



SISTERS  
FOR CHANGE



JALA PRT

# UNSAFE TO WORK IN THE HOME

Workplace exploitation and  
violence against women  
domestic workers in Indonesia

## REPORT AUTHORS

**Sisters For Change** [www.sistersforchange.org.uk](http://www.sistersforchange.org.uk) is an international non-governmental organisation (registered as a UK charity) that works across the world to combat violence against women and girls through legal empowerment and social accountability programmes. We work to generate systemic change in how governments combat violence, structural change to give women voice and agency in justice mechanisms and social change to end the social acceptance of violence against women and girls. Our mission is to make justice work better for marginalised women and girls.

**Jarigan Nasional Advokasi Perkerja Rumah Tangga (JALA PRT)** Established in 2004, JALA PRT is an umbrella organisation for 35 domestic worker groups, associations and unions across Indonesia and focuses on women's rights, children's rights, labour rights, literacy and advocacy. JALA PRT has been spearheading the campaign to get the Government of Indonesia to pass the draft Law on Domestic Workers, to give domestic workers in Indonesia employment recognition, rights, and protection, and to ratify ILO Convention No. 189 on Decent Work for Domestic Workers. JALA PRT works to support and grow Domestic Worker Unions across the archipelago and has established a network of Domestic Worker Schools to provide education and training to Domestic Worker Union members and workers.



# THIS REPORT

This report presents the findings of the largest and most in-depth survey conducted by JALA PRT and affiliated Domestic Worker Unions in Indonesia to measure working conditions and the prevalence of harassment, abuse and physical and sexual violence experienced by women domestic workers in the workplace – employers' homes – in Indonesia.

The data from the area of study – Greater Jakarta, South Sulawesi, Yogyakarta Special Region, and Central Java – reveals grave findings of consistent exploitation of women domestic workers, very high levels of workplace intimidation, harassment and abuse and unacceptable levels of sexual violence. In addition, the survey reveals the continuing culture of silence among victims of abuse and the near impunity of male perpetrators that results from the failure of police and public authorities to take action to investigate and prosecute perpetrators in cases that are reported to them. Although the report focuses on four provinces in the country, the findings have relevance across the archipelago given the fast-expanding domestic worker workforce.

The survey was conducted among 845 women domestic workers in the provinces of Greater Jakarta, Makassar, Yogyakarta and Semarang between April – August 2018, in accordance with World Health Organization (WHO) ethical research guidelines. The area of study was selected as it includes some of the most populous areas of Indonesia, where poverty levels are high and urbanisation is driving huge migration and exploitation of unskilled rural women and girls. Participants were chosen using the 'snowball' sampling technique (a technique for finding hard-to-reach survey participants where one participant gives the researcher the name of another potential participant who in turn provides the name of a third and so forth) to ensure a sample that was not limited to Domestic Worker Union members and was representative of the wider, isolated, domestic worker workforce.

The report is the culmination of a legal capacity-building project delivered by Sisters For Change in partnership with JALA PRT from September 2017 – September 2018. The aim of the programme was to strengthen support structures around women and girl domestic workers by empowering them with knowledge of their rights and domestic laws to prohibit violence and harassment at work; improving access to justice and justice outcomes for workers who suffer mistreatment or violence; and strengthening action among women workers to challenge discrimination and exploitation in the workplace. As part of the programme, Sisters For Change trained a Domestic Worker Paralegal Cadre, consisting of leaders and members from 8 Domestic Worker Unions (Sapulidi Domestic Workers Union, Operata Vipmas Malam DKI, Operata Pondok Cabe Tangerang Selatan, Operata Sedap Malam DKI, Serikat PRT Paraiatte (Makassar), Serikat PRT Tunas Mulia and KOY (Yogyakarta), Serikat PR Merdeka (Semarang)) on women's rights and domestic laws on violence against women; how to conduct the survey on women's health and workplace life experiences; and how to support women and girl domestic workers who experience violence or abuse.

October 2018

## COUNTRY CONTEXT: DOMESTIC WORKERS IN INDONESIA

In Indonesia, 1 in 3 women, aged 15 to 64 years old, experience physical and/or sexual violence in her lifetime (UNFPA Violence Against Women Survey in Indonesia, 2017). Women and girl domestic workers are one of the most marginalised and isolated communities, facing some of the highest levels of workplace discrimination, exploitation and violence in the country.

In 2013, the ILO estimated there were 2.6 million domestic workers in Indonesia. JALA PRT, however, estimates there are over 10 million domestic workers in the country today on the basis of growth of middle and upper-class wealth and household income. The vast majority of domestic workers come from impoverished rural communities, with little or no education, skills or family support.

The vulnerability of women domestic workers to exploitation, violence and abuse is due to three primary factors:

### **1 SYSTEMIC DISCRIMINATION AGAINST DOMESTIC WORKERS**

Domestic workers in Indonesia are excluded from national labour laws and protections under the Indonesian Manpower Act (No. 13, 2003), such as limits to hours of work and decent work conditions, because the Government refuses to recognise them as workers or value their role in the economy. This contravenes international labour standards set out by the International Labour Organisation (ILO) Convention on Domestic Workers which entered into force in 2013 but which Indonesia has not ratified. It makes domestic workers more vulnerable to exploitation and abuse, leaves domestic worker placement and employment agencies largely unregulated and fails to provide guidance or impose legal requirements for employers.

Pages 5 to 10 of this report present survey findings on women domestic workers' workplace conditions and experiences of violence and highlights where these are in contravention of the Indonesian Ministry of Manpower Regulation (No.2, 2015) regarding the Protection of Domestic Workers (Manpower Regulations 2015); ILO Convention No.s 111, 155, 161 and 189 on protection of domestic workers, sexual harassment, employment discrimination, health and safety; and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), including Article 11 relating to discrimination and violence against women at work. A summary of these legal standards is set out in the Annex (page 12).

### **2 SOCIAL DISCRIMINATION AGAINST & EXCLUSION OF IMPOVERISHED WOMEN WORKERS**

Added to this system failure, domestic workers are viewed socially as second-class citizens on account of their poverty, rural origins, lack of education and the low social status accorded to their work. As a result, domestic workers become socially invisible, hidden from public view in private homes, and in these 'private' workplaces suffer high levels of degrading and discriminatory treatment and physical and sexual violence.

**“Thank you for listening to my story because people usually consider me a lowly person.”**

**Domestic worker from Jakarta during the survey interview, August 2018**

**10m+**

domestic workers  
in Indonesia

# 22%

women domestic workers cannot write

The survey findings highlight women domestic workers' limited access to education:

- + 22% of domestic worker respondents cannot write or only write a little
- + 1 in 3 stopped full time education when they were 12 or younger; 75% stopped education by the time they were 15
- + 4 in 5 left school either because their parents didn't have enough money or they had to earn money to support their family
- + 1 in 3 women domestic workers interviewed started work before the age of 15; for 72% of these, their first job was as a domestic worker

Survey findings also highlight the continuing economic impoverishment of women domestic workers due to low wages and exploitation:

- + 1 in 7 domestic workers interviewed have great difficulty in meeting household needs and expenses
- + 2 in 5 domestic workers are the primary wage earners in their household
- + 1 in 3 give all or part of their salary to their husband or other family members

# 1 in 7

women domestic workers have difficulty in meeting household expenses

### **3 DOMESTIC WORKERS' LACK OF KNOWLEDGE OF THEIR RIGHTS & SOCIAL ISOLATION**

The third factor that leaves women domestic workers vulnerable is their limited knowledge of their rights and laws prohibiting violence against women, as well as their social isolation caused by physical displacement through migration and customary lack of social support structures or collective organisation. Their educational deficit means victims are unaware of legal protections and how to obtain legal support or to access the criminal justice system, and social isolation perpetrates a culture of silence around abuse and violence, with women victims failing to seek support or report cases.

Survey findings and results from a Sisters For Change assessment questionnaire highlighted this lack of legal literacy among workers:

- + 65% of women domestic workers did not know there was a law to protect women workers against abuse, violence or mistreatment in the workplace, or thought such a law did not protect domestic workers
- + 1 in 3 (30%) domestic workers did not know of any law to punish male perpetrators for violence against women, such as physical violence, rape or kidnap
- + In a Sisters For Change pre-training assessment questionnaire conducted in Yogyakarta in March 2018, 75% of women domestic worker participants indicated they believed they had poor knowledge of law and 30% of participants were incorrect in 50% or more of their responses to questions about basic domestic legal protections

“Women have to fill in the gaps. Indonesia has many laws in place but we do not know about them and they have not all been implemented.”

Domestic worker training participant from Jakarta, March 2018

Figure 1 below illustrates the geographical area in which the main findings from the report are drawn and highlights the huge rural to urban migration of women domestic workers which has exacerbated women domestic workers sense of social dislocation and isolation: purple markers illustrate the (largely rural) birth places of domestic workers, and red markers show the places where the majority of women working as domestic workers now reside. 54.3% of our survey respondents were born in rural areas and now live, on average, 176 kilometres away from their place of birth.

**FIGURE 1: Migration patterns of women domestic workers in area of study**

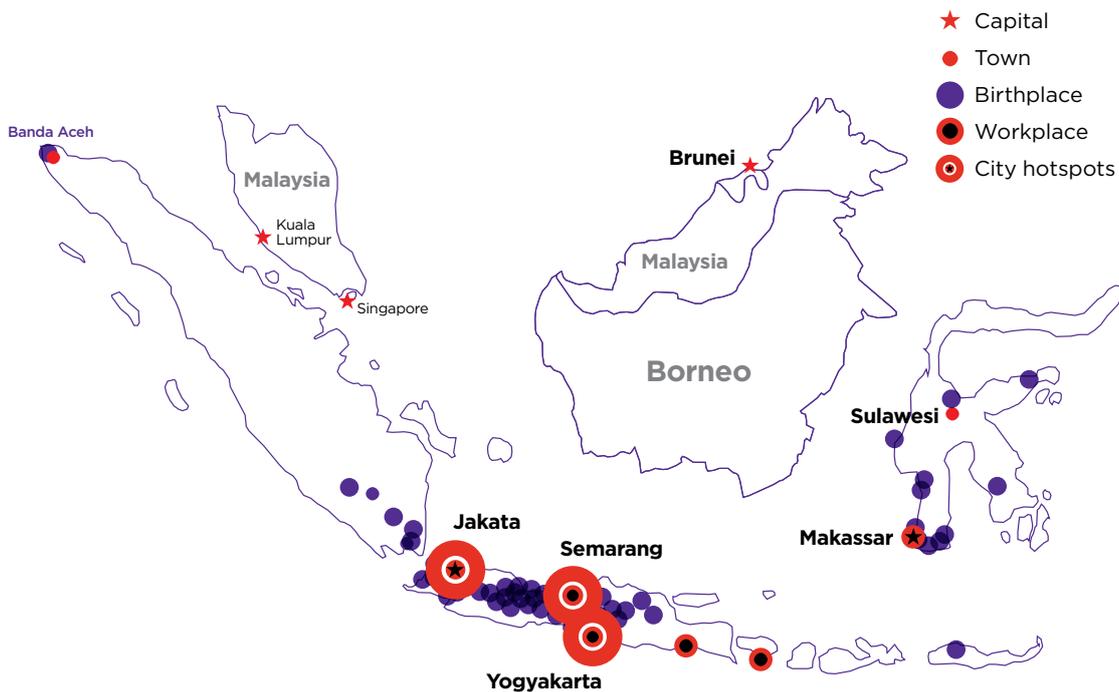
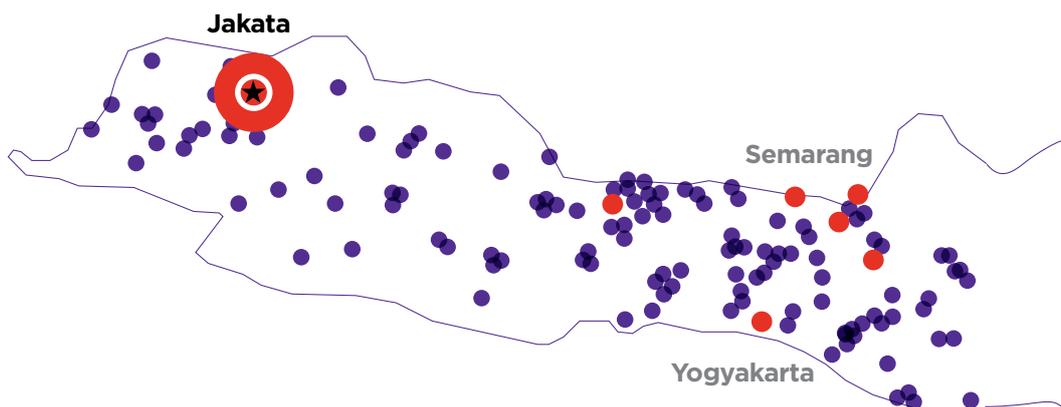


Figure 2 below illustrates the migration pattern of domestic workers survey respondents specifically in Java moving towards central cities for work. As before, purple markers illustrate the respondents' birthplace, and red markers their current place of work.

**FIGURE 2: Migration patterns of Javanese women domestic workers in study**



## SURVEY FINDINGS

### WORKING CONDITIONS OF WOMEN DOMESTIC WORKERS



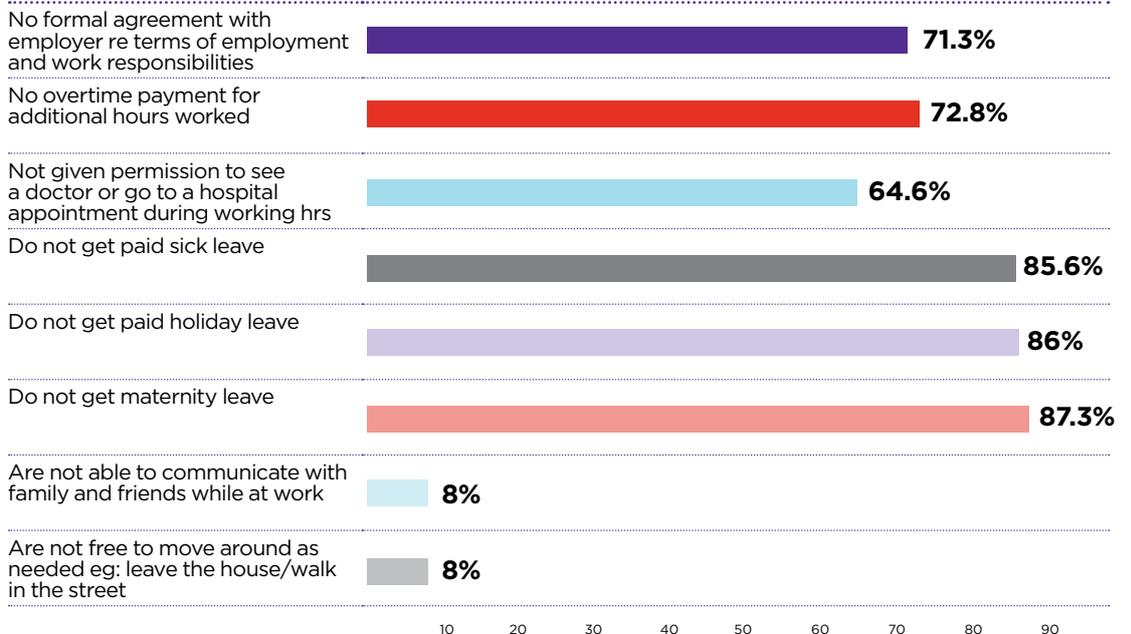
**1 FINDING 1:** The working conditions of domestic workers are in violation of the Ministry of Manpower Regulations (No.2, 2015); ILO Convention No. 189 and CEDAW Article 11.

Survey findings revealed consistent exploitation of domestic workers in relation to employment terms and conditions, borne of unequal bargaining power and informal terms of work. Chart 1 highlights the large number of basic employment rights denied to women domestic workers, with these the most significant:

- + 7 in 10 (71%) domestic worker respondents have no formal employment agreement with their employer; only 1 in 10 (9.5%) of respondents has a written employment contract
- + 73% receive no overtime pay for additional hours worked, including working late into the night
- + Over 85% of women domestic workers do not receive paid sick leave, paid holiday leave or paid maternity leave

The findings contravene Articles 5, 6 and 7 of the Indonesian Manpower Regulations 2015; Articles 7, 10, 11 and 14 of ILO Convention No.189; and Article 11(1) of CEDAW.

**CHART 1: Domestic Workers employment terms/conditions (%)**



To give quantum to the economic exploitation of women domestic workers, the average women domestic worker monthly wage in Jakarta is between Rp.700,000 - Rp.1 million versus the Jakarta provincial minimum wage of Rp. 3.6 million; and in Makassar, the average women domestic worker monthly wage is Rp.500,000 versus the South Sulawesi provincial minimum wage of Rp.2.65 million.

# 71%

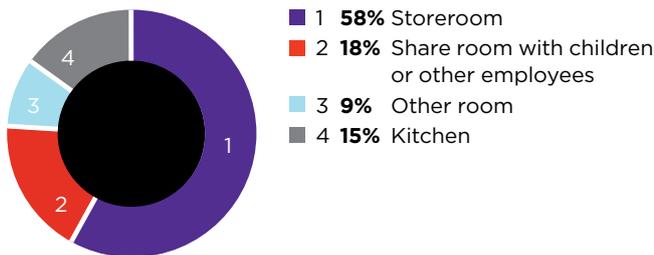
of women domestic workers have no formal employment agreement with their employer

The survey found that approximately 1 in 4 (26%) of domestic workers live with their employer. Of these, 1 in 6 do not have their own private bedroom. Such conditions fail to adequately provide for the privacy of domestic workers and fall short of the standards in ILO Convention No.189. Chart 2 shows the sleeping quarters of domestic workers who have no private bedroom, revealing the most common locations as a storeroom, shared bedroom or kitchen.

# 73%

of domestic workers with no private bedroom in their employers' home sleep in the storeroom or kitchen

**CHART 2: Sleeping quarters of domestic workers with no bedroom (%)**



## **2 FINDING 2:** 1 in 4 women domestic workers have been injured at work and 1 in 6 report their health and safety is at risk because of working conditions.

In terms of health and safety, 1 in 3 domestic workers interviewed said that they feel unsafe or somewhat unsafe at work, and 1 in 14 that they sometimes felt anxious, scared or depressed at work. These findings violate Articles 7 and 11 of the Indonesian Manpower Regulations 2015; Articles 5, 6 and 13 of ILO Convention No.189; and Article 11(1) of CEDAW. On average, domestic workers must travel 12.5km to and from work when they do not live with their employer, and 1 in 20 domestic workers answered that they feared verbal or physical harassment, abuse or intimidation when walking in the neighbourhood where they worked or where they lived.

The survey found that a significant number of workers suffered health consequences as a result of their employment and working conditions:

- + 1 in 4 domestic workers have been injured at work
- + 1 in 4 respondents said that their work negatively affected their health through exhaustion or injuries
- + 1 in 6 said that they feel their health is at risk due to their work, due to using chemicals or equipment, or due to electrical faults, working at height when cleaning or being locked in the house
- + 1 in 50 respondents classified themselves as having bad health

**“I have worked long hours. This makes me sick often.”**

Domestic Worker from Jakarta quoted during the survey interview, May 2018.



### 3 FINDING 3: 1 in 5 pregnant workers were not allowed time off to attend medical check-ups.

Of those women domestic workers interviewed who were pregnant while working:

- + 1 in 5 (18.5%) were not allowed to go for medical check-ups
- + 2 in 5 did not get maternity leave
- + 1 in 7 had their employment terminated or had to leave their job as a result of their pregnancy

In follow-up focus groups discussions in Makassar in August 2018, domestic workers elaborated that many employers had forced them out of their job once they became pregnant through making the working conditions uncomfortable or with-holding wages, rather than explicitly terminating their employment.

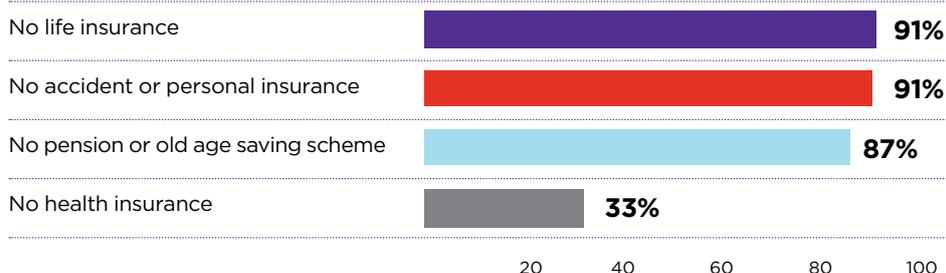
These findings violate Article 11 of the Indonesian Manpower Regulations 2015; Article 14 of ILO Convention No.189; and Article 11(2) of CEDAW.

“A domestic worker will be fired if they become pregnant. The employers will find a new domestic worker to replace them.”

Domestic Worker from Yogyakarta quoted during the survey interview, August 2018.

The survey revealed a low level of social welfare protection accessed by women workers. Chart 3 illustrates that most women workers do not have any pension scheme, health, life or accident insurance.

**CHART 3: Social and financial protection for domestic workers (%)**



Health insurance has been mandatory for all citizens in Indonesia, including all informal workers, since 2016. Despite this, 1 in 3 domestic worker respondents said they still had no form of health insurance, often due to relocation from their birthplace to an urban area.

# 1 in 7

pregnant domestic workers had their employment terminated because of their pregnancy

## WOMEN DOMESTIC WORKERS EXPERIENCE OF VIOLENCE IN THE WORKPLACE



### 4 FINDING 4: Discrimination and violence against domestic workers is commonplace and widespread in Indonesia.

Chart 4 illustrates the prevalence and types of violence experienced by women domestic workers in Indonesia. As can be seen, the statistics paint a picture of a workplace (homes) where employers feel entitled and able to use abusive and sexualised language to intimidate women workers and subject them to physical, sexual and emotional violence while they work in violation of the Indonesian Elimination of Domestic Violence Act (No.23, 2004); ILO Conventions 111, 155 and 161; and international legal standards on violence against women. We would highlight the following as critical evidence of the widespread and commonplace levels of abuse and violence being experienced by women domestic workers across Indonesia on a daily basis:

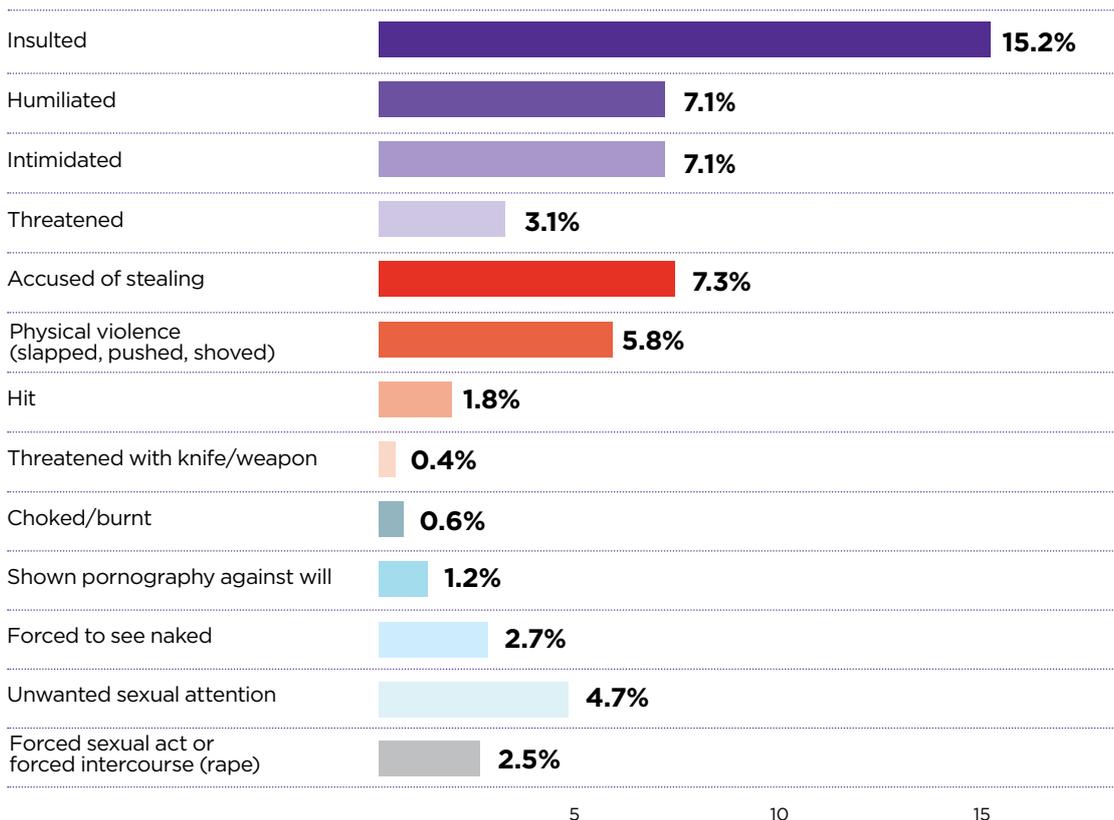
- + More than 1 in 50 women domestic workers who took part in the survey have either been raped or forced to commit a sexual act by their employer
- + 1 in 20 (4.7%) have experienced unwanted sexual attention or touching by their employer
- + 1 in 20 (5.8%) have experienced physical violence in the workplace
- + 1 in 10 have either experienced intimidation or threats of violence by their employer, and over 15% have experienced verbal abuse and insults

# 1 in 5

women domestic workers have been threatened or suffered physical or sexual violence

It can come as no surprise that 1 in 20 domestic workers said they feel at risk in their workplace.

**CHART 4: Violence experienced by domestic workers in Indonesia (%)**



Added to the high levels of violence are very concerning statistics on frequency of violence: 1 in 2 who had experienced violence had suffered **repeated** violence over the past 12 months, and 2 in 5 of those who had experienced abuse of violence had experienced it in the last 12 months.

The top 3 situations that led to violence or abuse against women domestic workers in the workplace were:

- + Employer was angry or stressed
- + The domestic worker made a mistake, e.g. spilt something
- + The employer was drunk

The impact of violence in the workplace is significant. 12% of domestic workers said they had been absent from work due to mistreatment or violence and 3% of respondents reported they had been so badly injured that they had sought medical attention.



## 5 FINDING 5: Perpetrators of violence enjoy widespread impunity due to low levels of reporting and prosecution

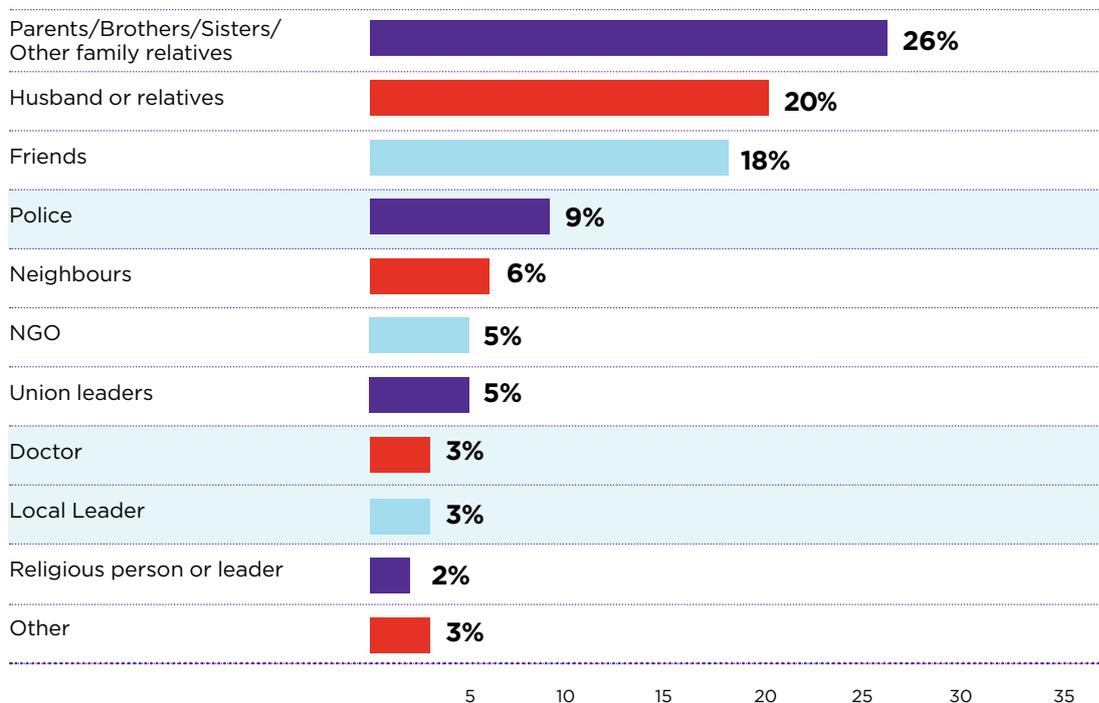
There is a culture of silence surrounding the violence suffered by women domestic workers in Indonesia. 82.3% of women domestic workers surveyed who had experienced violence stated they did not tell *anyone* about it and 92% did not report violence or abuse to public authorities, such as the police or local leaders.

**“I often get threats and rude words from my employer. Because of the threat, I became afraid to report it.”**

Domestic Worker from Jakarta, Survey interview, July 2018

Chart 5 shows that in situations where victims of violence spoke about their experience, they mostly informed family or friends. Reporting to public authorities was extremely low, with only 9% of victims reporting cases of criminal violence to the police, and 3% informing a doctor or local leader. This reflects the shame and stigma that victims continue to feel due to social attitudes concerning violence against women, and domestic workers' lack of confidence that police or public authorities will believe them or take action on their behalf.

**CHART 5: Of those who told someone, % who told friends or public authorities**

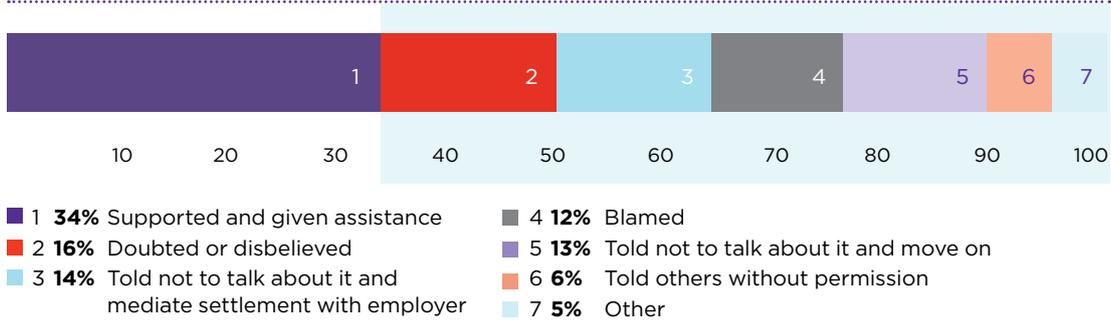




**6 FINDING 6:** Women domestic workers are blamed and disbelieved when they report cases of physical and sexual violence & perpetrators are not punished

Survey respondents who had experienced physical or sexual violence and had reported it to the police recorded an overwhelming failure to act on the part of public authorities. Chart 6 evidences that in 65% of cases where a woman domestic worker victim of violence reported a case, she was doubted, blamed, told to settle the matter privately or move on.

**CHART 6: Response of public authorities to women domestic workers who report violence**



The survey also found that in reported cases, the perpetrator was not investigated in 73.4% of cases, not arrested in 72.8% of cases and not prosecuted in 72.8% of cases. And in cases when women domestic workers or Domestic Worker Unions reported through more informal local community channels via the RT/RW community leader, lack of action against male perpetrators was also high: 2 in 5 (38.4%) of domestic workers who had reported a case to the local RT/RW leader said that when he intervened in a case of sexual violence, physical violence or domestic violence, he did not punish the perpetrator.

**73.4%**

of cases of physical and sexual violence are not investigated

This is a shocking failure of police and public authorities to protect women domestic workers, and to investigate, prosecute, and punish perpetrators of violence against women.

## CALL FOR GOVERNMENT ACTION

Given the findings in this report, we urge the following action:

- 1** Provincial Authorities should pass local Manpower Regulations to recognise the status of domestic workers as workers and give them employment protections and protection from discrimination and violence in the workplace.
- 2** The Government of Indonesia should amend the Manpower Act of 2003 to recognise domestic workers as workers and provide them with all the rights and protections afforded to other workers.
- 3** The Government of Indonesia should adopt the draft Protection of Domestic Workers Bill to provide protection to and end discrimination and exploitation of domestic workers, ensuring the Bill's compliance with ILO Convention No. 189
- 4** The Government of Indonesia should ratify ILO Convention No. 189 on decent work for domestic workers.
- 5** The Government of Indonesia should take action to ensure public authorities, specifically the police, properly investigate, prosecute and punish perpetrators of violence against women domestic workers in the workplace or elsewhere.

## ANNEX

### **The Manpower Regulations concerning Protection of Domestic Workers (No.2, 2015)**

came into force on 19 January 2015. The Regulations are intended to provide protection for domestic workers. They define the rights of domestic workers and the obligations of employers; and regulate the activities of domestic worker employment agencies.

**The Elimination of Domestic Violence Law (No. 23, 2014)** defines domestic violence as any act, or threat to commit an act, against anyone, particularly a woman, causing physical, sexual, psychological or economic violence or restriction of freedom (Article 1(1)). All individuals working to assist the household and living in the household are entitled to protection under the Domestic Violence Law.

### **ILO Convention No. 111 Discrimination (Employment and Occupation) Convention**

addresses discrimination in employment on a number of grounds, including sex, and requires that ILO member States declare and pursue a national policy designed to promote equality of opportunity and treatment with a view to elimination discrimination. Indonesia ratified ILO Convention No. 111 in June 1999.

**ILO Convention No. 189 on Decent Work for Domestic Workers** recognises domestic workers as workers; sets out specific rights and protections for domestic workers; and requires States to respect and protect their human rights. Indonesia has yet to ratify ILO Convention No. 189.

### **The Convention on the Elimination of All Forms of Discrimination Against Women**

**(CEDAW)** applies to all forms of discrimination against women. Article 11(1) requires States Parties to take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure equal employment rights and protections for women workers, including:

- + The right to job security, promotion and all benefits and conditions of service
- + The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value
- + The right to social security, particularly in cases of retirement, sickness, invalidity, old age, as well as the right to paid leave
- + The right to protection of health and to safety in working conditions

Article 11(2) requires States Parties to prevent discrimination against women on the grounds of marriage or maternity to ensure their effective right to work. States Parties must take measures to:

- + Prohibit dismissal on the grounds of pregnancy or of maternity leave
- + Introduce maternity leave with pay or comparable social benefits
- + Provide special protection to women during pregnancy
- + Encourage the provision of supporting social services in particular through the establishment of a network of child-care facilities

CEDAW recognises that equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace. Indonesia ratified CEDAW on September 1984.

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