Still the same as in previous years, the Ministry of Manpower and Transmigration of Indonesia announced OSH months again in 2013. Starting from January 12 to February 12 2013, Ministry of Manpower and Transmigration will return announced various OSH programs in Indonesia. The same Program and will be repeated again since 2010. This is part of a long term vision to make Indonesia as the country’s with OSH cultural Industry in 2015.

Will not significantly different from the previous years, various normative programs from government will be held during the OSH national month. Appeal banners, various seminar and workshops from the ministry, and salvation tagline will swinging adorn factories walls and roads around industrial region. Whether OSH national month which has been held third year this can guarantee that no more indonesian workers who died and gets reinjured at work, none of us will know.

During this year still lined numbers of occurrences accident at work. Work accident almost happens in all sectors of industry. Work accident statistics also didn’t had a significant change from previous years. Either from the information in the media, and the field findings from us, Local Initiative Osh Network (LION). Ministry of Manpower programs about OSH, just only became normative event from the government. In fact OSH victims still increasing at workplace. There were no secure feeling that can protects the workers at workplace, the threats to become OSH victims even real threatening in every single minute.

FIELD CONDITION

Early in 2012 BPJS Act (an act for social security agency) became headline in many mass media, along with approval the Act no. 24 of 2011, on October 28, 2011. BPJS (Badan Penyelenggara Jamnisn Sosial) Act is the form of a follow-up for SJSN (Sistem Jaminan Sosial Nasional) Act ( an act national social security system ) Act no.40 of 2004. This Act was created as a prefix for the realization of social security system in Indonesia. However, to implement it, required a governing body that will have full responsibility for the implementation of the National Social Security System.
This BPJS issue became one of the most concerning issues for the labour and union, because there are implications from this policy, that had direct impact to labour. As we know, Jamsostek is an insurance agency that had in charge for managing the social security issue for workers in Indonesia. With the approval of BPJS Act, there are several changes in the social security administration mechanism. Among them is a change in the percentage of dues that must be borne by the workers, and company as a member of Jamsostek. So then when this program running, workers would have to pay dues, as much as 2% of monthly wages to implemented of this program. This is obviously rises to pro’s and contra’s among the workers. One part that is encourage, and managed to push these issue into a national labor issue was Trade Union, FSPMI (Federation of Indonesian Metal Workers Union).

Not only because these issues are driven by trade unions and raised concerns about dues among labor, that makes BPJS issues become important for the labour. But it also concerns to the agency that later would be responsible in the response for the compensation when workers are exposed to disease or accidents because of employment relationships. This BPJS policy closely links with the workers, especially concerning about the security of their health and safety at work. The workers hope that government done a pretty tight control for the implementation of this policy. Of course all of us hope, the practice of Employment BPJS would be far better than the current Jamsostek.

Besides the BPJS issue became headlines on major labor issues in 2012, there is one more issue that is quite popular, and recently graced the discussion agenda from all elements of industrial relations, Contracts and Outsourcing labour issues. This issue survived almost along that year. Even create enough crucial momentum in the labor movement on Indonesia in the past decade.

Development issues in the world of labour through the year 2012, should have a significant impact with implications for OSH issues in Indonesia. The labour movement in this year, as had been reviewed earlier, leading to a fairly strong influence in the Republic along this year. OSH as one of the crucial issues in the labour world, should also have a positive impact due to the national labor movement. But unfortunately, the progress development of this issue still has not been as expected. The labour issues in Indonesia still more drifting in fair wages problem, employment status, and union busting, compared with health and safety issues in the work environment.

Based on data obtained from Jamsostek and Manpower ministry, the average work accident case reached 90,000 cases per year. The Data was taken from the 9 million formal workers who become members of the Jamsostek, from a total of 100 million workers across Indonesia. So, there are 90 million workers of Indonesia are not protected by the health and safety insurance in the workplace. The workers work in a variety informal sector. For our notice, the informal labour suffered worse working relationship than the formal workers.

90,000 cases per year is not a small number, compared again the figure was only 10% of workers in Indonesia registered in the Jamsostek. A simple assumption, there’s 10 times more OSH cases happens in the reality of industrial relations in Indonesia. What is the meaning of those figures for the Indonesian Industrial relations actors, for workers, employers, and for the Government. It is always a big question mark for all of us.
### Work accident Cases Data on Indonesia from 2001-2011

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Cases</th>
<th>Death</th>
<th>Permanent Disability</th>
<th>Half Disability</th>
<th>Diss Functional</th>
<th>Cured</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>104,774</td>
<td>1,768</td>
<td>280</td>
<td>4,923</td>
<td>7,363</td>
<td>90,440</td>
</tr>
<tr>
<td>2002</td>
<td>103,804</td>
<td>1,903</td>
<td>393</td>
<td>3,020</td>
<td>6,932</td>
<td>91,556</td>
</tr>
<tr>
<td>2003</td>
<td>105,846</td>
<td>1,748</td>
<td>98</td>
<td>3,167</td>
<td>7,130</td>
<td>93,703</td>
</tr>
<tr>
<td>2004</td>
<td>95,418</td>
<td>1,736</td>
<td>60</td>
<td>2,932</td>
<td>6,114</td>
<td>84,576</td>
</tr>
<tr>
<td>2005</td>
<td>99,023</td>
<td>2,045</td>
<td>80</td>
<td>3,032</td>
<td>5,391</td>
<td>88,475</td>
</tr>
<tr>
<td>2006</td>
<td>95,624</td>
<td>1,784</td>
<td>122</td>
<td>2,918</td>
<td>4,973</td>
<td>85,827</td>
</tr>
<tr>
<td>2007</td>
<td>83,714</td>
<td>1,883</td>
<td>57</td>
<td>2,400</td>
<td>4,049</td>
<td>75,325</td>
</tr>
<tr>
<td>2008</td>
<td>93,823</td>
<td>2,124</td>
<td>44</td>
<td>2,547</td>
<td>4,018</td>
<td>85,090</td>
</tr>
<tr>
<td>2009</td>
<td>96,314</td>
<td>2,144</td>
<td>42</td>
<td>2,713</td>
<td>4,380</td>
<td>87,035</td>
</tr>
<tr>
<td>2010</td>
<td>86,693</td>
<td>1,965</td>
<td>31</td>
<td>2,313</td>
<td>3,662</td>
<td>78,722</td>
</tr>
<tr>
<td>2011</td>
<td>99,491</td>
<td>2,218</td>
<td>34</td>
<td>2,722</td>
<td>4,130</td>
<td>90,387</td>
</tr>
</tbody>
</table>

*Source: PT. Jamsostek and Minister of Manpower.*

From the table above, we can see increased the accidents numbers from 2010 (the begining year for OSH National Month) to 2011. This shows that the Government plan’s to became the industrial country’s with OSH based and cultured, must settled and evaluate many OSH programs from Manpower Ministry. Because now, when government programs running, at the same time, the victim due to unsafe conditions in the workplace continue to falling.

Based on the findings from the fields, and media monitoring by LION Indonesia, throughout the year 2012, there are still numbers of accidents because of bad OSH management systems was applied by a company. As cases that happen in PT. Embee Plumbon Textille Cirebon, and PT. Super Silicaindo Universe Serang, is just a small part of an example of a work accident that adorned by our national media. A work accident in PT. Embee Plumbon Textille Cirebon was suspected by employees and unions as a failure of management in creating safe and conducive work environment.

Since the beginning of this factory operated, the management had never done the OSH training to their employees. First OSH training was performed after the several work accident claimed the lives and cause permanent disability to some employees. The company also does not have the certification of implementation SMK3 (OSH management system), eventhough this is already required by law. There’s even government regulation No. 50th 2012, about the application of management system for occupational safety and health. The other problem were about inadequate number of safety equipment on factory. As well as the absence of additions and updates for safety equipment that must available at the factory. The weakness of workers knowledge about OSH system, weakness of internal controls from union at the factory. This condition became more worse with the attitude from company management, who is always lated for report the work accident to Jamsostek and Manpower Ministry. Made strengthen the asumption that company did not obey to the government regulations.

Throughout 2011, there are about five cases of fatal work accidents happened in PT. Embee Plumbon Textile Cirebon, and continued in the early and mid-2012, there are even two accidents that take casualties. Then in October 2012, LION finally give OSH basic training to unions in Cirebon, includely PT. Embee. Our colleagues in there still reported that occupational accidents still happen in their factory.

The incident in PT. Super Silicaindo Universe Serang, also claim a life. Three workers in shoe soles processing factory, which will be used by products like Nike and Adidas, died. This incident due to explode the hot vapor reactor in the plants. This work accident claimed five victims, three people died and and two
people with minor injuries. This incident also allegedly by the workers because the factory don’t pay attention to the maintenance of their production tools. Because tube reactor explode, allegedly been damaged before, but still being forced to operate. This Accidents still leaves bitter memories to the workers, and became more worse with bad handling management in terms of compensations to family’s victims. The workers accused that, management hand-off the responsibility to their workers.

There are many work accidents that occurred during 2012, particularly in the construction sector, which every years has always recorded the most work accident rate. Ironically when this country was actively doing development in various fields, this was followed by a threat to workers security and safety at their workplace.

Minister for Manpower and Transmigration, Muhaimin Iskandar says the number of work accident are still quite high. Estimated losses due to accidents reached Rp 280 trillion every year.

“Data from the ILO (International Labour Organization) reveals losses of four percent of gross domestic Income (GDP) Indonesia or Rp280 trillion. With OSH culture we expect companies can lower the risk cost and the company will gain more Profit”, Mainpower Minister said it in a press release at Jakarta some time ago.

A clear Statement from the Government as the offender and caretaker of industrial relations in this country. Illustrates that conducive OSH conditions is indispensable for a based industrial country. Moreover, since this concerns about the lives and health of citizens. Then it surely the Government as the party that is responsible for its citizens have to make these kind of things become the focus of important notice.

PROBLEM IDENTIFICATIONS

One thing that we think up till this time became the major problem for the weak of OSH enforcement in Indonesia, that is perspective to see through this issue. There was an error Frame of thinking among Governments, Company, and Labour itself, of looking at the OSH problems.

The majority of employers still thought that implementing good OSH management system in the company, are an additional burden for the cost of production. Because in business, the production costs will be pressing as small as possible, and pursues high profit. Even sometimes ignoring the safety of the workers. This tought frame, that later became a problem when the work accident happen. Moreover, if accident claim human lives. Because people who suffer the work accidents, not just suffer individually, there are families that are affected also, children, wives, parents, and relatives. These are the things that sometimes forget to be considered by employers. Employers sometimes doesn’t think that accidents due to employment suffered by one of their workers, can eliminate the source of income for 10 people in the workers family.

The lost of empathy side and turned into business calculation, could lead to social problems in the society. With business calculation, employers assume that workers is the burden of production, so there will no problem if the workers are not registered to the labor social security (Jamsostek). But this is not a wise attitude that could solve the problem, cause when accident happen, the company will only get a new problem, which is many times more disadvantage than performed preventive actions, such as registering the worker to Jamsostek and implementing good OSH management system in the company.

There are indeed some companies try to apply good system of work safety and health. However, many people suspect that the application of the pragmatic interests, such as a willingness to avoid the Government warning and just chase the order from buyer. Because, some countries set new requirements
on free trade, the requirements for the application of the system of quality Management ISO 9001 Series, through the environmental management system ISO 14000 Series, and OHSAS 18001. Again the frame of thinking that favors to the capital, not the welfare of the workers.

The protection that afforded by Indonesia government is discriminatory and limitatif only given to formal labor. As told by the head of KSBSI (Konfederasi Serikat Buruh Sejahtera Indonesia) Rekson Silaban, that workers formal with fixed status just 35 percent of 33 million workers formal in indonesia. In fact, five years ago, formal workers with fixed status reached 70 percent. Different data showed, from 33 million formal workers, only 9 millions (27 %) that has received a guarantee from labor social security (Jamsostek). Meanwhile from 70 millions of informal workers, only one percent that had social security.

Besides, Jamsostek work’s very passively. If the company is not reported, Jamsostek does not do anything. This indicates weak supervisory functions and enforcement rules. An indicator of weak surveillance system can be seen from the comparison between the OSH supervisor with the number of industries in Indonesia. From the 237 thousand companies registered at the Ministry of Labor and transmigration, just get watched by 1800 manpower supervisor (1203 general supervisor, 246 specialist supervisor, 431 Investigator civil servant). It is not evenly distributed in each area. For example, in Batam island, which provided the Exclusive economic zone, only has 6 industrial relations supervisor, while there are about 2,500 companies with about 266.000 labour. Even in some areas do not have supervisors have OSH knowledge in the field.

In addition to a lack of government programs in the employment issue has also become a cause for unoptimal role of Government in the field. Based on research that conducted by the Wahyu Sosial Foundation said that the budget allocated to the Department of Labor in province was very minimal and almost 70 % are allocated to facilitate the company interest to seek new employee in the Job Fair. Only 10 % is allocated for conducting surveillance of thousands factories that operate.

The other thing that also weak is legal sanctions against those who violate the OSH rule. Until recently, Indonesia was still using the ACT No. 1 of 1970. In this Act, given the sanctions for those who violate only imposed a fine of Rp. 100,000 or 6 months period of confinement.

The workers themselves are not take more attention for OSH issue. In the struggles of labour that represented by unions, not many union that make OSH issue as part of their struggle. In fact there are no union which made the OSH issue as their major struggle. The perspective of most workers still consider that the safety and health issue is a matter of individual, so it is difficult to collective the labour struggle over this issue.

But if we want to think for a moment, it seems no meaning to fight for wage rises, when there is no guarantee for healthy and safe work environment. There is also no point in changing the work status from contract worker being fixed worker, when our children and wife would lose the backbone of the family. Great wages will never suffice if one of family member is found ill. That economic improvements in the working class must also follow with improvements in working conditions to guarantee the survival of the labor itself.

**LION Effort To A Better Indonesia’s OSH Condition in 2012 – 2013**

In April 2012, LION investigate the OSH case that happen in PT. Embee Plumbon Textile Cirebon. This factory had several work accident along 2011 and 2012. And the accident is very terrible. Caused death and permanent dissability. After several cases that happen in factory, LION with their Unions (SPN) conduct investigations to find out about OSH conditions in factory. And the results also terrible, this factory run bad OSH system like I already mentioned in paragraph before. This investigations still continued until October 2012, LION finally give OSH basic training to unions in Cirebon on that month. This training conducted with collaborative work with the SPN west java region (Union) and Jamsostek Cirebon.
Besides campaign the better OSH condition into the workers, LION also strar to conduct the public campaign on health issues, like campaign to ban the used of hazardous material, asbestos. July 2012 has been a productive time for Indonesian ban asbestos campaigners as it provided the opportunity not only to raise public awareness of the asbestos hazard but also to register our protest about the decision of the Quebec Government to fund a new mine which will export thousands of tonnes of Canadian asbestos to Asia in the decades to come.

On July 15th 2012, a small team from the Indonesian Ban Asbestos Network (Ina Ban)\(^1\) started the first activity in the “Asbestos Hazard Alert Campaign 2012,” which was held on “Car Free Day” (CFD), in Bandung, Indonesia. For two years, CFDs have been held on Sunday mornings from 05:00 till 09:00 in Dago and Buah Batu, Bandung, the capital of West Java. The public space created has become a focal point for activities mounted by civil society groups. Ina Ban’s campaign had the purpose to give information to Bandung

\(^1\) The activities described in this article were the result of an ongoing collaborative effort by the Indonesia Ban Asbestos Network (INA BAN) and the Local Initiative for OSH Network (LION).
citizens about the dangers of using asbestos. This campaign held for three month, until September 2012. We also expand the venue, not only in CFD, but also held this campaign in Gasibu Sunday Market. Gasibu Sunday morning market, is located in the middle of the city in Bandung. There is only once time in a week.

Its location not far from the CFD Dago, and adjacent to The Gedung Sate. Each week thousands of citizens gathered there. Good for shopping, or just spend a weekend with the family and we also thought that they are potential public for our campaign target.

In July until September 2012, we also held OSH training activity, cooperate with Labour Departement and SPN(National Union Workers), we held a training in several city in west java province, in Karawang and Ciamis that had been done on July 8th and 11th 2012. And the rest on Sukabumi and Cirebon. The last OSH training that we held was in 22rd – 23rd September 2012. We held an OSH training in Cirebon, West Java Indonesia. We cooperate with SPN (National Worker Unions) to held this training. This training is a follow up action, based on work accident that happen to some workers in factory level union.

(OST Training Collaborative Work with Manpower Departement and Union Workers)
The Training was going well, and we got all of support and attention from worker unions, regional Manpower Minister and Jamsostek (Worker Social Security) also for this training. Hope through this training we can reconsolidating the OSH Network in several area in west java.

LION also is in the process of organizing a group of the victims of occupational diseases in Cibinong, the capital of the regency of Bogor in West Java. The victims are workers at the PT Trigraha asbestos processing plant. This factory processes asbestos raw materials into semi-finished materials and asbestos yarns, which later will be processed into other goods, such as gaskets. Generally, permanent workers in the factory have been there for more than 15 years. LION facilitated medical check-ups for five PT Trigraha employees, ranging from x-rays to high resolution computer tomography scans in Cipto Mangukusumo Hospital (RSCM) in Jakarta.

After all the tests were completed, the doctors made no diagnosis of asbestos-induced lung disease (asbestosis). Instead the workers were diagnosed as suffering from ‘infections in the lungs’, and no further explanations were given. Since this assessment appeared incomplete, LION, in collaboration with Drs. Dom Young Paek and Ye Yong from K-Ban, sent the results of the five workers’ tests to South Korea for review by doctors there.
The assessment from South Korea was very surprising. According to the analysis of the South Korean doctors, three of the five workers from PT Trigraha who had been examined, were found to be suffering from early-stage asbestosis. These results were brought back to Indonesia. LION submitted the Korean doctors’ assessments and claims and discussed them with Jamsostek authorities. However, the claims have not been accepted, because Jamsostek requires a work-related asbestosis diagnosis from an Indonesian doctor. Doctors in Indonesia are unfamiliar with asbestos lung disease, and LION has been unable to find a doctor that could provide the same diagnosis as the Korean doctors.

Early on November, (6-7 November) LION Indonesia, held OSH Workshop Network Consolidation, in Atlantic Hotel Jakarta Indonesia. Currently, the existence of unions and NGOs that work with LION already experienced many advances in the fight for the OSH improvement, but on the other hand as an institution, the LION network has limitations resource. The OSH issues formerly very strange, now start arises to the public. Maybe it felt slow when compared with many victims who keeps falling and development case appeared. Parties concerned in the fight for OSH Rights in Indonesia still need an escort and monitoring in its movement uniting with each other.

The meeting was proposed to To build a sense of belonging to a network that has been on the rise and by conducting focus issue in each network member, Consolidate and strengthen coordination among the respective network agencies to complement the empty space inside to make efforts initiative, Accelerating toward the OSH advocacy issues in Indonesia with focus on expanded network and division are based on sectoral or region based to facilitate the movement of struggle.
Therefore, in cooperation with the AMRC-LION initiative to conduct meetings involving multiple stakeholders that have been involved together in the fight for OSH rights at the local level. Expectations from this meeting can be arranged the formulation of struggle and awakening senses of belonging among network agencies in fight for OSH rights.

In middle of December (23 December), LION work together with FSPK Union (Federasi Serikat Pekerja Kerakyatan) in Karawang, held basic OSH training for the workers. This training purposed to give a basic OSH knowledge to FSPK union members. The training was attend by union representative from several factory in Karawang. This one day training was held from 9 am in the morning until 4 pm in afternoon. The training running smoothly without a hitch. The activities take place in the Karawang Ministry of Manpower purpose hall, was attended by approximately 50 participants. This training also to keep a good relations between LION and Union with the workers in Karawang.

In early 2013, LION conduct another collaborative work with AMRC, to write an article that will be published in Legal Resources Handbook, altogether with the other friend from our network in China, India, Bangladesh, Cambodia, Japan, Pakistan, Philippines and Thailand. Also nowaday we start another exposure assessment in Asbestos factory in Karawang, west java. From February 2013, lion start to conduct a factory exposure assessment on PT. Siamindo Concrete Product in Karawang. Siamindo Concrete Product is Asbestos factory, that been operated since May 1999, and had around 500 workers. Siamindo produce asbestos roof, woodplank, listplank, and roof knock. Asbestos that been produce by siamindo were imported material from Canada, Uzbekistan, Rusia, Brazil, and Kazakhstan. There some asbestos type that being using right now like A-420, A-565, CB-5R, A-645, U-85 and U-70. Since on December, 2012, the workers in Siamindo had a new union. FSPK (Federasi Serikat Pekerja Kerakyatan). LION also invite the union to participated on this project. And the union welcomed the invitation, and also show the eager while participated on this project.

The purpose of the project is for a local Indonesian non-governmental organization, LION, to conduct exposure assessments on factories and workers that process asbestos materials imported from international companies. The focus of this investigation will initially be an asbestos cement roofing factory located outside Jakarta. LION conducted a brief assessment of the site and that workers were required to wash their own work clothing at home, so family exposures are likely. During the initial review, employees were reporting lung symptoms.

A goal of the project will be to document and evaluate workplace exposures to asbestos. A LION representative, Dimu Pratama, and Karen Gunderson, CIH (DWOI volunteer residing in Jakarta), conducted initial interviews with workers to learn about work practices and potential exposures on February 17, 2013. The work practices have been documented in Indonesian and Karen will translate them into English. Dimu
has continued meeting with union representatives and workers to further develop the relationship and learn about their work practices and. At his meeting on Saturday, March 16, 2013, he asked them again if they are willing to collect air samples and if they felt it would be a risk to their jobs. The workers repeated that they are supportive of the sampling program and can collect them at times of day when they know no supervisors are present. The workers are eager to participate and want to use the data for labor negotiations to reduce exposures. Until tomorrow on his last meeting with the workers and union

![Image](image1.jpg)
(Working Conditions in PT. Siamindo Karawang)

Talking about the OSH problems in Indonesia, we would indeed be confronted to the very complex dimensions of space and the actors. Because of in work accident, is not the only became problem for the victims, but this is a threat to all the working people, even potential workers though.

OSH is not one issue that happened on blue collar workers only. Not only threatened in the sector of textile, construction, garment and chemical. But in all sectors include the automotive, oil and gas extraction, mining, plantations also. OSH is not just an issue of local and national companies. Multinational corporations and state-owned companies though, there are still many who are negligent in applying a conducive working conditions in the company’s operations. Still too many problems in the industrialized world that escapes from our attention as citizens, and ultimately not be of particular concern for the Government.

The OSH problem will not be resolved with the normative programs like our Government always done currently, although spending trillions of budget for these programs. The application of OSH must start to be done by the whole Industry Community, be it the Government as implementing regulations, entrepreneurs as the wheels of capital industry, and workers as the perpetrator of the production. Even should this issue also touched the public extensively, so all of us can together jointly control the wheels of the industry that goes in our country.