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MEDIA RELEASE

The Omnibus Law on Job Creation Bill Assessed as Unconstitutional, Workers Demand the Deliberation being Halted in The Plenary Session of the House of Representatives (DPR RI)

Various trade unions affiliated to the *global unions federations* stated their disappointment to the result of the first phase discussion on the Omnibus Bill on Saturday night (10/03) where majority of the political parties in the house of representatives and the government agreed to continue the deliberation to the second phase during the plenary session of the house of representatives (DPR RI).

The trade unions are FSPM and FSBMM the affiliates of *The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations* (IUF), SERBUK Indonesia, the affiliate of *Building and Wood Worker's International* (BWI), PPIP and other trade unions affiliated to *Public Service International* (PSI), FSP2KI, the affiliate of *IndustriALL Global Union* (IndustriAll) and FBTPI, the trade union affiliated to the *International Transport Workers' Federation* (ITF).

The reasons why those trade unions reject the Omnibus Bill is, as quoted from the FSBMM President Dwi Haryoto statement are, "the fundamental changes of the law and regulation that will impact each citizen and workers in Indonesia shall not be forced in the midst of pandemic and the worsened crisis like right now"

Furthermore, he explains that the big changes in the law need some deliberation and discussion in the situation or circumstances where everyone has the ability to exercise the freedom of speech, freedom of assembly and freedom of expression. In the midst of pandemic, those freedoms are difficult to be exercised.

"As a citizen and worker, the union asses that the opportunity to fully participate in the debate on the bill that will have an impact to the workers life for many decades in the future is not being provided. That is why, the deliberation process of the bill should be halted and further discussion should be resumed after the pandemic ended, when we are able to speak and participate freely" firmly stated by Salman, the General Chairperson of FBTPI.

Meanwhile the General Chairperson of PPIP, PS Kuncoro stated that if the Omnibus Bill being passed to become an Act, it will potentially violating the interpretation of the state constitution, especially in the sub-cluster Electricity Power, where the Constitutional Court Decision No. No. 111/PUU-XIII/2015 is not being used as a point of reference in the Omnibus Bill. This will result in the violation of the State Constitution 1945 article 33 paragraph (2) where electricity as a part of essential production part to the state and needed by the people will no longer be controlled by the state, thus it potentially will has an impact in the electricity tariff or price hike that need to be paid by the people.

Besides that, the bill will also create a threat to open an exploitation of the environment and Indonesia natural resources by the private corporation/ profit without clear regulation. Our natural environment will only becoming a business opportunity and will be destroyed to gain the mere profit.

FEDERASI SERIKAT PEKERJA MANDIRI (FSPM)
 FEDERASI SERIKAT BURUH MAKANAN & MINUMAN (FSBMM)
 FEDERASI SERIKAT BURUH KERAKYATAN (SERBUK)
 PERSATUAN PEGAWAI INDONESIA POWER (PPIP)
 FEDERASI SERIKAT PEKERJA PULP DAN KERTAS INDONESIA (FSP2KI)
 FEDERASI BURUH TRANSPORTASI DAN PELABUHAN INDONESIA (FBTPI)

BERAFILIASI DENGAN

BUILDING AND WOOD WORKER'S INTERNATIONAL (BWI) | THE INTERNATIONAL UNION OF FOOD, AGRICULTURAL, HOTEL, RESTAURANT, CATERING, TOBACCO AND ALLIED WORKERS' ASSOCIATIONS (IUF) | INDUSTRIALL GLOBAL UNION | INTERNATIONAL TRANSPORT WORKERS' FEDERATION | PUBLIC SERVICES INTERNATIONAL (PSI)



Added by the FSPM President Husni Mubarak, the Job Creation Bill provide a pseudo-promise that it will provide more jobs in the future. What kind of job will be created? in fact the Job Creation Bill will decrease job security and create a possibility for the employer to exploit more contract workers with low wages and outsourced workers di all sectors.

Besides that, he continued, jobs provided will be a guaranteed low wages job but with no future. These jobs will be a temporary job on the basis of a fear to get next contractual job.

The FSP2KI President Hamdani stated further that the bill will also be threatened to eliminate paid leaves including maternity leave that considered very important for the health and prosperity of the workers and the family. With the many broken healthcare system in Indonesia during the pandemic, why the government even want to attack our healthcare and prosperity?

The General Chairperson from SERBUK Indonesia Subono assessed that the new job promised by the omnibus bill is actually not considered as real job. It is a low-wages job and on a temporary basis. In the economic crisis due to the pandemic we need an accelerated economic recovery program. The recovery programs shall not come from the foreign investment to Indonesia by exploiting outsourced workers, taking the natural resources and damaging our environment.

“We will not recover economically in the basis of low-wage jobs and no job security. Only through domestic consumptions based on the availability of permanent job with decent wage will Indonesia recovered from the pandemic” Subono further stated.

Therefore, it is not exaggerated to be stated that the Omnibus Bill is unconstitutional, invalid and not necessary!

Therefore, FSPM, FSBMM, PPIP, SERBUK and FSP2KI with the full support of their international affiliation where BWI, IUF, IndustriALL, ITF and PSI that representing more than 110 million members globally are ready to fight together to reject the Omnibus Bill and called out the following five demands:

1. Stop the deliberation of the Job Creation Bill by halting the second phase discussion in the plenary session of the Parliament; moreover, to pass the bill to become a law.
2. Ensuring the law Number 13 year 2003 will not be amended of reduced. Should there'd be any strengthening, it will only on the function of inspection, training and other so it will suitable with the current condition.
3. Renegotiating and opening constructive dialog with the trade unions to reach and discussing issues not covered in the labor law number 13 year 2003.
4. Ensuring the articles in the sub-cluster Electricity Power that already has a decision from the Constitutional Court will not be revived in the Job Creation Bill.
5. Supporting Indonesian workers agenda for having a national strike will be conducted on October 6,7 and 8, 2020.

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