

● ● WageIndicator

Collective Bargaining Agreement

Decent Work Check Indonesia

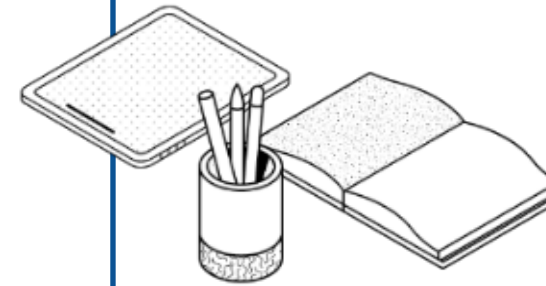
17 June 2022



Approach

BACKGROUND

- Laws and regulations are there, however does workers know about it?
- How can I improve my working conditions?
- I want to bargain with my employer but I don't have data to support it!!
- Can we access CBAs from other factories for comparison?
- How to conduct a constructive dialogue that leads to changes?
- Can we track the changes?



Data Collection

- FAQ on Workers Rights
- Surveys - Decent Work Check & COVID-19
- Collective Bargaining Agreement

Data Academy Trainings

- Evidence based Social Dialogue Training
- CBA Workshop
- Women Workers Academy



Evidence Based Social Dialogue / Negotiation with Factory Management Using Data

Workers Based Monitoring



Collective Bargaining Agreement Workshop

Prepare Trade Union for CBA negotiations

- To create improvement within the content of Collective Bargaining Agreement (CBA), negotiation between employers and trade union/worker's representative is needed.

During the CBA Workshop, trade union are trained:

- To analyze which issues to be prioritized to be negotiated and regulated in Collective Bargaining Agreement
- To draft Collective Bargaining Agreement – Trade Union version
- To build data/evidence-based arguments when having dialogues with employers.
- To look for regulations and data reference to support their arguments – including comparing CBAs and/or working conditions with factories in the same sector or region.



CBA Mapping Tools

- **CBA Mapping Tools** are being introduced in the training, which **allows trade union to map which issues to advocate and serve as a road map** for CBA negotiation in the future.
- CBA Mapping Tools consist of **Main and Sub-Categories** serve as a “menu” on what **to advocate into Collective Bargaining Agreement**

					1	0	-1	-1	-1	1	1	1	1	1	-1					
NO	SECTION	Clauses/Articles	Does the point provisions has been accomodate in CBA?		Issues Intensity		Implication (negative impact) if the provision/article is accomodated in CBA		Negotiation Time Needed		Stakeholder's Support				Supportive Data		Advocacy Ease Score	Advocacy Ease Level	Do you want to revise/improve the provision of clauses that has been regulate in your CBA?	
			Yes	No	Often Happen	Seldom Happen	Financial	Legal	Long	Fast	Managem ent	Internal TU	Other TU within factory	Brand/B uyer	Yes	No			Yes	No
5	Wages	Transportation Allowance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Attendance Allowance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Shift Work Allowance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Work Performance Allowance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0	HARD	<input type="checkbox"/>	<input type="checkbox"/>
		Family Allowance/Child Allowance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Prenatal Allowance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	-1	HARD	<input type="checkbox"/>	<input type="checkbox"/>
		Bonuses and Incentives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Wage for Probation Workers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Wage for Workers During Prolonged Illness	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Wage for Workers While Detained by Authorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Wage During Suspension	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
		Wage During No Work and/or Waiting Wage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0	HARD	<input type="checkbox"/>	<input type="checkbox"/>
		Wage During Force Majeure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0	HARD	<input type="checkbox"/>	<input type="checkbox"/>
		Income Tax	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>
												<input type="checkbox"/>			<input type="checkbox"/>					
6	Protection of Women Workers	Maternity Leave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	EASY	<input type="checkbox"/>	<input type="checkbox"/>	
		Miscarriage Leave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	RELATIVELY EASY	<input type="checkbox"/>	<input type="checkbox"/>	
		Menstruation Leave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	EASY	<input type="checkbox"/>	<input type="checkbox"/>	
		Protection for Pregnant Workers - Transportation facility - Specific toilets - Occupational Health and Safety for pregnant workers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	0	HARD	<input type="checkbox"/>	<input type="checkbox"/>

Problem Inventory List

- **Problem Inventory List** is used to empower trade union and/or workers **to build an argument** – why the issues need to be regulate in CBA
- Trade union will have a **clear argument on the advocacy target** by being back up with **regulations and data reference**

SECTION	CLAUSES/ARTICLES	CLAUSES ON OLD CBA PKB (please fill in if the clauses want to be revised - do not fill in if it has not been accomodate in CBA)	PROPOSED EDITORIAL CHANGES / ADDITIONS PARAGRAPH	WHY IT NEED TO BE ADVOCATE?	HOW WILL IT IMPACT COMPANY'S?	REGULATION REFERENCE	DATA REFERENCE (Supportive Information and Data Reference)	ARGUMENTATION
BAB III FASILITAS DAN KESEJAHTERAAN PEKERJA	Pasal 33 Extra Fooding	1. Pengusaha memberikan ekstra fooding bagi Pekerja yang melakukan kerja shift III dan Long Shift malam hari, extra fooding berupa susu cair yang diberikan pada saat jam makan malam dengan menimbang kadar gizi. 2. Pemberian extra fooding berupa makanan dan tidak dapat diganti dengan uang/bentuk lain, kecuali karena suatu sebab Pengusaha tidak menyediakan extra fooding.	1. Pengusaha memberikan ekstra fooding bagi Pekerja yang melakukan kerja shift III dan Long Shift malam hari, extra fooding berupa makanan yang terdiri dari nasi, sayuran, buah, tempe, daging, minyak, dan gula. Dengan nilai sebesar 3000 kilokalori. (2625 kkal itu PMK)	Rendahnya asupan kalori yang masuk dalam tubuh dapat mengurangi tingkat konsentrasi dalam bekerja. Sehingga, hal ini dapat berpotensi timbulnya kecelakaan kerja di tempat kerja.	1. Pemberian ekstra fooding dapat meningkatkan produktivitas perusahaan, karena dengan penambahan asupan gizi buruh dapat bekerja lebih optimal. 2. Peningkatan asupan gizi juga dapat mengurangi risiko kecelakaan kerja yang disebabkan karena kelelahan.	1. PERATURAN MENTERI KESEHATAN REPUBLIK INDONESIA NOMOR 41 TAHUN 2014. 2. UU No. 39 Tahun 1999 tentang Hak Asasi Manusia 3. Bagain Penjelasan Pasal 88 Ayat 1 UUK No. 13 Tahun 2003 "Yang dimaksud dengan penghasilan yang memenuhi penghidupan yang layak adalah jumlah penerimaan atau pendapatan pekerja/ buruh dari hasil pekerjaannya sehingga mampu memenuhi kebutuhan hidup pekerja/buruh dan keluarganya secara wajar yang meliputi makanan dan minuman, sandang, perumahan, pendidikan, kesehatan, rekreasi, dan jaminan hari tua."	1. Pada 24 Mei 2021 Organisasi Perburuhan Internasional (ILO) menerbitkan angka estimasi kematian akibat kerja. Lebih dari 5.000 buruh dengan kasus kematian setiap hari. Sementara, kasus dengan kategori kecelakaan kerja yang mengakibatkan cedera fatal diperkirakan sebanyak 200 – 2.000 kasus setiap hari, tergantung jenis pekerjaannya. Sumber: International Labor Organisasi, "Work-related fatalities reach 2 million annually". Diakses pada 02 Juni 2021. https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_007789/lang-en/index.htm 2. Database PKB yang diperoleh dari situasi Gajimu.com: https://gajimu.com/pekerjaan-yanglayak/perjanjian-kerja-a-bersama-basis-data/perjanjian-kerja-bersama-pkb-antara-pt-parkland-world-indonesia-1-dengan-ppsp-spnd-an-pk-fsb-garteks-ksbsi-pt-parkland-world-indonesia-2-019-2021	Kebutuhan untuk meningkatkan asupan gizi bagi para pekerja shift III atau yang terkena long shift merupakan wujud dari pemenuhan hidup manusia, untuk dapat melangsungkan kehidupan. Selain itu, peningkatan asupan gizi juga dapat meningkatkan produktivitas bagi perusahaan. Karena dengan masuknya energi tambahan pada tubuh, kelelahan dalam bekerja setidaknya dapat berkurang. Dengan begitu, risiko kecelakaan kerja dapat diminimalisir.

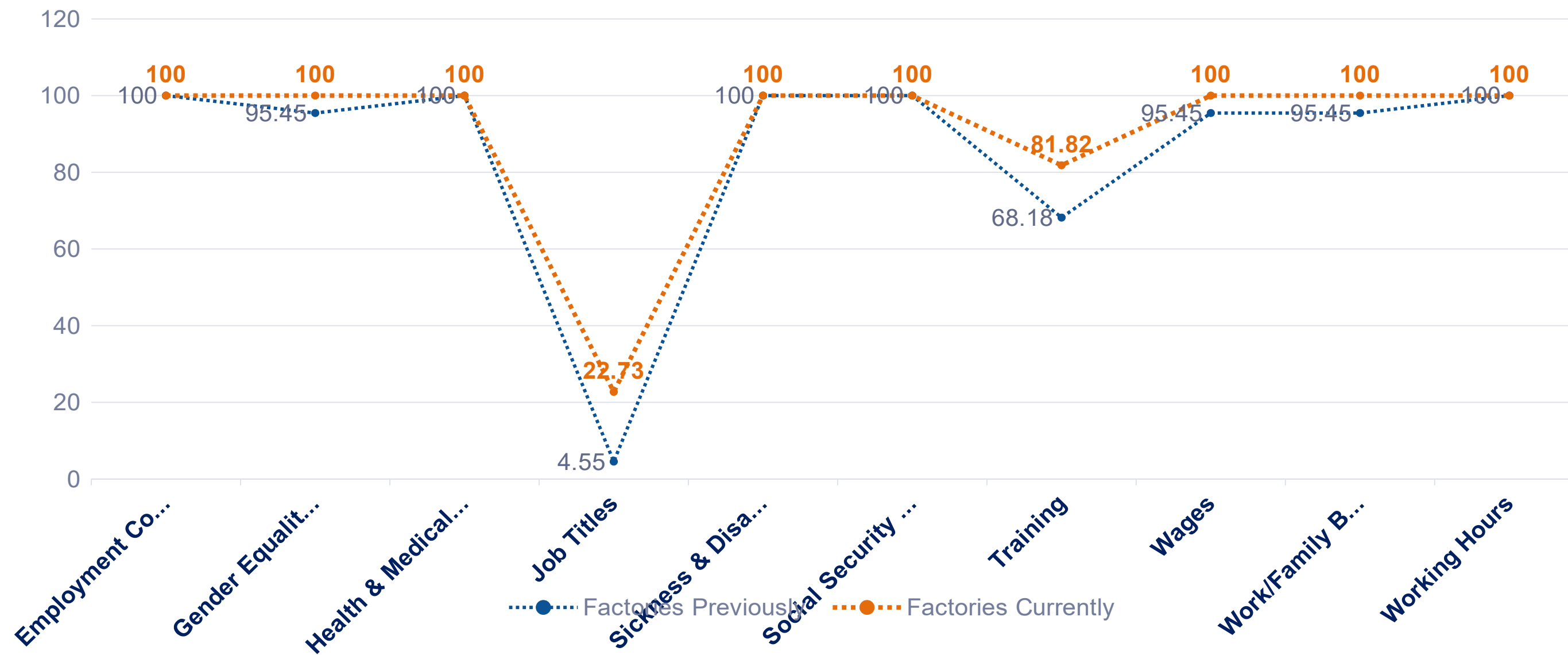
Example of How The CBA Database Being Used in Factory Level to Promote Women Workers Issues

PT. YKK Zipper Indonesia - Depok

Issues	Worker's demand	Evidence used as supportive data for arguments	Results
<p>Postponed CBA – the need to advocate new or revised clauses in extension CBA</p>	<p>Nursing Room Facilities for Women Workers</p>	<p>On CBA Workshop, trade union are being trained to select prioritize issues they want to advocate in the CBA by making a Problem Inventory List + argumentation + supportive data.</p> <p>For this specific factory, the supportive data use are:</p> <ol style="list-style-type: none">1). CBA Database CBA Database is used by trade union to seek reference of how other CBAs regulate the issues. It also give trade union reference on the redactional text to be proposed in the draft CBA2). Health Research on nursing mother + Joint Decree from 3 Ministry on Breastfeeding3). Labour Law (Law No. 13/2003)4). Decent Work Check Survey (2018) – show workers answers on availability of nursing room in factories	<p>Trade union manage to advocate 2 demands on nursing room and nursing time during work agreed to be include in their extension CBA</p>



Impact Changes in Collective Bargaining Agreement



- In Indonesia, a **total of 233 Collective Bargaining Agreement (CBA)** are annotated and available in WageIndicator's CBA Database
- Out of 233 CBAs in WageIndicator's system, **22 CBAs has been updated**
- Result from CBA analysis shown category in CBA that are being improve within a two period CBAs overtime.
- **The greatest increase was in the 'job titles'** category, where it increase by 18.18%
- 3 other category (gender equality, work/family balance arrangement, wages) improved by 4,55%

Impact Changes in Collective Bargaining Agreement



- **More gender responsive CBAs are found**, as it was showed an increase of 13,64% in pregnancy topics, 4,55% in paid paternity leave
- More CBAs regulate about equal opportunities in training and promotion

Contact Us

To learn more

www.gajimu.com/garment

Contact: gajimu@wageindicator.org



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