referred to in Article 4 is free of charge.

# CHAPTER II REPORTING PROCEDURES

#### Part One

#### Registration

#### Article 7

- (1) Employer or Leader registers in the online system to obtain account.
- (2) The registration as referred to in section (1) is carried out through the following steps:
  - a. clicking on register menu;
  - b. filling in user identity, username, password (write your own), and e-mail address;
  - c. completing Company information on the available form;
  - d. after completing the form as referred to in point c, Company or Leader receives a reply e-mail containing link to confirm their account and registration number; and
  - e. if the account has been confirmed, Employer or Leader is officially registered.

- (3) Registered Employer or Leader is proceeding to complete the mandatory manpower report form.
- (4) The registration procedures as referred to in section (2) use the Format I attached in the Annex as an integral part of this Ministerial Regulation.

#### Part Two

# Report After Establishing, Reopening or Transferring a Company

#### Article 8

- (1) Report after establishing, reopening or transferring a company is carried out through the following steps:
  - a. Employer or Leader logs in by using their account;
  - b. completing the available form;
    - 1. Company's codification;
    - 2. Company's condition;
      - a) manpower relations;
      - b) worker's protection;
      - c) work opportunity; and
      - d) worker's condition.
- (2) In addition to the form as referred to in section (1) point b, the system provides dialogue messaging menu.
- (3) The report forms as referred to in section (1) point b are made by using the Format II attached in the Annex as an integral part of this Ministerial Regulation.

#### Part Three

# Reports Before Transferring, Terminating or Dissolving a Company

#### Article 9

- (1) Reports before transferring, terminating or dissolving a company are carried out through the following steps:
  - a. Employer or Leader logs in by using their account;
  - b. completing the available form;
    - 1. name and address of the Company or Company's division;

- 2. name and address of Employer;
- 3. name and address of Company's Leader;
- 4. date of company's transfer, termination or dissolution;
- 5. reasons for company's transfer, termination or dissolution;
- 6. any obligations that have been or will be fulfilled to worker/labor, in accordance with the provisions of legislation, employment agreement, labour agreement and local customs; and
- 7. number of worker/labourers that will be terminated.
- (2) The report forms as referred to in section (1) point b are made by using the Format III attached in the Annex as an integral part of this Ministerial Regulation.
- (3) After receiving the report as referred to in section (1), head of Provincial Office orders Labour Inspector to carry out inspection in order to ensure that Employer has fulfilled their obligations to worker/labourers as referred to in section (1) point b point 6.

# Part Four Periodic Reports

#### Article 10

Periodic reports are carried out by using procedures and form as referred to in Article 8.

# CHAPTER III DATA UTILIZATION AND MANAGEMENT

Part One Utilization

#### Article 11

(1) National data on mandatory manpower reports are used as a reference to formulate national policies.

- (2) Provincial data on mandatory manpower reports are used as a reference to formulate provincial and regency/municipal policies.
- (3) The data as referred to in section (2) are data of Companies in the concerned provincial and regency/municipal area.

#### Article 12

- (1) Data on mandatory manpower reports can be used as a reference to formulate unit's action plan and Labour Inspector's action plan.
- (2) Unit's action plan and Labour Inspector's action plan as referred to in section (1) are carried out in accordance with the provisions of legislation.

#### Article 13

- (1) The administration of online mandatory manpower reports is carried out by Directorate General in charge of labour inspection.
- (2) The administration of mandatory manpower reports as referred to in section (1) is carried out by system administrator.
- (3) The system administration as referred to in section 2 is carried out:
  - a. in Ministry, by Secretary of Directorate General; or
  - in Provincial Office, by head of office in charge of manpower or head of division in charge of labour inspection.
- (4) System administrator in Provincial Office creates an account for head of Regency/Municipal Office.

#### Article 14

Mandatory manpower report system can be accessed by the Echelon I unit in the Minsitry through Manpower Planning and Development Board c.q. Center of Manpower Data and Information.

#### Article 15

- (1) Provincial Office must provide data access of mandatory manpower report to the manpower office in regency/municipal area.
- (2) The provision of data access as referred to in section (1) is carried out based on the request of head of office in charge of manpower in regency/municipal area.
- (3) The data as referred to in section (1) are data of Companies in the concerned regency/municipal area.

#### Part Two

#### Management

#### Article 16

The management of mandatory manpower report network and database is carried out by Manpower Planning and Development Board through Center of Manpower Data and Information.

# CHAPTER IV INSPECTION

#### Article 17

Inspection to the implementation of mandatory manpower report in Companies is carried out by Labour Inspector in accordance with the provisions of legislation.

# CHAPTER V SANCTION

#### Article 18

Employer or Leader who does not fulfill their obligations as referred to in Article 5 section (1) and section (3) is subject to sanctions under Law Number 7 of 1981 on Company's Mandatory Manpower Reports.

# CHAPTER VI MISCELLANEOUS PROVISIONS

#### Article 19

- (1) The online system that has been built in echelon I unit is required to integrate with mandatory manpower report system.
- (2) Provincial office that already has online mandatory manpower report system before the promulgation of this Ministerial Regulation must integrate it with the Ministry's online mandatory manpower report system.

# CHAPTER VII TRANSITIONAL PROVISION

#### Article 20

Employer who has already submitted manpower report manually must make another report online not later than 1 (one) year since the promulgation of this Ministerial Regulation.

# CHAPTER VIII CLOSING PROVISIONS

#### Article 21

At the time this Ministerial Regulation comes into force, Regulation of the Minister of Manpower and Transmigration Number PER.14/MEN/IV/2006 on Procedures for Company's Manpower Reports with its implementing regulations, is repealed and declared ineffective.

#### Article 22

This Ministerial Regulation comes into force on the date of its promulgation.

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

> Issued in Jakarta on 6 November 2017

MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA,

signed

M. HANIF DHAKIRI

Promulgated in Jakarta on 6 November 2017

DIRECTOR GENERAL OF LEGISLATION
OF MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2017 NUMBER 1540

Jakarta, 28 August 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,

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ANNEX OF

REGULATION OF THE MINISTER OF MANPOWER OF THE REPUBLIC OF INDONESIA

NUMBER 18 OF 2017

ON

PROCEDURES FOR COMPANY'S ONLINE

MANDATORY MANPOWER REPORTS

LIST OF ANNEXES

FORMAT I : REGISTRATION PROCEDURES FOR COMPANY'S

MANDATORY MANPOWER REPORTS

FORMAT II : REPORT FORM AFTER ESTABLISHING, REOPENING OR

TRANSFERRING A COMPANY

FORMAT III : REPORT FORM BEFORE TRANSFERRING, TERMINATING OR

DISSOLVING A COMPANY

MINISTER OF MANPOWER
OF THE REPUBLIC OF INDONESIA,

signed

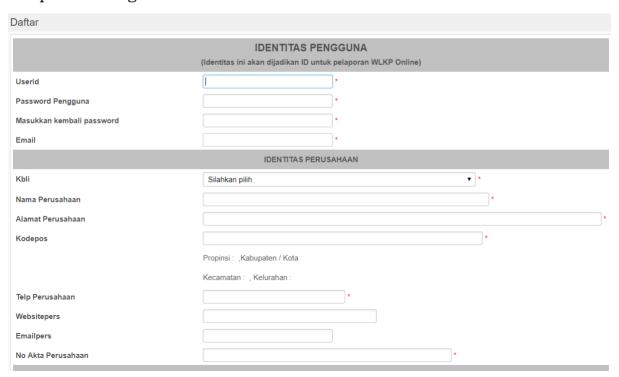
M. HANIF DHAKIRI

FORMAT I : REGISTRATION PROCEDURES FOR COMPANY'S MANDATORY MANPOWER REPORTS

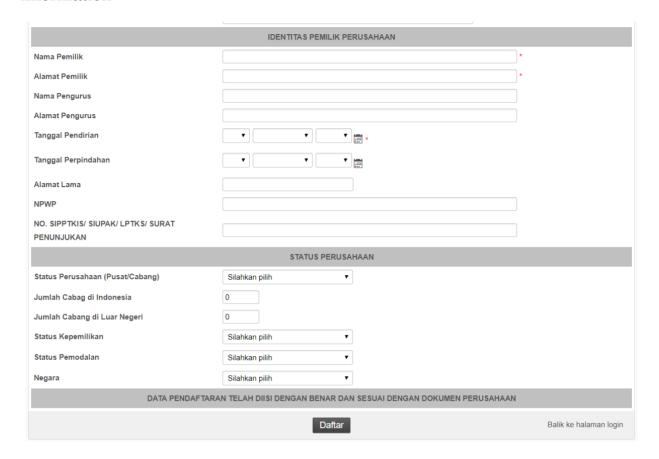
- 1. Open the link http://wajiblapor.kemnaker.go.id
- 2. Click on Registration Menu



3. Complete the registration form

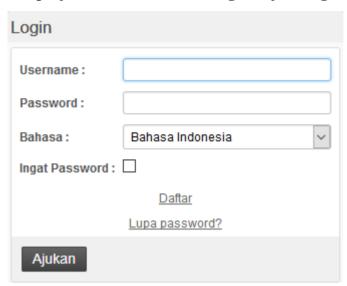


4. Click on *Daftar* menu after completing the registration form with correct information



# FORMAT II : REPORT FORM AFTER ESTABLISHING, REOPENING OR TRANSFERRING A COMPANY

1. Employer or Leader must log in by using their account;



- 2. Click on Ajukan menu to log in
- 3. Complete the available form:
  - A. Company Condition



#### B. Worker Condition

a) Worker



b) Foreign Worker



c) Worker Education

× Proceed to Pendidikan Tenaga Kerja



d) Worker Position

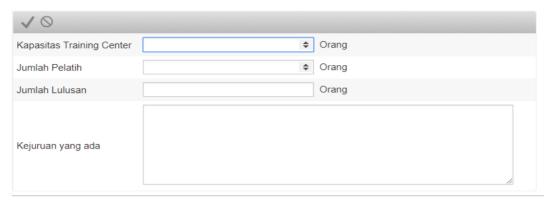


### C. Worker Planning



### D. Training

### a) Training Center



### b) Internship



### c) Productivity Measurement



### d) SKKNI (National Work Competence Standard)



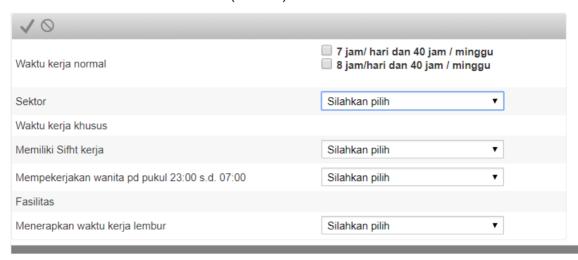
### E. Work Opportunity



### F. Work Requirements

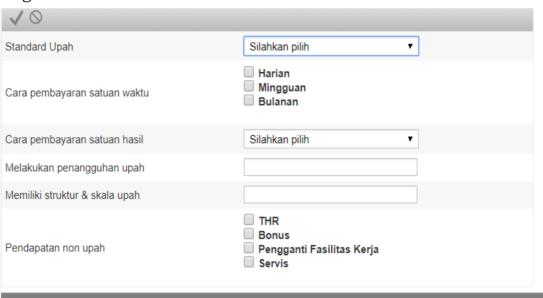


### G. Work Time and Break Time (WKWI)

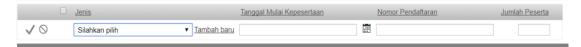


#### H. Worker Protection

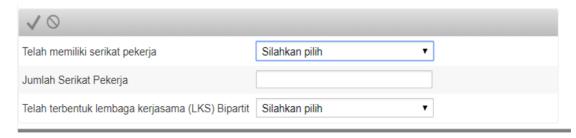
### a) Wage



#### b) Social Protection



#### c) Institution

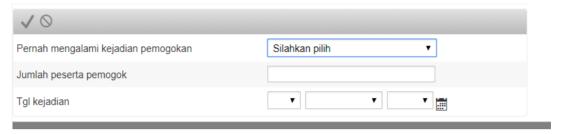


#### I. Industrial Relations

a) Settlement and Conflict



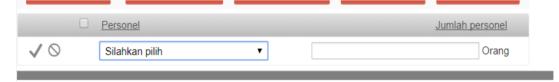
b) Labor Strike



- J. Occupational Safety and Health (OSH)
  - a) Existence of OSH Guidance Committee



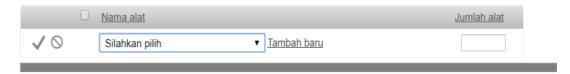
b) Existence of OSH Personnel



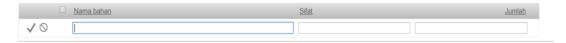
c) Existence of OSH Facility



d) Existence of Tools



e) Existence of Materials



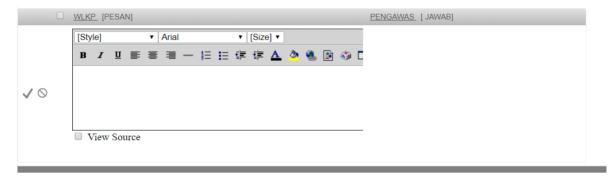
f) Production Waste



# g) Existence of Welfare Facility



# K. Dialogue



# FORMAT III : REPORT FORM BEFORE TRANSFERRING, TERMINATING OR DISSOLVING A COMPANY

## Employer or Leader completes the available Form

