



PRAKARSA

Welfare Initiative for Better Societies

# *Disability Groups in the Workplace*

Conditions and Challenges in Indonesia  
as a G20 Country

# **Disability Groups in the Workplace: Conditions and Challenges in Indonesia as a G20 Country**

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Welfare Initiative for Better Societies

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# LIST OF ABBREVIATIONS

<b>APINDO</b>	Asosiasi Pengusaha Indonesia/ Indonesia Trade Union
<b>APRISINDO</b>	Asosiasi Persepatuan Indonesia/ Indonesian Shoe Entrepreneurs Association
<b>ASN</b>	Aparatur Sipil Negara/ Public Servant
<b>BLK</b>	Balai Latihan Kerja/ Job Training Centre
<b>BPS</b>	Badan Pusat Statistik/ Central Bureau of Statistics
<b>BS</b>	Blok sensus/ Block Census
<b>BUMN</b>	Badan Usaha Milik Negara/ National State-owned Enterprises
<b>BUMD</b>	Badan Usaha Miliki Daerah/ District State-owned Enterprises
<b>CATAHU</b>	Catatan akhir tahun/ Annual Report
<b>CDPF</b>	China Disabled Persons' Federation
<b>CP</b>	Cerebral palsy
<b>CPNS/CASN</b>	Calon pegawai negeri sipil/calon aparatur sipil negara/ Public Servant Candidate
<b>DAAWS</b>	Disabled Australian Apprentice Wage Support
<b>DAK</b>	Dana alokasi khusus/ Special Budget Allocation
<b>EWG</b>	Employment Working Group
<b>FHCI</b>	Forum Human Capital Indonesia/ Indonesia Human Capital Forum
<b>G20</b>	Group of twenty
<b>HRD</b>	Human resource development
<b>HWDI</b>	Himpunan Wanita Disabilitas Indonesia
<b>ICF</b>	International Classification of Functioning, Disability, and Health
<b>ILO</b>	International Labour Organization
<b>IT</b>	Informasi dan Teknologi/ Technology and Information
<b>JKK</b>	Jaminan Kecelakaan Kerja/ Work-related Accident Insurance
<b>KDRT</b>	Kekerasan dalam rumah tangga/ Household-based Violence
<b>KHPD</b>	Konvensi hak-hak penyandang disabilitas/ Convention on the Rights of Persons with Disabilities
<b>KHESB</b>	Konvensi hak ekonomi, sosial, dan budaya/ Convention on Economy, Social, and Culture Rights
<b>K/L</b>	Kementerian/lembaga/ Ministeries
<b>KPDJ</b>	Kartu penyandang disabilitas Jakarta/ Jakarta Disability Card
<b>NIDMAR</b>	National Institute of Disability Management and Research Canada

<b>NIK</b>	Citizenship Registration Number (Nomor Induk Kependudukan)
<b>OECD</b>	The Organisation for Economic Co-operation and Development
<b>OMS</b>	Civil Society Organization (Organisasi Masyarakat Sipil)
<b>PHK</b>	Lay-off (Pemutusan Hubungan Kerja)
<b>PMKS</b>	Persons with Social Welfare Issues (Penyandang Masalah Kesejahteraan Sosial)
<b>PPP</b>	Public Private Partnership
<b>PUG</b>	Gender Mainstreaming (Pengarustamaan Gender)
<b>RAD</b>	District Action Plan (Rencana Aksi Daerah)
<b>RISKESDAS</b>	Research on Basic Health (Riset Kesehatan Dasar)
<b>SAKERNAS</b>	National Employment Survey (Survei Ketenagakerjaan Nasional)
<b>SCPwD</b>	Skill Council for Persons with Disability
<b>SDGs</b>	Sustainable Development Goals
<b>SENAI</b>	Serviço Nacional de Aprendizagem Industrial / National Service for Industrial Training Brazil
<b>SIMPD</b>	Information System for Persons with Disabilities (Sistem Informasi Penyandang Disabilitas)
<b>SUSENAS</b>	National Social Economy Survey (Survei Sosial Ekonomi Nasional)
<b>TNP2K</b>	National Team for the Acceleration of Poverty Reduction (Tim Nasional Percepatan Penanggulangan Kemiskinan Indonesia)
<b>TPAK</b>	Labor Force Participation Rate (Tingkat Partisipasi Angkatan Kerja)
<b>ULD</b>	Disability Service Unit (Unit Layanan Disabilitas)
<b>UMR</b>	Regional Minimum Wage (Upah Minimum Regional)
<b>UNCRPD</b>	United Nation of Convention on the Rights of Persons with Disabilities
<b>UU</b>	Government Regulation (Undang-undang)
<b>WHO</b>	World Health Organization
<b>WLS</b>	Weighted Least Square



# FOREWORD

The G20 plays a crucial role in ensuring the future growth and prosperity of the global economy. It represents 80% of the global GDP, 75% of international trade, and 60% of the global population. Thus, agreements between these nations can serve as a catalyst for addressing a variety of global issues, such as unemployment.

Beginning in 2018, during Argentina's G20 presidency, the G20 is now focusing on previously excluded groups in the development process. This has been accomplished by establishing policy principles to enhance the integration of people with disabilities into the labour market. Despite this, advancing inclusiveness in the labour market continues to face a number of obstacles. Members of the G20 have been unable to construct inclusive justice while simultaneously safeguarding the rights of disability groups. Ongoing debate exists regarding whether disability groups should be the subject or object of development policies.

We must all recognise and admit that our perspectives on disability groups are still heavily biased. We frequently feel "heroic" when we demonstrate irrelevant empathy. I am confident that this report has confirmed that people with disabilities do not need pity, but rather encouragement and commitment from all stakeholders to create conditions supportive of their rights, including the right to work.

This report was created in preparation for the November 2022 G20 Leaders Summit in Indonesia. This report aims to provide a critique of "Disability Groups in the Workplace: Conditions and Challenges in Indonesia as a G20 Country" and invite readers to learn more about the obstacles faced by people with disabilities in Indonesia. We hope to use this report to capitalise on the Summit so that we can continue to mainstream these groups' rights. Moreover, it is anticipated that this report will provide up-to-date information on how disabled workers are treated in Indonesian workplaces.

In addition, this report seeks to increase collective understanding of the factors that assist and impede disability groups in achieving social justice. Human rights and decent work for every member of the workforce are the cornerstones of an inclusive economy and society. Diverse groups continue to pose a number of dilemmas and difficulties for policy issues pertaining to them in the workplace in a variety of countries. When using a one-size-fits-all approach, policies frequently stall. In the end, policies that tend to be generalist and aim to solve all problems leave the problem unresolved.

This report also examines the diversity of contexts and intersectionality of disability groups with the hope of giving meaning to the phrase "*no one left behind*". Achieving access to employment will necessitate conditions such as education and an inclusive

infrastructure. Finally, I would like to thank the PRAKARSA research team and all parties involved in the preparation of this report. I hope that this report will enrich existing sources of knowledge so that all stakeholders are fully committed to creating enabling conditions so that existing policies are implemented and have an impact.

Jakarta, March 22<sup>nd</sup> 2022

**Ah Maftuchan**

Executive Director of The PRAKARSA

# EXECUTIVE SUMMARY

In Indonesia, people with disabilities continue to have difficulty finding decent employment. According to BPS data for 2020, there are 17.74 million people with disabilities of working age. However, less than half of disabled individuals are actively employed (43%). The percentage of non-disabled workers is as high as 69 percent. People with disabilities are disproportionately concentrated (81%) in employment sectors without comprehensive social protection, where they are likely to earn incomes well below the regional median minimum wage. The risk of poverty is a spectre that haunts people with disabilities in Indonesia.

Indonesia has made real efforts to ensure that people with disabilities have access to decent employment opportunities. The 1945 Constitution of the Republic of Indonesia, Law 13/2003 on Employment, Law 19/2011 on Ratification of the UNCRPD, and Law 8/2016 on People with Disabilities all make this pledge clear. The low incorporation of workers with disabilities, however, especially in the formal employment sector, demonstrates that these efforts have yet to yield significant results. As a result, ensuring that people with disabilities have equal access to the workforce remains an issue of policy and has yet to be translated in concrete measures.

The prolonged Covid-19 pandemic has exacerbated the accessibility and availability of employment for individuals with disabilities. Restrictions on outside activities have compelled companies that employ them to implement various cost-cutting measures, such as reducing the number of employees and lowering salaries. People with disabilities were not spared from these cost cutting measures. Employment was already difficult before the pandemic and became even more difficult after the pandemic, leaving them vulnerable to job loss and unable to return to work. Additionally, limited access to health and education service centres exacerbates this condition. Thus, the pandemic compelled them to adapt with their already limited resources.

As President of the 2022 G20 Summit meeting, Indonesia used its position in the Employment Working Group (EWG) to draw attention to the importance of creating an inclusive job market – particularly for people with disabilities. This research aims to provide an in-depth description of the policies protecting the employment of people with disabilities in Indonesia, identifying the supporting and inhibiting factors in the labour market as well as corrective measures to increase access to a larger job market. With the COVID-19 pandemic on the wane and the need to encourage the expansion of employment opportunities for people with disabilities in the formal sector, an immediate response is required.

This study employs both quantitative and qualitative methods in order to gain a deeper understanding of the employment issues faced by individuals with disabilities. The quantitative method uses Sakernas data in August 2019 and 2020 to determine the condition of the disabled workforce and the impact of the Covid-19 pandemic on the access to employment and income of disabled and non-disabled workers. The quantitative method analyses the Sakernas data from August 2019 and 2020 to determine the condition of the disabled workforce and the impact of the Covid-19 pandemic on the access to employment and income of disabled and non-disabled workers. In contrast to the qualitative method, which seeks to comprehend the context of access and job market conditions for the disabled from the perspective of relevant stakeholders, the quantitative method seeks to quantify the context. Information is gathered using qualitative methods, including interviews, direct observation, analysis of secondary documents such as reports, and other research-supporting materials.

According to the results of the Sakernas data analysis, approximately 8.5% (22.2 million) of Indonesia's population live with some sort of disability. The disabled population is divided into two groups: those with moderate/mild disabilities (51%) and the remainder experience severe disabilities. Approximately 43% of people with disabilities belong to the lowest 40% socio-economic group. The percentage of elderly individuals with disabilities is 40%. When further disaggregated, less than 6% (8 million) of disabled individuals are employed. Almost three-quarters of the disabled are visually impaired. Although less than 4% of the visually impaired are unemployed, 79% work in the informal sector (Sakernas, 2020).

Workers with disabilities have an average education and are paid low wages. The research analysis found that more than 60% of those with disabilities in the workforce have only an elementary school education with an average income of less than IDR 1 million/month. A review of the 2020 Susenas data found that as a result the pandemic salaries were reduced by 47.85% in all categories of disabilities (Sakernas, 2020).

The implementation of employment policies and programmes for people with disabilities has not been maximised, according to research findings. The minimum quota policy for employees with disabilities has not shown an increase in employment opportunities for individuals with disabilities. This policy is governed by Law/8 2016 and is coercive. Despite the fact that both the public (BUMN/BUMD) and private sector companies have begun to set quotas for people with disabilities, the data indicates that they still have difficulties gaining access to the workforce. Positions are sometimes filled by applicants that do not have disabilities. Employing people with disabilities is viewed as a charitable act, not a fulfilment of rights by companies that do so only to meet quota requirements. Consequently, the quota system requires not only a comprehensive monitoring and evaluation system. Additionally, the company expects assistance to employ disabled individuals in accordance with the law. Both businesses and employees

with disabilities acknowledge that they do not fully comprehend existing policies. This must be accompanied by a division of authority between government institutions and subsequent multisector cooperation between the government, employers, the disability community, and civil society organisations.

According to the research, there are a number of barriers to entering the workforce for disabled groups beginning with the recruitment process until the realisation of their rights as employees. There is minimal information about job openings and they are not yet listed as “open to people with disabilities”. As this suggests, the recruiting process is not yet affirmative and the selection process is not yet inclusive. In addition, there is a lack of a holistic understanding of their needs. Building owners are still reluctant to construct supporting facilities/infrastructure to accommodate people with disabilities as they are still considered a burden on the budget. the company is a building tenant, and work support tools are not yet available.

Even if an individual with disabilities is employed, that person still faces discrimination. There are limited career advancement opportunities because they are dependent on the discretion of their superior. A priori, they are considered unable to lead and are given entry level positions with a low salary and without any job training. Maintaining a job is also quite difficult, as there is an assumption that people with disabilities are high risk and consider them as burden. In cases where an individual returns to work, they are often transferred to other positions.

This study also found that discrimination and stigmatization of people with disabilities are inextricably linked to gender characteristics. Men with disabilities are more likely than women with disabilities to be integrated into the formal job market. In addition, the education level of women with disabilities is on average lower than men. Women are subjected to persistent stigmatising behaviour that discourages them from entering the workforce and as a result they stay home. To be more involved in the domestic sphere. The stigmatisation of the abilities of women with disabilities also occurs at the family level, where women with disabilities, especially mental ones, are frequently viewed as a disgrace and unable to work. Women with disabilities experience double discrimination based on their gender and their condition.

Based on the findings of the Re, there are six factors that influence employment protection policies; the scope of work, the family, and the personal sphere. These intersections become a source of obstacles and opportunities for the development of an inclusive job market in Indonesia for people with disabilities. This research presents a number of recommendations for the central government, local government, private sector, communities, and families of people with disabilities based on the study's findings.



# CHAPTER 1 INTRODUCTION

Open unemployment for people with disabilities is 247,000 people, one-fifth of whom have lost hope of working because of their level of disability.

## 1.1 Background

It is estimated that persons with disabilities accounts for 15% of the world's population (ILO, 2020). In Indonesia the number in 2020 reached 22 million people or around 8% of the entire population (TNP2K, 2021). According to Central Bureau of Statistics (BPS, 2020) there are 17.74 million people with disabilities of working age. However, only around 7.8 million people (43%) or less than half of disabled individuals are actively employed . The percentage of non-disabled workers is as high as 69 percent. Open unemployment for people with disabilities is 247,000 people, one-fifth of whom have lost hope of working because of their level of disability. People with disabilities are disproportionately concentrated (81%) in employment sectors without comprehensive social protection, where they are likely to earn incomes well below the regional median minimum wage.

Decent employment for individuals with disabilities is an effort to realise the right to work. There must be a paradigm shift away from the notion that the provision of employment is solely based on an act of kindness while not giving attention to the applicants' and employers' shared needs and potential. The provision of decent work must adhere to the principles of sustainability, mutual benefit, productivity, and business development. It is hoped that these principles will also have an impact in the form of increased independence for disability groups in the workplace, the home and



society. The objective is unambiguous: to reduce economic and social disparities caused by stigma and discrimination among people with disabilities.

People with disabilities comprise approximately 8 million of the total labour force with only 21 percent of people with disabilities employed in the formal sector. The average salary for workers with disabilities is less than IDR 1 million per month (Sakernas, 2020). In addition to receiving low wages, people with disabilities typically lack steady employment and income (MAHKOTA, 2020). As a result of the Covid-19 pandemic, their employment prospects became increasingly precarious. Prior to the pandemic, their rights were already restricted in daily life. Women with disabilities faced double discrimination. During the pandemic, they were twice as likely as those without a disability to be unemployed (AAPD, 2021).

In the early phase of Covid-19, the International Labor Organization (ILO) estimated that around 25 million jobs in the world could be lost due to the Covid-19 pandemic (ILO, 2020a). According to the findings of Ngadi and Purba's research (2020), the Covid-19 pandemic resulted in the termination of 15.6% of Indonesian employees, and approximately 14% did not receive severance pay. The MAHKOTA policy document (2020) indicates that the decline in disability-related income also occurred after Covid-19. Multiple-disability sufferers are the most financially vulnerable, followed by those with mental disabilities.

It is difficult for the disabled to take part in the labour market due to the lack of availability and accessibility to decent jobs (ILO and OECD, 2018; Mark et al., 2019). The 4.0 industrial revolution altered the structure of the labour market and reduced the opportunities for workers with disabilities to actively participate in the labour market. This has an impact on the independence of the disabled in carrying out activities in businesses, families and communities.

The Sustainable Development Goals (SDGs) support the fulfilment of human rights and equality for vulnerable groups including people with disabilities. One of the SDGs principles is to ensure that no one is left behind. Furthermore, the Convention on the Rights of Persons with Disabilities (KHPD/CRPD) since 2008 has been ratified by 175 countries, including G20 members other than the United States. In particular, disability in the field of work is included in the target of SDGs goal 8 concerning increasing inclusive and sustainable economic growth.

The 1945 Constitution of the Republic of Indonesia confirms that everyone has the right to equal rights. There are several policies that mandate the right to decent work for people with disabilities, such as in Law 13/2003 concerning Manpower, Law 19/2011 concerning Ratification of the UNCRPD, and Law 8/2016 concerning Persons with Disabilities. So far, however, it is unknown whether these policies have been effective in facilitating the access and participation of people with disabilities in the labour market.

This research aims to provide an overview of the demographics and conditions of the disabled work force in Indonesia in order to understand the access, conditions and obstacles faced by persons with disabilities in the labour market. Based on these findings PRAKARSA will provide evidence-based policy recommendations in an effort to increase access and participation of persons with disabilities in the job market.

## 1.2 Problem

The research questions are as follows:

1. How did the Covid-19 pandemic affect the employment market for the disabled in Indonesia?
2. What is Indonesia's policy and practise regarding the protection of persons with disabilities in the workplace?
3. What are the enabling and impeding factors of persons with disabilities and workplaces (government and non-government agencies) during the recruitment process and while working?

## 1.3 Objectives of the Research

The objectives of this research are as follow:

1. Understanding the relationship between the Covid-19 pandemic and the state of the disabled labour market in Indonesia.
2. Analyze the policies and their implementation for disabled workers in Indonesia.
3. Analyse the supporting and inhibiting factors of people with disabilities and the workplace (government and non-government agencies) during the hiring process and while they are employed.

## 1.4 The advantage of research

The research results are expected to provide an overview of the conditions and challenges of disability groups to promote an inclusive job market in Indonesia. The results of the research will be used as material for recommendations for the government, employers and stakeholders to improve job policies.

## 1.5 Research GAP

Research from LPEM FEB UI in 2017 provides an overview of the opportunities and challenges of disabled person in accessing work, both in terms of the severity of the



disability itself and from outsiders in the form of employment discrimination. This research also provides an overview of the factors that can cause it, including the skills gap between people with disabled and non-disabled persons, the low level of education of persons with disabilities, and the discriminatory attitude of society towards them.

A study released in the *Journal of Employment* by Putri in 2019 estimates the participation of the disabled in the Indonesian job market using the probit method. This study found that the possibility of a disabled received in the labor market is determined by the status of the disability itself, for example, mild or complex disabilities. The linkage is thought to be related to the performance produced by workers with disabilities. Another thing is the argument about the use of internet technology can increase work force participation which cannot be applied equally to this groups. More surprisingly, in contrast to the work force participation of men and women in the job market, women with disabilities have better participation rates than men with disabilities.

Istifaroh and Nugroho in 2019 also discussed about protecting the rights of disabled in getting a job in private companies and state-owned companies. This study was carried out using the framework of the Constitution of the Republic of Indonesia Article 28D paragraph (2) concerning the right of everyone (without exception) to work, get paid, and to obtain equality and fair and proper treatment in employment relations. Thus, the government has an obligation to fulfil the rights of people with disabilities, especially to get a job. Strengthened by the framework of Law no. 8 of 2016, Article 11 letter (g), persons with disabilities have the right to have the opportunity to develop career paths and all the normative rights attached to them. However, even though regulations regarding the right to work are already in the law, private companies and state-owned companies (BUMN) are still reluctant to hire them. This study explains that the cause of the company's low commitment to hire them is due to the emptiness of the law, namely the absence of strict sanctions that regulate companies that do not hire people with disabilities.

However, until now, there has been no research that has analysed the conditions and challenges of disabled person in accessing and participating in the job market. It is hoped that this research can fill the gaps in previous research and can contribute to increasing access for people with disabilities to a better job market.



## CHAPTER 2

# EMPLOYMENT FOR DISABLED PERSONS IN G20 MEMBER COUNTRIES

It is also necessary to see the good side of the policies to encourage access for inclusive work for people with disabilities in several G20 member countries

**T**wo topics will be discussed in this chapter regarding the development of the issue of the disabled in the G20 countries. It is important to review the results of the 2018 Argentina Presidency to provide an overview of the commitments that were agreed upon by the G20 member countries. It is also necessary to see the good side of the policies to encourage access for inclusive work for people with disabilities in several G20 member countries. Here's the review.



### 2.1 G20 Principles is to encourage an inclusive job market for people with disabilities (G20 Presidency of Argentina 2018)

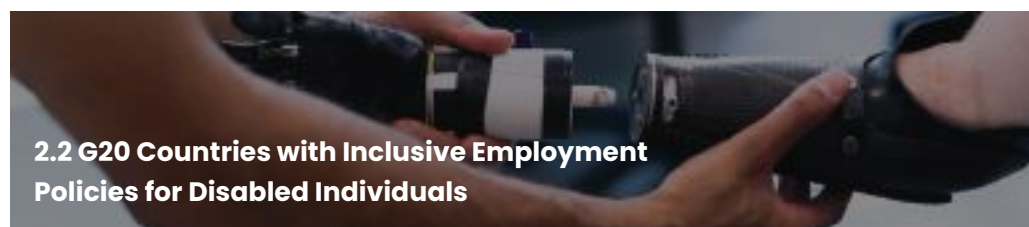
The G20 Presidency Meeting in Argentina in 2018 resulted in a joint commitment to increase the accessibility of people with disabilities to the job market in accordance with the 2030 SDGs agenda and the 2013 Moscow Declaration. This commitment is contained in the following principles:

1. Promote equal opportunity in all phases of the recruitment, recruitment, maintain, and give promotion of people with disabilities through the design, adoption,

and proper enforcement of an effective anti-discrimination and equality laws, administration, and better compliance.

2. Promote policies that ensure the removal of technological barriers for people with disabilities and enable them to fully participate in the digital economy.
3. Prevent stigmatization and discrimination by avoiding stereotypes and encouraging the use of inclusive language in general and special disability law as well as in policies material and programme.
4. Increase access to and coverage of social protection measures that provide adequate income support for people with disabilities and enable and encourage them to participate in education and employment. The realization in the form of appropriate steps must focus on early intervention.
5. Design social protection systems to enable safe transitions between disability benefits and employment and avoid benefit traps.

These principles are not legally binding. In other words, a country's adherence to these principles are not strictly monitored and evaluated by international institutions. There are several G20 countries, however, that have made breakthroughs in encourage an inclusive job market for people with disabilities, as explained below :



### **1. Strengthening recruitment procedures for employers in China, Japan and Norway.**

China has implemented a rule that every person with a disability needs to get an assessment to determine the category of disability. This categorization is carried out by a government agency, the Chinese Federation of Disabled Persons (CDFP) which is based on the International Classification of Functioning, Disability and Health (ICF) by WHO. This certification is also implemented in Japan with a fairly diverse assessment of disabilities ranging from physical disabilities to mental disabilities.

To make the recruitment process more inclusive, government agencies provide consultative services to potential employers. For example, one of the unique approaches taken by Norway is to develop a promotive policy through the formation of a public agency that is responsible for becoming a kind of consulting company for the employment of people with disabilities.

## **2. Salary subsidies and integration subsidies in Ireland, Germany and Sweden**

Promotive efforts are also carried out through incentive schemes for employers through subsidy policies, tax reductions, and several assistance programs especially for the private sector. The aim of this scheme is to help relieve employers of the additional budget that arises from the needs of hiring people with disabilities. Several European Union member states have adopted incentive schemes such as salary subsidy schemes, disabilities employment assistance, assistance in renovating infrastructure for employers according to the needs of people with disabilities. For example, Ireland has implemented a salary subsidy scheme in the form of reduced payroll taxes and social insurance contributions for disabled workers with a minimum working hour of 21 to 39 hours/week. Incentives have the potential for long-term impact.

Germany implemented integration subsidies through the provision of training for disabled workers over a period of several months, and employers are required to hire these workers based on the duration of training provided. In Sweden, the policy (lonebidrag) provides funds for the adaptation of buildings and workplaces to meet the needs of individuals with disabilities. This fund is provided during the first year of employment.

## **3. Creation of a return-to-work book in Canada**

Disability conditions can occur as a result of work accidents. This condition is not only related to personal changes, but also related to what efforts need to be made by the employer to accommodate the worker's return to work. In situations like this, the option of assisting the employer is an option that should be considered. A program like this was developed by Canada through the creation of a national guidebook for re-recruitment after work accident by the National Institute for Disability Management and Research (NIDMAR).

## **4. Strengthening the capacity of disabilities workforce in the European Union, Brazil, India and Australia**

Several G20 countries have implemented innovative policies related to the provision of vocational training, apprenticeships, and job placement services. This policy was enacted to ensure that the workforce possesses the skills required by the current job market. Several member states of the European Union have implemented vocational rehabilitation, which focuses on the development of work skills alongside health rehabilitation. The purpose of vocational rehabilitation is to assist workers who have become disabled on the job. This program has been implemented in Austria since 1996 and in Hungary since 2008. This programme aims to restore a worker's skills and abilities to work after a lengthy absence due to illness or after conditions have deteriorated to become a hindrance.

Vocational training programs can also be provided to people with disabilities who are about to enter the job market for the first time. The country that has implemented this program is Brazil through the National Agency for Industrial Training (SENAI) which has produced reference materials on inclusive job training and has made a sign language dictionary in Portuguese with topics on world industry. The guideline is also produced in India which follows the British guideline standard, with the addition of an accreditation system carried out by the Skills Council for Persons with Disabilities (SCPwD). Apprenticeship is also important after vocational training. This is what the Australian state is doing through the Australian Apprentice Salary Assistance Program for Persons with Disabilities (DAAWS). This assistance is in the form of a package of providing grants, providing tutorials, interpreters, and mentors for apprentices.

## **5. Quota policies in China and Brazil**

In the majority of the G20 nations, the disabled work quota system is the one that is most frequently utilised to create jobs. This quota mechanism is in the form of enacting rules regarding the proportion of workers with disabilities ranging from 1-7% for employers in both the public and private sectors. Quota policies include affirmative policies implemented with the aim of creating social inclusion guarantees for employees or people with disabilities in the job market.

The amount of the penalty in Brazil is determined based on the number of employees in an institution. This makes companies with a large number of employees at risk of getting a higher penalty than companies with a small number of employees. The quota policy has proven successful in increasing the absorption of disabled people into the Brazilian job market. According to research by Cléssia et al. (2021), quota regulations have boosted the percentage of the disabled workforce that was absorbed in 2016 compared to 2007, notably in small businesses with fewer than 1,000 employees.

In China, the amount of the penalty depends on the average amount of employee salary per year in a company so that the greater the average employee salary, the larger the penalty imposed. China uses the penalty funds to develop training programs and employment incentive programs. The imposition of this penalty, however, is actually an excuse not to recruit a workforce with disabilities. The percentage of disabled employees only ranges from 0.06-1.23%, far from the minimum proportion of 1.5% (Bruyere, 2018). In China there are also issues of transparency and data disclosure. Only 5% of the 250 large enterprises in China published the number of disabled employees in 2016. Therefore, evaluation and sanctions are needed for companies that are not compliant and transparent.

## **6. An inclusive digital industry for disabilities in China**

The industrial revolution 4.0 has also had an impact on changes in the structure of the job market and job opportunities for groups of disability. One of the G20 countries that is quite comprehensive in responding to this change is China. The country introduced promotive policies such as; 1) promoting PPP (public private partnership) cooperation with several e-commerce and business investment institutions to create job opportunities in the IT and computer sector, selling products owned by people with disabilities in online marketplaces, and opening an online shop to market skills training products for persons with disabilities; 2) Increasing opportunities for computer and IT training for people with disabilities and; 3) internet quota assistance for people with disabilities.

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## CHAPTER 3

# THEORETICAL FRAMEWORK: AN ANALYSIS OF ENCOURAGING INCLUSIVE LABOR MARKETS

This approach was initially developed in the mid-20th century, particularly in the field of psychology. One of the modern social ecological model theories was introduced by Urie Bronfenbrenner through bioecological theory.

### 3.1 Social Ecological Models Theory

The social ecological model offers an interactive lens through which to examine the intricate relationship between individuals and the environment. This approach was initially developed in the mid-20th century, particularly in the field of psychology. One of the modern social ecological model theories was introduced by Urie Bronfenbrenner through bioecological theory. This theory explains that a person's growth and development is the result of a multilayer interaction process between the individual and the surrounding environment. Individual relationships with existing social systems can interactively shape personal and social functioning. This perspective has begun to be adopted in the study of disability as an interactive approach between two models, namely the medical model and the social model. In disability studies, the social ecological model acknowledges that individuals with disabilities have unique abilities and limitations. Internal factors (personal potential and limitations) and external factors (people with work, interact, and live disabilities) can cause a disability (Shogren et al., 2018).

Disability-related studies are generally separated between the medical model approach and the social model. In the eyes of the medical model, a disability condition is caused by a person's physical and/or psychological disability. Whereas in the social model,



physical and/or psychological disabilities result in a person experiencing social exclusion and discrimination (Oliver & Bernes in Shogren et al., 2018). Interventions in the social model should place more emphasis on policy changes, law protective, and promotive efforts that are more inclusive of people with disabilities. The principle of the medical model should be able to focus on the people with disabilities themselves without having to compare them with outside judgments. The form of intervention offered by these two models has finally been considered by social ecologists (Hill et al., 2011; Nathan & Brown, 2018; Shogres et al., 2018).

The focus of the social ecological model is trying to identify which forms of support can maximize the potential of persons with disabilities. This model is formulated based on the identification of causes of disability. As explained by Shogren et al. (2018), there are three main components that need to be considered in the social ecological model, namely personal competence, environmental demands, and the need for support. Personal competence understands that a person's functioning is influenced by his characteristics and competence. Before the intervention is carried out, consider the physical and/or psychological conditions that hinder it can reduce the impact of these obstacles. Meanwhile, environmental demands emphasize an understanding of equal interaction between persons with disabilities and the surrounding community. This situation requires persons with disabilities to adapt to their surroundings. The two previous components can serve to identify the forms of support needed by persons with disabilities in a comprehensive manner. Support can be in the form of providing resources, strategies, and prioritizing the rights of people with disabilities.

The World Health Organization (2021) has adopted a social ecological model in developing a conceptual framework for defining disability in the International Classification of Functioning, Disability, and Health (ICF). Indonesia ratified the ICF through Law 8/2016 concerning Persons with Disabilities. In article 4, persons with disabilities can be categorized into four groups:

This study uses a social ecological model approach to analyze each micro level (individuals with disabilities), meso level (community), and macro level (community factors) in the context of employment.

## 1

### **People with physical disabilities**

namely impaired movement functions, including amputation, paralyzed or stiff, paraplegia, cerebral palsy (CP), due to stroke, due to leprosy, and small people.

## 2

### **People with intellectual disabilities**

namely impaired thinking due to below average level of intelligence, including slow learning, mental disabilities, and Down's syndrome

### 3.2 Convention on the Rights of Persons with Disabilities (CRPD)

CRPD aims to promote, protect, guarantee equality and basic freedoms for persons with disabilities, as well as respect for the dignity of persons with disabilities. The Convention emphasizes the importance of mainstreaming issues of people with disabilities in the SDGs and provides guidance to all countries as a reference to increase the participation of people with disabilities in society, including the right to work. The Law on the Rights of Persons with Disabilities was adopted in India in 2016 as well as Law 8/2016 concerning Persons with Disabilities in India (OECD, 2018).

Article 27 of the CRPD states that state parties<sup>4</sup> must recognize the equality right of persons with disabilities to work. These rights include the right to work opportunities, to choose a job, to have an open, inclusive and accessible work environment. States parties must protect and realize the fulfilment of the right to work by taking the following steps:

1. Prohibit discrimination from basic interference with all forms of work, including conditions of recruitment, acceptance and giving of work, extension of terms of service, career development, and safe and healthy working conditions.
2. Protect the rights of persons with disabilities on an equal basis with others to fair and favourable working conditions, including opportunity and remuneration for work of equal value, healthy and safe working conditions, including protection from harassment and bullying.
3. Ensure that persons with disabilities can exercise their right to associate on an equal basis with others.
4. The propensity of people with disabilities to have effective access to technical and skills guidance programs, placement services and skills, as well as skills and ongoing trainings.
5. Promote employment opportunities and career development for people with disabilities in the labor market, as well as assistance in finding, obtaining, maintaining and returning to work.

#### 3

##### People with mental disabilities

namely impaired thinking, emotional and behavioural functions, including psychosocial including schizophrenia, bipolar, depression, anxiety, and personality disorders and developmental disabilities that affect social interaction skills including autism and hyperactivity.

#### 4

##### People with sensory disabilities

namely disturbances in one of the functions of the five senses, including visual disabilities, hearing disabilities, and/or speech disabilities.

6. Promote opportunities to have a job, self-employment, development of cooperatives, and starting one's own business.
7. Employment of people with disabilities in the government sector.
8. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures which may include concrete action programmes, incentives and other measures.
9. Ensure that adaptive accommodation is available in the workplace for people with disabilities.
10. Promote the enhancement of the work experience of people with disabilities in an open job market.
11. Improve skills and professional rehabilitation, job guarantee and return to work programs for people with disabilities.

“

**States parties must guarantee that persons with disabilities are not in a condition of being enslaved or servitude, and are even protected on an equal basis with others. These guarantees release from forced or compulsory job.**





## CHAPTER 4

# RESEARCH METHODOLOGY

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This combination of data from two different methods is intended so that research can understand the issue of employment for people with disabilities on a national scale, then it is understood in greater depth through a qualitative approach.

**T**his study uses a mixed method approach. Mixed method is an approach in the study of social, behavioural and health sciences that combines quantitative and qualitative data. This approach combines and analyses both based on the weaknesses and strengths of each data to understand the issue that being researched (Creswell, 2015).

This combination of data from two different methods is intended so that research can understand the issue of employment for people with disabilities on a national scale, then it is understood in greater depth through a qualitative approach. A research design like this can be called an explanatory sequential design (Creswell, 2015).

Mixed methods are used for two main reasons. First, the use of one method in research cannot fully capture the issue of employment of person with disabilities in Indonesia. Quantitative research has the opportunity to capture broader data and can explain cause and effect relationships, but is limited in explaining the context in which cause and effect relationships occur. We argue that the use of qualitative method can explain stakeholder views regarding employment issues for disabilities to understand the context in more depth. Second, the scope of this research is on a national scale, in which qualitative method do not allow it to be used as a basis for generalization, so we intend to combine these two methods to complement each other's weaknesses.

Researchers used two stages of research, first we conducted quantitative data analysis with data from the 2019 and 2020 National Workforce Survey (Sakernas). The second stage was to collect and analyse qualitative data to explain quantitative data findings. We also used some of the quantitative data findings to formulate some of the key questions in the qualitative interview method. That way, this research is sequential, where the analysis in this study will also begin with quantitative findings and then proceed with qualitative data findings. We describe each method in more detail as follows:

## 4.1 Quantitative Method

Quantitative research is an approach to test objective theories by examining the relationships between variables (Creswell, 2014). These variables in turn can be measured using instruments that generate numerical data to be analysed by statistical procedures. This research will look at the differences in access to work and income during the Covid-19 pandemic and before the pandemic between disabled and non-disabled workers. The data analysed is data from the 2019 and 2020 Sakernas published by the Indonesian Central Bureau of Statistics (BPS). Workers with disabilities in the Sakernas data were obtained based on six criteria in the Washington Group Definition, namely visual, hearing, mobility, concentration, speech, and mental disabilities.

### Data

This study uses Sakernas data from 2019 and 2020 using a back casting weight. Sakernas is held twice a year (semester), namely in February and August in all provinces. The 2019 Sakernas sample is 30,000 census blocks (BS) consisting of 7,500 BS in semester 1 and 22,500 BS in semester 2. Meanwhile, the 2020 Sakernas sample is 30,000 BS consisting of 7,500 BS in semester 1 and 22,500 BS in Semester 2.

Information regarding the general condition of each household member (name, relationship to the head of the household, national identification number [NIK], gender, month and year of birth, and age) was collected from each selected household. Questions for household members aged 5 years and over, namely school participation, education, place of residence 5 years ago, disability status, activities last week, additional questions related to the new concept of employment, activities looking for work/preparing for a new business, main job and additions, working hours of all jobs, as well as work experience. Meanwhile for household members aged 10 years and over, questions were added regarding information on marital status.

### Definitions of working, not working (unemployed), and the work force

According to the BPS definition, the population in the work force is the working age population (15 years and over) who are working or have jobs but are temporarily



unemployed and unemployed. Work is an economic activity carried out by a person with the intention of obtaining or helping to obtain income or profit, at least 1 hour (uninterruptedly) in the past week. These activities also include the activities of unpaid workers who help in a business/economic activity. Unemployment is a population that does not have a job and is looking for work or preparing for a business or who no longer wants to look for work. Residents who already have jobs but are still waiting to start work are also categorized as unemployed.

### **Selection of the dependent variable and treatment**

To analyze employment opportunities for people with disabilities, this study uses the dependent variable, namely work. Work has a value of 1 or 0. A value of 1 indicates that the individual respondent is working, while 0 indicates the respondent is not working. The treatment variable in this study is the type of disability (Appendix 1). This study uses the distribution of types of disabilities provided by Sakernas.

### **Selection of Control Variables**

This study involved seven variables or factors in analyzing differences in employment opportunities for groups of persons with disabilities, namely gender, age, area of residence, city/village, level of education, training experience, and ability to work. These seven factors are used as control variables to analyze differences in individual opportunities to work or not. This study also adds one factor, namely the category of business field to analyze differences in wages received between groups of workers with disabilities.

## **4.2 Qualitative Method**

The qualitative method is used because it has a sharp analytical function which has an influence on the strength of the words and sentences used. Therefore, Basri (2014) concluded that qualitative research focuses on the process and the meaning of the results. The choice of this qualitative method prompted this research to use a case study approach. Creswell (2017) defines a case study as a research method that explores a system that is bound or a case (or it could be several cases) that occurs within a certain time limit through the collection of in-depth and detailed data from reliable sources of information that can be trusted to prove the truth. This study uses the case study method to explore and identify causal relationships in the context of Mulkausal's explanation (Vayda and Bradley, 2011).

The determination of data sources or informants in this study was carried out using a purposive sampling technique. The sample was determined based on specific criteria, objectives or situations. Purposive sampling is most widely used when a hard-to-reach

population needs to be measured (Neuman, 2006). The selection of informants was also carried out using the snowball sampling technique. Neuman (2006) defines the snowball sampling technique is the sample that is obtained through a rolling process from one respondent to another. Usually this method is used to explain the social or communication patterns (sociometric) of a particular community. Qualitative data collection methods in this study are observation and in-depth interviews.

In collecting the qualitative data, researchers have taken into account possible ethical issues by ensuring that they have obtained the informed consent of the study's participants. Confidentiality and anonymity of informants are part of the ethical considerations in this study. The goal is for participants to have the confidence to express their thoughts, comments, and personal experiences.

Qualitative data collection was carried out in four regions in Indonesia; DKI Jakarta, West Java, East Java and South Sulawesi. The selection of the two provincial government work areas (East Java and South Sulawesi) in this study was based on the consideration that these two provinces are amongst the few provinces that actively collaborate with non-governmental organizations in developing employment promotion policies for persons with disabilities. We argue that this active role is a form of commitment from the provincial government. Therefore, we hope that their active role can help this research to understand more deeply access and job market conditions for persons with disabilities in the field and obtain lessons from regions that are currently active in developing affirmative policies on disability employment issues.

Table 1 below lists the agency/organization and the number of informants that took part in this research.

Table 1. List of Agencies/Organizations and Number of Interview Informants.

Informants	Total	Men	Women
Government agencies			
Central Government (Ministry of Coordinating PMK, Ministry of Manpower, Bappenas)	4 people	1 people	3 people
BUMN HRD (sectoral)	2 people	2 people	-
Provincial Government	4 people	2 people	2 people
Non-Government agencies			
Business (companies, factories, UMKM)	3 people	2 people	1 people
Leader of trade union (national)	1 people	-	1 people
International organization (Better Work)	1 people	1 people	-

Disability organization (blind association & other types or disabilities)	5 people	3 people	2 people
Employess (co-workers with disabilities)	2 people	-	2 people
Employees with disabilities	4 people	2 people	2 people
Academics/experts Practitioner	1 people	1 people	-
Practitioner (advocacy/disability activist)	2 people	2 people	-
BLK and BBPLK	2 people	2 people	-
Entrepreneur association	2 people	2 people	-
Media	1 people	1 people	-
<b>Total of Informants</b>	<b>34</b>	<b>21</b>	<b>13</b>

*Source: processed research*

People with disabilities in this study are research subjects. Of the 34 informants in this study, 11 of them were persons with disabilities. Information exploration is carried out with the guidance of several key questions.

1. Explore the factors that cause workplaces (government, non-government agencies, and factories) have not been able to fulfill the obligation to employ people with disabilities?
2. Explore the factors that cause workplaces (government agencies, non-government agencies, and factories) to be able to fulfill the obligation to employ people with disabilities?
3. Exploring regulations and their implementation is sufficient or not? What regulations and implementation need to be strengthened?
4. Explore the experience of recruiting persons with disabilities? What's the challenge?
5. Explore the experience of working with people with disabilities? How is the performance and productivity?
6. Explore what steps need to be proposed at the national and global levels so that people with disabilities have access to a better job market?

From the data obtained, the researcher then used two kinds of triangulation, namely (1) data/source triangulation (data triangulation) and (2) researcher triangulation (investigator triangulation). The data is then coded and the overall data is tabulated so as to produce findings in the form of important themes.



### 4.3 Research Limitation

This study focuses on Indonesia in an effort to learn more about access and labour market conditions for individuals with disabilities in the G20 nations. This research offers a social ecological approach to the issue of employment with disabilities, which not only focuses on the disabled workforce, but also involves several relevant stakeholders, including employers, entrepreneur associations, local governments, civil organisations, and coworkers of employees with disabilities. Nonetheless, this study has three significant limitations.

First, despite the fact that the issue of disability in employment is intertwined with a variety of factors, the scope of this study is limited to discussing the working conditions and obstacles encountered by people with disabilities. The objective is to answer the research questions and objectives in greater depth. This study uses the term persons with disabilities rather than disabled people because the latter term is considered incompatible with human rights principles and denigrating to human dignity. Even if the term disabled is still employed, it is referenced in accordance with the policy or policy regulations. Second, this study uses secondary data from the 2019 and 2020 Sakernas. The Sakernas data describes a macro picture of employment for people with disabilities, but it is only *cross-sectional survey* data so that the quantitative methodological design in this study can unable to reveal causal relationships. Third, this study analyzes several relevant policies, but does not carry out a legal/normative analysis of employment regulations for people with disabilities.



## CHAPTER 5

# FIELD FINDINGS AND ANALYSIS

The percentage of people with disabilities in the age range of 19-59 years is above 7% or more than 154 million people where this age group is included in the productive age category who have the right to work or carry out economic activities to earn income.

### 5.1 Employment Conditions for Persons with Disabilities in Indonesia

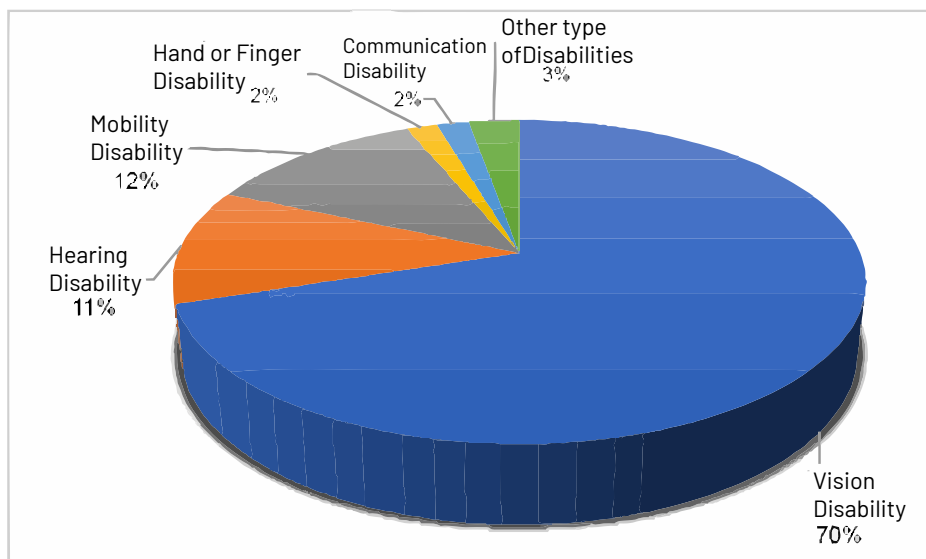
#### 5.1.1 Disability Employment Conditions in Indonesia

Data on people with disabilities in Indonesia is spread across four ministries/agencies; Information System for People with Disabilities (SIMPD) Ministry of Social Affairs, Basic Health Research (Riskesdas) Ministry of Health, National Socioeconomic Survey (Susenas), and National Work Force Survey (Sakernas) Central Bureau of Statistics (BPS).

Based on Susenas data (2020), approximately 8.5% (22.2 million) of Indonesia's population has a disability. In terms of age structure, the majority are in the age range of 60 years and over, which accounts for more than 40%. The percentage of people with disabilities in the age range of 19-59 years is above 7% or more than 154 million people where this age group is included in the productive age category who have the right to work or carry out economic activities to earn income.

As many as 73% of people with disabilities in Indonesia have moderate severity and around 27% have severe disability. More than half (54 percent) have one type of disability and 46 percent have more than one type of disability (of the total population with disabilities). TNP2K data (2021) also shows that 43 percent of persons with disabilities are in the bottom 40% of the economic group, of which 49% are persons with severe disabilities and 51 percent are persons with moderate/moderate disabilities.

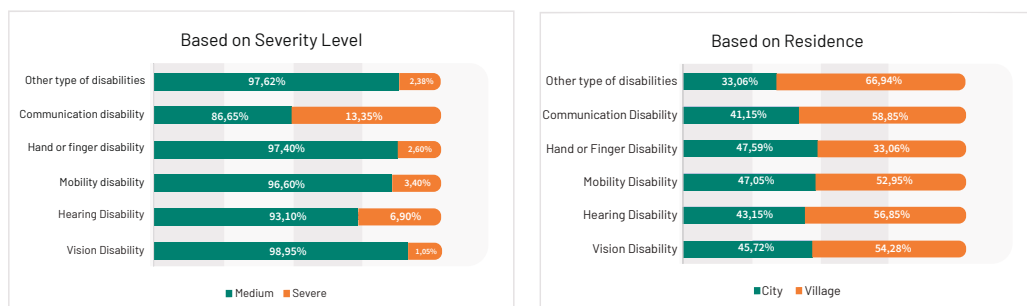
Figure 1 Proportion of the Workforce by Type of Disability.



Source: Sakernas, August 2020.

As many as 7.9 million people with disabilities are included in the workforce in 2020. Visual disabilities is the largest proportion of the disabilities workforce, namely 70% (Sakernas, 2020). Communication disabilities have the highest percentage of severity. Although visual disabilities have the most common prevalence in Indonesia, this disability category has the lowest percentage of severity compared to other disability categories. From their residence status, more than 50 percent of each category of disability on average live in rural areas (Sakernas, 2020).

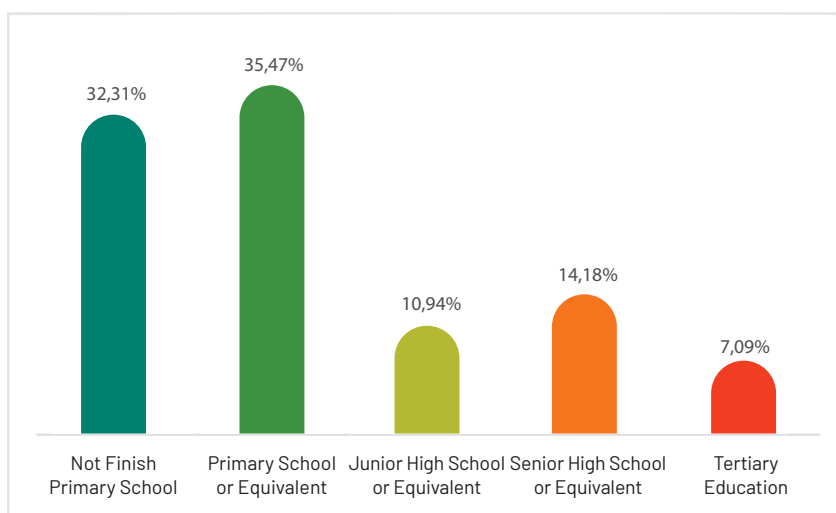
Figure 2 People with Disabilities According to Severity & Residence in 2020.



Source : Sakernas, August 2020.

The disability workforce in Indonesia is dominated by low-educated graduates or only elementary school graduates (Figure 3 below). In fact, education is another factor that greatly influences a person's bargaining power in job opportunities (Boman, 2015).

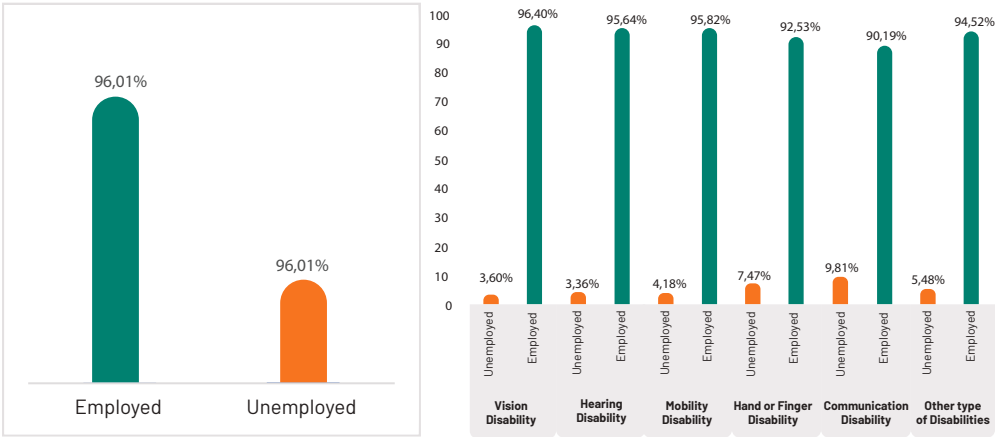
Figure 3: Work force with Disabilities Based on Level of Education (Sakernas, 2020)



Source : Sakernas, August 2020.

As can be seen in Figure 3 above, in 2020 67.78% of the disability workforce do not attend school/do not finish elementary school and only graduate from elementary school. The disability workforce is dominated by elementary school graduates (SD) for groups with visual, mobility, finger/hand, and other disabilities. Meanwhile, the workforce for the group with hearing and communication disabilities is dominated by those who have not finished elementary school/do not have a diploma. This condition certainly weakens the competitiveness of the work force with disabilities in competition in the job market.

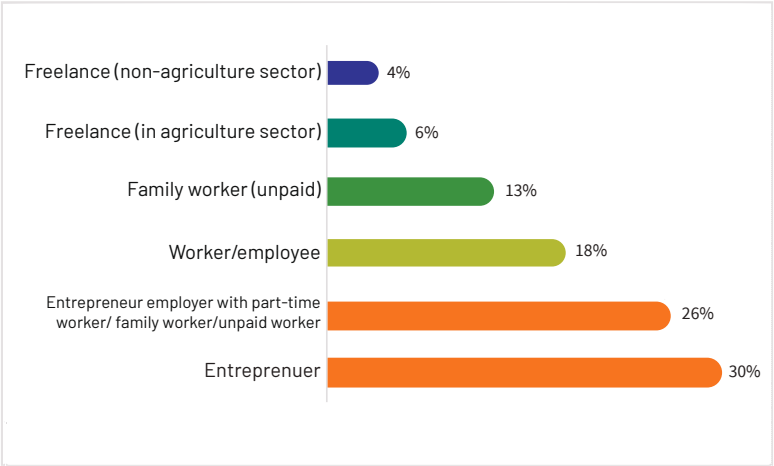
Figure 4: The disability workforce conditions based on “working or unemployment” August 2020



Source : Sakernas, August 2020.

Figure 4 above shows that the majority of the workforce with disabilities are employed. (96.01%). This finding holds true for all groups of people with disabilities where at least 90 percent of people with disabilities in each group are employed. Furthermore, Figure 5 shows that the majority of the workforce with disabilities work in the informal sector which is considered vulnerable. Nearly a third work as entrepreneurs (self-employed) and more than a quarter own a business assisted by temporary workers/family workers/unpaid. In fact, there are 13% of persons with disabilities who only work for their families and are not paid, so they have no income.

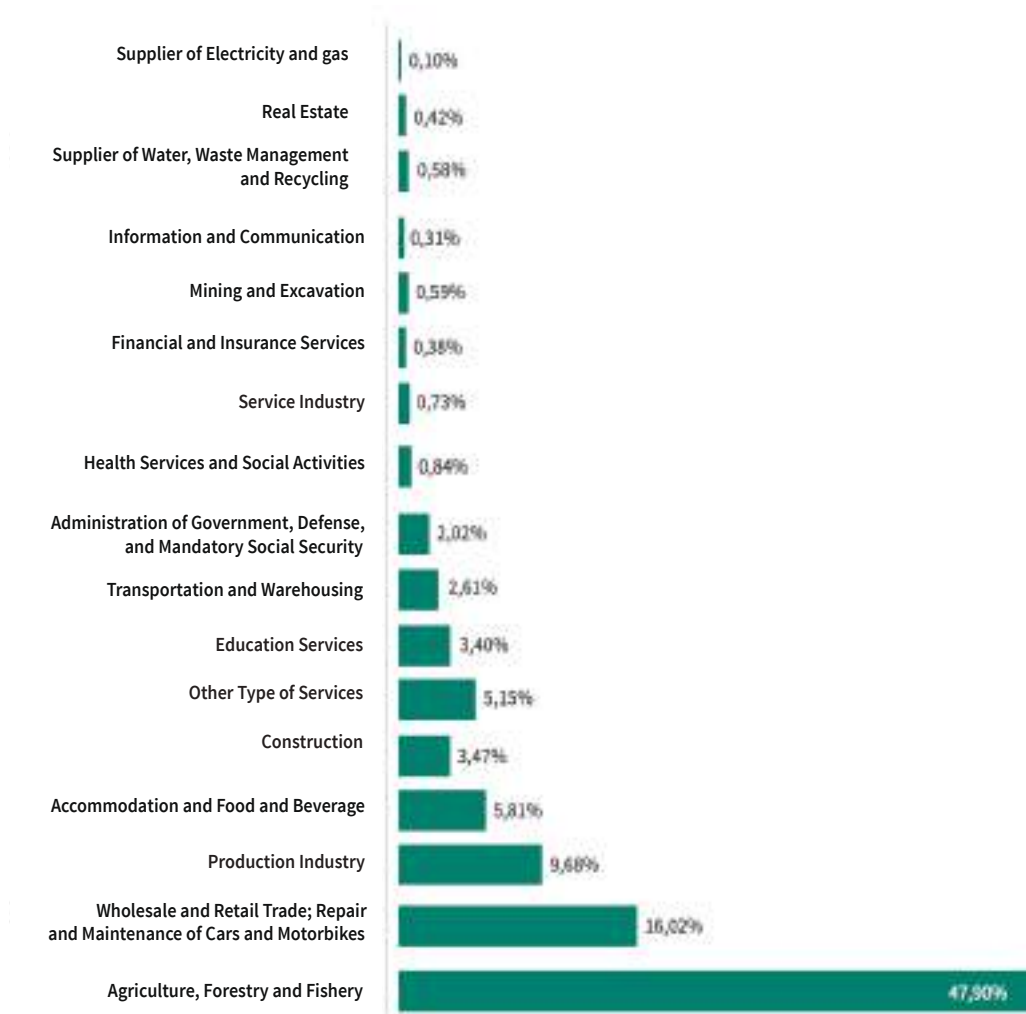
Figure 5: Employment Status of People with Disabilities



Source : Sakerna, August 2020

Based on the graph above, 79% of people with disabilities are informal sector workers<sup>5</sup>. Based on the business field, the workforce with disabilities is more in the agricultural, forestry and fishery business fields, namely as much as 47%.

Figure 6 Business Category for People with Disabilities.



Source: Sakernas, August 2020.

### 5.1.2 Analysis of Disability Working Conditions and Opportunities Before and During the Covid-19 Pandemic

This study aims to learn more about the impact of the Covid-19 pandemic on the Indonesian labour market for individuals with disabilities. The analysis was conducted by comparing the employment opportunities and wages of various groups of individuals with disabilities. This study uses the dependent, treatment, and control variables described in the research methodology section. Observations used to estimate differences in opportunities for work were made for people with disabilities who entered the workforce, while observations were used to estimate differences in wages using observations for those who work. The logistic regression estimation technique is used to analyze the probability of getting a job because the dependent variable has a value of 0 and 1.

This study also uses the *weighted least squares* (WLS) in analyzing differences in wages received between groups with disabilities. WLS was chosen because this method is suitable for solving heteroscedasticity problems and this estimation technique is able to take it into consideration the weight factor of Sakernas observations.

The types of barriers that persons with disabilities have greatly affect employment opportunities. In the BPS report (2020), it is stated that the barriers to entering the job market for persons with disabilities also vary for each type of disability. Clausen (2014) explains that groups of people with communicative disabilities, hearing disabilities, and sight disabilities have the best opportunities in the job market. Meanwhile, persons with psychological disabilities are the most difficult to enter it.

Before the pandemic, people with visual disabilities had the highest job opportunities. Table (in Appendix 2) columns 1 and 2 of the left panel show the results of logistic (logit) regression estimation in 2019. Column 1 shows the results of the regression without using a control variable, while column 2 shows the results of the regression using a control variable. The visual disability group was chosen as the reference group because this group has the highest probability of getting a job compared to other groups of people with disabilities. The regression estimation results show that in 2019, persons with communication disabilities and others have a lower probability of getting a job by 68 percent and 76 percent, respectively.

Meanwhile, during the Covid-19 pandemic, job opportunities for people with visual disabilities still had the highest percentage. The results of the 2020 Sakernas data logit estimation (in Appendix 3) are shown in table 6 columns 1 and 2 right panels. Although the job opportunities for visual disabilities are still higher than for other types of disabilities, the unemployment rate in this group is also increasing. The reason for the increase in the unemployment rate is due to illness (non-covid), which is 45.98 percent. Most of these illnesses were not related to Covid-19 which was shown by 67.23 percent

of the visual disability group answering that the reasons for stopping work were not related to Covid-19.

The Covid-19 pandemic has affected the number of wages that workers with disabilities receive. Appendix 3 columns 1 and 2 of the left panel show the estimation results for 2019, while columns 1 and 2 of the right panel show the estimation results for 2020. The results consistently show a significant difference in wages between the visual disability group and other groups, except for the finger/ hand disability group in 2019. However, this wage differential becomes smaller in the 2020 due to the average wage received by all groups with disabilities has decreased. The reason for this decrease was largely due to the Covid-19 pandemic, as confirmed from the August 2020 Sakernas data. As many as 47.85 percent of workers from each group of persons with disabilities experienced a decrease in wages due to Covid-19. This percentage represents the greatest percentage difference between wages earned before and during the pandemic.

## 5.2 Supporting and Restricting Factors for Employing People with Disabilities

### 5.2.1 Employment Policy for People with Disabilities and Their Implementation

#### 1. The Development of Policies for People with Disabilities

The right to obtain decent work is contained in the 1945 Constitution. Indonesia has ratified the Convention on Economic, Social and Cultural Rights (KHESB) since 2005. Every country is obliged to respect, protect and fulfil all rights in the KHESB without discrimination. Indonesia has also ratified the KHPD and article 27 states that people with disabilities have the same right to obtain employment opportunities as other citizens. This has also been regulated in Law 13/2003 concerning Manpower which seeks to support the principle of non-discrimination.

Indonesia guarantees the right to work for people with disabilities which has been regulated in Law 8/ 2016 concerning People with Disabilities. Article 45 states that the government and regional governments are required to ensure that the process of recruitment, acceptance, job training, job placement, job continuity, and career development is fair and without discrimination. Technically, the policy for the protection of this group has been regulated in Government Regulation 70/2019 concerning Planning, Implementation and Evaluation of Respect, Protection and Fulfilment of the Rights of People with Disabilities.

At the regional level, only 18 provinces have issued local regulations to guarantee protection for disabilities group during the 2016-2021 period (Annex 2). Informants also emphasized that less than 1% of districts/cities in Indonesia (65 out of 514 districts/cities) paid attention to disability issues.



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*Local regulations regarding the handling and empowerment of persons with disabilities, out of 514 districts/cities in 34 provinces, only 65 (districts/cities) have regulations regarding this matter. This means that not many pays attention to disability issues. Then during the Covid period, all the budget was diverted to vaccines.*

**(Anonymous, Indonesian Ministry of Manpower, DKI Jakarta)**

### **Policy Implementation for People with Disabilities in DKI Jakarta**

The use of regulations at the regional level is highly dependent on the commitment of the local government. This makes the realization of the right to work difficult to standardize and unfulfilled. One of the research areas that has paid special attention to the rights of people with disabilities is DKI Jakarta. Since 2019, the DKI Jakarta government has distributed Jakarta disability cards (KPDJ) to 7,137 people with disabilities. KPDJ recipients are residents who have DKI Jakarta identity card (NIK), are outside the orphanage, and are included in the unified database (BDT). KPDJ holders receive an allowance of IDR 300,000/month which is disbursed every 3 months. The source of funding comes from regional tax levies. However, when viewed from regional financial reports, both programs and budgets for this group are still inconsistent and incidental.

The government subsequently issued Government Regulation 60/2020 regarding the Disability Service Unit (ULD) in the field of employment. The ULD is tasked with assisting people with disabilities to obtain jobs by providing information on job vacancies and promoting workers with disabilities to employers, providing counselling, guidance, and conducting job analysis for workers with disabilities. ULD in the field of employment serves to accommodate people with disabilities in getting jobs.

The central and regional governments must ensure that the process of recruitment, acceptance, job training, job placement, job continuity, and career development is fair and without discrimination for disabilities groups. Until now there is no data on how many regions have formed ULDs in the field of employment. One of the research areas, DKI Jakarta, is currently accelerating the implementation of ULD in the field of employment.

Article 5 of Government Regulation 60/2020 concerning ULDs, states that the ULD management consists of government elements, namely civil servants (ASN) and disability assistants. Article 4 of the Minister of Manpower Regulation No 21/2020 concerning Guidelines for the Implementation of Disability Service Units in the Employment Sector, emphasizes that companions can come from elements of the community.

Article 20 of Government Regulation 70/2019, emphasizes the involvement of people with disabilities and stakeholders participating in the planning, implementation and evaluation process of respecting, protecting and fulfilling the rights of this group. It is important to involve persons with disabilities to help identify needs according to the conditions and types of barriers and to minimize institutional stigmatization of disabilities.

## 2. Institutional Disability Issues and Multi-Sector Cooperation

Institutional of disability issues in Indonesia are still handled sectorally and associate people with disabilities as persons with social welfare problems (PMKS). Like citizens in general, issues of persons with disabilities also concern health, education, employment, and accessibility. Incomplete understanding will result in fragmentation of intervention efforts for persons with disabilities.



*... the problem of people with disabilities is still seen as a PMKS problem. I don't blame it because indeed when PMKS entered it was a social protection scheme and that was indeed needed in some cases.*

**(TD, Indonesia Inclusive Forum, Visual Disabilities, DKI Jakarta)**

Multi-sector cooperation between Ministries/Institutions must become the basis for developing programs for people with disabilities. There needs to be program monitoring and evaluation to ensure that inclusiveness in programs and budgets has occurred and there is no overlap. This monitoring and evaluation can be carried out by various parties, both non-technical ministries or civil society organizations.

The lack of coordination between ministries has an impact on the absence of integrated data related to people with disabilities in Indonesia. Currently, specific data on persons with disabilities is not available accurately and in real time by name by address. Each ministry/institution that has a disability-related program and has its own database. The impact of data problems can of course hinder policy development and its implementation to become ineffective and efficient. This was conveyed by an informant from an organization of blind people with disabilities in DKI Jakarta who complained

that although the Ministry of Social Affairs specifically addresses disability issues, data on this group is still combined with the Social Welfare Integrated Data (DTKS).

Data problems also occur at the regional level. For example, the East Java Manpower and Transmigration Office stated that they currently do not have disaggregated data on the work force of people with disabilities in their region. The unavailability of data also makes it difficult to match the needs of companies for these workers with existing workers. The available data is expected to contain complete information, not only profiles but also related to the expertise qualifications possessed. There has been a good practice initiation carried out by the East Java Department of Population and Citizen Registration (Disdukcapil) which has gone to the homes of residents with severe disabilities to collect population data. In addition, the Provincial Government of South Sulawesi is also preparing to prepare the District Action Plan (RAD) for Persons with Disabilities and population data collection for people with disabilities.

The Ministry of Manpower created plans for an inclusiveness mapping program for local level government agencies in 2022. There are 3 clusters that will be monitored and followed up, namely (1) agencies that already have programs or are already good at providing services for disabilities; (2) agencies that provide services for persons with disabilities but conditions that are not friendly to persons with disabilities, such as access, facilities and human resources who serve; and (3) agencies that do not have programs or services for disabilities. These three categories of government agencies will then be provided with assistance and given tools to facilitate services for people with disabilities.

Civil society organizations (CSOs) and organizations of people with disabilities play a role in realizing inclusive development. These organizations have made numerous efforts, including advocacy, data collection, and capacity building for people with disabilities. The involvement of these organizations in the policy process has the potential to further expand the rights of people with disabilities. To promote the accessibility of workers with disabilities in the labour market, the partnership model must also be strengthened.

Some CSOs have created guidelines that employers can use, but due to their limitations in disseminating information they have not been adopted by many employers. The government has role to play here in facilitating the dissemination of information by bring all stakeholders together. The South Sulawesi Association of Women with Disabilities (HWDI) has a program that focuses from upstream to downstream (training to marketing) related to entrepreneurship development for women with disabilities. HWDI also seeks to provide support and increase the confidence of women with disabilities to develop their own abilities.

### 3. Employment Quota for Persons with Disabilities

The quota mechanism has not been adequately implemented to date. The government and private sector must employ at least 2% and 1% of labourers with disabilities, respectively, of the total number of employees or workers. The policy instrument seeks to increase the formal sector labour force participation rate of people with disabilities.

The minimum quota rules are accompanied sanctions and incentives to encourage employers to comply with them. If the employer fails to apply the quota policy in accordance with the applicable regulations, under Article 143 of Law 8/2016, the company may be punished by a maximum of 2 (two) years in prison and a fine of up to IDR 200 million. According to the findings of the field research, none of the companies that did not comply with the quota had been subject to sanctions.

Article 54 of Law 8/2016, states that the central government and local governments are required to provide incentives to private companies that employ people with disabilities. As a follow up, the Ministry of Manpower through Ministerial Regulation 3/2020 issued guidelines for providing incentives in State Owned Enterprises (BUMNs). Providing incentives can certainly motivate employers to provide employment opportunities that are more inclusive for people with disabilities. Providing incentives rather than merely punishing companies will allow employers to build a good reputation as an inclusive company. The technical aspects of providing incentives, however, needs to be further regulated by the government.

As of January 2021, only about 0.8% (551) of private companies had employed people with disabilities with a total workforce of 4,453 people with disabilities out of a total workforce of 536,094 people based on company manpower reporting mandatory data and data from the provincial employment agency and districts/cities (Ministry of Manpower, 2021). Currently, the East Java Manpower and Transmigration Office are reaching out to companies (employers) because they have not met quota policy requirements.

Only about 21% of workers with disabilities in Indonesia are employed in the formal sector (Sakernas, 2020). Based on these statistics, it can be concluded that the regulation regarding employment quotas has not been adequately implemented. The quota system and its application through the sanctions and incentives approach have not had a positive impact on the absorption of workers with disabilities. Although the quota policy has been established, many companies admit that they do not understand the policy. Apart from companies, workers with disabilities admit that they do not exactly know about the quota policy.



*He doesn't understand the law. Law 8/2016 do not know. The point is, I know where to work, I don't know about the government regulation law.*

**(I, employee with speech and hearing disabilities, PT. Wangta Agung, Surabaya)**

Although there is quota policy set by companies or BUMN/BUMD, in fact it is still quite difficult for workers with disabilities to gain access to those positions. The work quota for people with disabilities is often filled by workers without disabilities.

Weak supervision of the application of the quota policy is also due to the limited number of work inspectors. The ratio of the number of supervisors to companies supervised in 2016 is not ideal, namely 1: 11 (ILO & Ministry of Manpower, 2017). In addition, Employment Inspectors are still overseeing employment issues in general and have not specifically supervised the implementation of the minimum quota policy for employees with disabilities in companies. This was conveyed by the East Java Manpower and Transmigration Office.



*The employment inspector takes care of general issues related to employment. In the East Java Manpower Office, there are 200 supervisors. Employment inspectors accommodate inspections to assist disputes or cases involving disabilities in every company.*

**(I, employee with speech and hearing disabilities, PT. Wangta Agung, Surabaya)**

The implementation of the quota policy requires technical mechanisms related to monitoring, providing incentives for employers and imposing sanctions. In addition, socialization of the minimum quota for workers with disabilities needs to involve the community of people with disabilities to encourage their members to register for work.

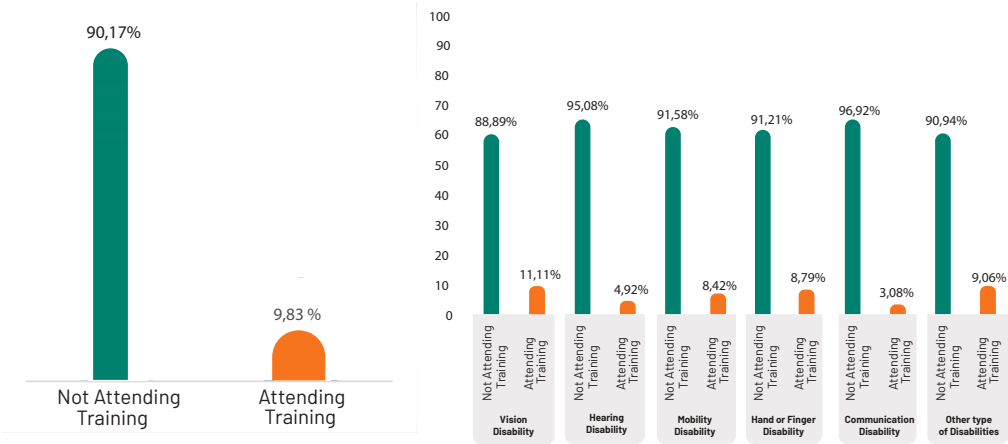
#### **4. Government Programs Related to the Absorption of Disabilities Worker**

##### **a. Manpower Training and Pre-Employment Card Program**

Article 46 of Law 8/2016 concerning People with Disabilities regulates the provision of work skills training in government, local government and/or private job training institutions. This policy aims to encourage the participation of disabilities group in the job market. The majority of people with disabilities, however, have only a grade 5 education and thus do not even finish elementary school (BPS, 2020).

Around 90% of the people with disabilities in the workforce have never attended any job training whether organized by the government or the private sector. Nearly 97% of people with communication disabilities, for example, have never participated in training. The low participation rates can be seen in Figure 7 below for all groups with disabilities.

Figure 7: Percentage of the Disability Workforce that has Participated in Training (Sakernas, 2020).



Source : Sakernas, August 2020.

The process of recruiting training participants is carried out without setting specific requirements such as age. The easy requirements are expected to attract more trainees from people with disabilities.

“

The Work Training Center (BLK) does not include requirements, what is requested is only Residential Identity Card (KTP), there is a ID Number (NIK), there are no other requirements. So anyone who sees the Makassar BLK training information should understand that registration at Makassar BLK has no restrictions at all, whether person with disabilities or parents, all can access the training.

(HH, Provincial Government, BLK Makassar)

Although the requirements are quite easy, the implementation of it is not yet inclusive. The Pasuruan BLK admits that they have not accommodated the needs of people with disabilities. Training support facilities at BLK also do not accommodate the needs of this disabilities group, such as the availability of wheelchair ramps or special toilets for them.

**“** *Indeed, in our place, disabled-friendly facilities are still lacking. Because the design is general, and we are a general training institute and not specialized, but in general the equipment doesn't make things difficult for them. And while there are no participants who use wheelchairs. In the past, I surveyed 6 BLK buildings that were not disabled friendly. Toilets are also not friendly.*

**(SB, Provincial Government, BLK Pasuruan)**

Training support tools are also not yet available for people with disabilities such as computers equipped with screen reader software. Until now, only training support tools for people with physical disabilities have been accommodated, while other types of disabilities have not been accommodated.

Most of the instructors do not yet have the ability to communicate with various disabilities. This will certainly complicate the delivery of training materials. Apart from that, BLK Pasuruan and BLK Makassar also acknowledged that there was no special assistant from BLK. Companions usually come from groups of people with disabilities. Currently, BLK Pasuruan states that they are conducting technical assistance for instructors to deal with trainees with disabilities from every type of disability. BLK Makassar also stated that they would make changes to increase inclusivity in their training institutions.

Additionally, the capacity of BLK in training is still very small for all training participants, resulting in very limited special preparation for workers with disabilities. At BLK Pasuruan, only 16 participants/classes are trained every month for all vocational classes and had only 1 participant with a disability. APRISINDO echoed this sentiment, emphasising that BLK had not been able to provide the trained workforce that was anticipated.

Post-training, there is no apprenticeship or work placement mechanism conducted by the BLK for people with disabilities.





*The government actually cares about it. For example, we are given training in making cakes. We already got the tools, but after that it should be continuously monitored until the person succeeds in marketing or what it should be. But after the training was over there was never any follow up.*

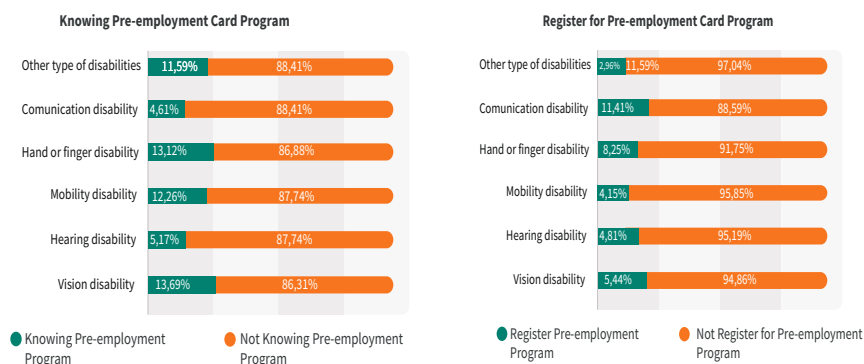
**(M, HWDI East Java)**

The tendency not to fill work placements is also acknowledged because workers with disabilities are considered more comfortable opening their own business without worrying about being discriminated against. This may be true, however, of only certain categories of workers with disabilities. For people with disabilities to manage a business they have to first access to capital, which is often difficult. For people with mental disabilities, accessing capital is not possible because they are considered legally incompetent. Access to banking is also still quite difficult for persons with visual disabilities.

In early 2020, the government issued Presidential Regulation 36/2020 concerning Work Competency Development through the pre-employment card program. This program is a work competency development program aimed at job seekers, workers/laborers who have been terminated, and/or workers/laborers who need competency improvement. Communities can take part in training programs that can be followed online. This program aims to increase the number of trainees, especially from the people with disabilities workforce. Pre-employment card recipients are entitled to financial assistance to attend training. As of November 2021, 11.4 million people had participated (Covid.go.id, 2021).

Over 86% of people with disabilities knew about the pre-employment card program, but only about 6% registered for the program. Although they knew about the training program, of the different groups of people with disabilities workforce choose not to register for the pre-employment card training program. This can be attributed to the fact that priority was given to young job seekers and workers as well as micro and small business affected by Covid-19. There were no special provisions for persons with disabilities.

Figure 8: Disability Workforce in Related to Pre-Employment Card Program.



Source: Sakernas, August 2020.

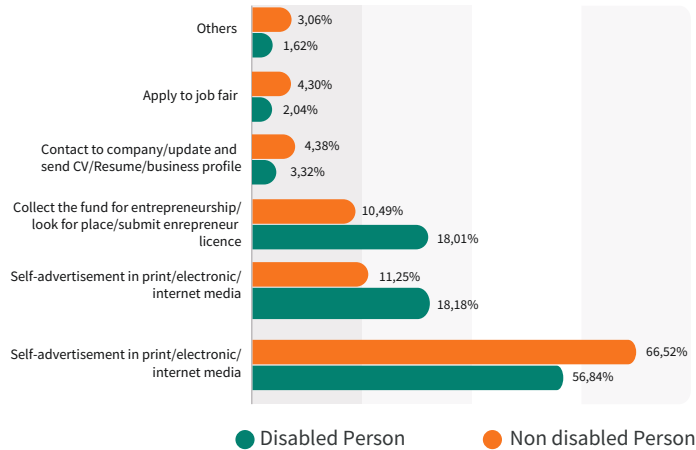
## 5.2.2 Supporting and Restricting Factors for Ensuring Workplace Access

### 1. Recruitment of Disability Work Force

Employees with disabilities are subject to indirect discrimination during the recruitment phase. Discrimination occurs in the dissemination of information on job openings, the determination of qualifications, the selection procedure, the placement procedure, and the determination of the type of work for individuals with disabilities.

Informal sources continue to prevail as sources of employment information for individuals with disabilities. Informal information channels are dominated by disabled and non-disabled persons, but the percentage of disabled workers is 10% higher than that of non-disabled workers. People with disabilities in Indonesia are quite active in searching for employment as evidenced by the group's predominance in using Job Fairs and directly contacting companies. These efforts refute the notion that people with disabilities are passive actors when it comes to looking for employment.

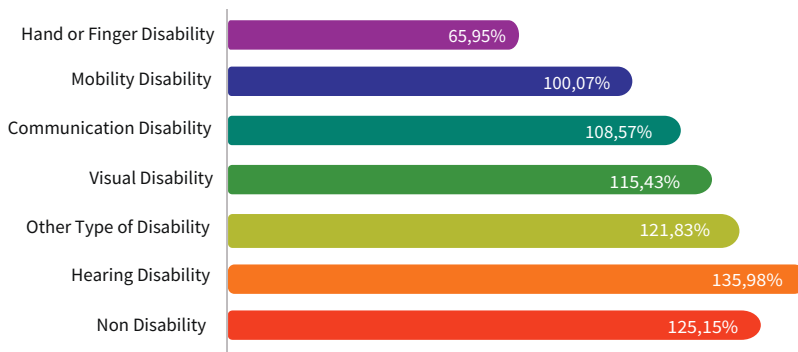
Figure 9 Job Seeking Information Channels.



Source : Sakernas, August 2020.

The time it takes to find a job is also affected by the category of disability. The shortest duration to find a job for people with disabilities is two months for individuals with finger/hand impairments (Table 4). But for those with hearing impairments, the length of time required to locate a job can double to 18 weeks (4.5 months).

Figure 10 Average Time to Find a Job (in days)



Source : Sakernas, August 2020.

Advertising job openings for people with disabilities has had mixed success. Several employers such as companies, media, and public institutions, noted that they had advertised job openings for people with disabilities through social media channels such as Instagram and YouTube. Advertisements on social media has not been able to reach certain categories type of applicants with disabilities. One practitioner explained this as follows:

“ ... But the way to find a job with open competition, the opportunity for a person with a disability to work, is far, it will be difficult. Because just finding the announcement is not necessarily access yet. Imagine if the announcement was in the newspaper, it's not accessible for people with visual disabilities, right?

**(TD, Visual Disabilities, Indonesia Inclusive Forum, DKI Jakarta)**

In addition, information on job vacancies for people with disabilities is not written in the announcement. The function of this statement is certainly not to exclude a job for them, but to provide a sense of confidence for applicants with disabilities.

“ .. So if the vacancy does not say “People with disabilities are encouraged to apply” or “this vacancy is also intended for people with disabilities” then friends are not confident to apply for the job. If you really want to be inclusive, it's important for the job market to encourage that.

**(BF, Physical Disabilities, Practitioner, DKI Jakarta)**

The government is trying to fulfil the rights and access of people with disabilities in the employment sector, one of which is through the recruitment of prospective civil servants/prospective state civil servants (CPNS/CASN). This commitment is regulated in Permen PAN RB 27/2021 concerning Procurement of Civil Servants. The PPPK recruitment provisions refer to Permen PAN RB 28/2021 concerning Procurement of PPPK for Teacher Functional Positions in Regional Agencies in 2021 and Permen PAN RB 29/2021 concerning Procurement of PPPK for Functional Positions. Yet, even with these regulations it is still difficult for people with disabilities to become civil servants due to higher education requirements and technical constraints related to disability needs.

The government through the Forum Human Capital Indonesia (FHCI) program has begun publishing job openings in an effort to promote the creation of an inclusive workplace. Through this forum, BUMN companies do not need to conduct their own recruitment process for the document selection stage; they only need to conduct a selection interview and the acceptance stage. Unfortunately, this effort is limited to state-owned enterprises.

Collaboration is required for the recruitment of disabled workers. One informant with a disability revealed that he was unaware that the government advertises job openings. Instead, information regarding job openings is obtained from other colleagues with disabilities who are members of a community of individuals with disabilities. Employers also report that partnerships with the disability community make it easier to recruit individuals with disabilities.

“

*... So, we have a kind of association where we form a group, a deaf group. If there is a job vacancy, we will convey it via WhatsApps. But before going to work, they are told that they have to work well, be disciplined, can't be absent.*

**(I, employee with hearing and speech disabilities, PT Wangta Agung, Surabaya)**

The community plays a crucial role in providing people with disabilities with the most pertinent information. This can be a method and an opportunity for establishing collaborative recruitment forums that include corporations, state-owned enterprises, the disabled community, and entrepreneur associations.

People with disabilities who have a low level of education lack the confidence to apply for certain formal jobs because they do not meet the requirements. This condition is exacerbated by the limited types of formal jobs and as a result a greater proportion of workers are employed in the service and retail sectors. In addition to higher education requirements, physical and mental health requirements impede the employment of people with disabilities. These requirements have become a topic of societal debate. Several respondents explained that, in addition to being ambiguous, these requirements perpetuate the health model perspective when evaluating situations of disability caused by personal conditions. As a respondent from a civil organisation for women with disabilities stated.

“ Well, the definition of being physically healthy for us is already physically and mentally healthy, too. But for a company/government physically fit is, there is no lack of physical well-being. If there should be...define what is a disabled or what is unhealthy. Disabled cannot be cured, the condition will be like that and it is not contagious. But if the person is physically unwell, for example the person is leprous, the leper is not healthy and it can be contagious. That's called not physically healthy. We are disabled people, that's different. We also must have a doctor's letter to be physically and mentally healthy, so the doctor asked. Ma'am, I want to give a statement that you are physically and mentally healthy, but in reality, you use a wheelchair. That is the doctor's understanding. In fact, when we apply for a job, we have a health certificate.

**(M, HWDI Jawa Timur)**

In certain cases, a statement of physical and mental health is important, especially during the Covid-19 pandemic. A respondent from a company explained that a statement of physical and mental health must be completed to evaluate the applicant's health condition, not to prove that the applicant's disability qualifies as a disease. One practitioner respondent stated that, despite the absence of physical and mental requirements, disability should not be considered a disease. However, sometimes the employer's perspective perpetuates the health model approach to disability, and it is preferable to eliminate it, as described below.

“ .. the statement of physical health should just be abolished because it becomes ambiguous. Just give the opportunity without it, later there will be a medical test. The medical test is not to justify a person with a disability or not, but for other illnesses that interfere with the work process or even if they are sick, what support will the company provide for them to work optimally and not eliminate them later. Because the paradigm is still health. So, someone like me is considered physically unhealthy.

**(BF, Physical Disability, Practitioner, DKI Jakarta)**

The type of selection test also does not accommodate the needs of disabilities according to the variety of disabilities. In the recruitment process, people with disabilities still have to deal with the absence of adjustments to the type of selection test for applicants with disabilities such as those for blind persons. One of the respondents recounted their experience with a company.

“ So, during the recruitment process there were a lot of inflexible questions, such as pictures and so on. But at that time, I asked for the help of a friend to accompany me so that it went well until I got accepted and interviewed.

**(FH, blind disabled worker, Disabled Care Community, DKI Jakarta)**

Lastly, there is a stigma attached to determining certain types of employment for individuals with disabilities. This stems from the belief that, because people with disabilities have certain deficiencies, only certain types of work are suitable for them. This sorting can result in the rejection of job applications from individuals with disabilities if the conditions and type of disability do not match the nature of the job being sought. This was disclosed by a source from HWDI East Java who stated that some of their members were denied employment because their disability was deemed incompatible with the position for which they applied. Baihaqi, a Pecalongan teacher with a visual disability who did not pass the CPNS selection due to the nature of his disability, had a similar experience. Although he has a year of teaching experience and a high SKD score, he was deemed unsuitable for the position (Kustiani, 2021).

Sorting individuals with disabilities into particular occupations is a stigmatising practise. A practitioner respondent described this as a form of stigmatisation and the persistence of the health model's perspective, which places disability on a personal level (Nathan & Brown, 2018). This perspective ultimately restricts not only the types of employment opportunities available to people with disabilities, but also their opportunities for career advancement while employed. This is because the types of work that are suitable for them are based on barriers, there are no efforts made to provide work aids or adjustments to accessibility to support worker mobility in the workplace. As this suggests, there is still a substantial focus on disability barriers and not on the need to improve efforts to support the employment potential of people with disabilities.



## 2. Career & Skill Development Opportunities

### • Career Development Opportunities

Article 11 of Law 8/2016 concerning People with Disabilities, states that people with disabilities have the right to develop career paths and all the normative rights attached to them. One company stated that they provide equal opportunity for promotion to all employees but in accordance with the applicable requirements.

“ Us, as I said earlier, it feels like we don't hire people with disabilities. So, the rule remains the same, they have the opportunity for the promotion from how long the person has been working, when the person reaches it, it is proposed whether the person wants it or not, and it doesn't matter whether the person is disabled or not, if the person is able to complete in the development program, yes, they can.

**(WN, HRD Alfamart Makassar)**

As with the state civil apparatus (ASN), promotions or career paths are applied the same as other employees because they are regulated in the policy. The assessment is carried out based on the credit scores collected.

“ Yes, because if this civil servant enters from an undergraduate degree, he is a civil servant in class 3A, regularly every 4 years it will go up from 3A to 3B, now that it has been 7 years he is already 3B. If you are already at level 3B, you have the right to take part in the assignment, yes, for promotion. But the policy now we change to functional. So, the obligation to rise in rank and class through the credit scores collected. At our place, the candidate has the same potential to proposed, but because now the era is functional, so we have to collect credits first.

**(ER, Disability Empowerment Coordinator, Kemenko PMK RI, DKI Jakarta)**

In actuality, opportunities for career advancement remain extremely limited. According to research conducted in East Java, employees with disabilities lack confidence and are unable to receive promotions or new assignments. Practitioners and individuals with

disabilities acknowledged that opportunities are not equal for people with disabilities. Similarly, colleagues with disabilities have not experienced any career advancement because it is up to their superiors to determine their advancement.

“ *Based on the experience of friends who told the story, the journey was somewhat hampered. Because they are not given the same opportunity, it is difficult for them to level up their career paths and so on. It's rare for directors too, unless it's fate.*

**(BF, Physical Disability, Practitioner, DKI Jakarta)**

Although normative rights and opportunities for career advancement have been regulated, it remains challenging for employees with disabilities to advance their careers. This is due to the lack of self-confidence of employees with disabilities and the inability of the corporate environment to guarantee their promotion. Therefore, the purpose of this study is to examine in greater detail how orientation and opportunities for skill development in the workplace are one of the determinants of promotion for employees.

#### • **Orientation and Skills Upgrading Opportunities in Workplace**

Providing opportunities for an orientation or adaptation period at the beginning of the working period to determine what is needed, including the organization of training or apprenticeships, is regulated in Article 48, Law 8/2016. One of the informants who is a worker with disabilities was trained by the company prior to his current placement.

“ *.. we were briefed, you can understand this is shoe work. If you can't, then train. If before 20 days you can do it, go straight to work. So, the salary, overtime, hours of entry, rest hours, all of that was explained during the recruitment process. 20 days, if you don't have experience, you will be trained.*

**(I, employee with hearing and speech disabilities, PT Wangta Agung, Surabaya)**

The Indonesian employers' association (APINDO) has also already taken the initiative by organizing on the job training. Not all companies, however, want to organize on the job training, because there will be a special capital or investment needed.



*There are several companies, during the discussion with APINDO, some have an on-the-job training model. So, they are trained to do what work, later they will be channelled to the appropriate place. In big companies, like Honda I used to know. But not all of them are like that, because the company also thinks it's a matter of capital, because that's a form of investment, right?*

**(BF, Physical Disability, Practitioner, DKI Jakarta)**

Article 19 of Law 13/2003 concerning Manpower states that, “job training for workers with disabilities is carried out by taking into account the type, degree of disability, and ability of the workers with disabilities concerned”. Based on this, not all employers are also able to organize training for the employees with disabilities they recruit. In other words, it is not certain that on-the-job training will take place.

### **3. Employment Protection & Guarantee**

- **Hire Disabilities is an Act of Charity**

Everyone without exception has the right to work, get paid, and fair treatment in work relations. This is in accordance with the mandate of the 1945 Constitution of the Republic of Indonesia (1945 Constitution) in Article 28 D paragraph (2). The protection of workers with disabilities has been regulated in Article 67 of Law 13 / 2003 concerning Manpower that states, “employers who employ workers with disabilities are obliged to provide protection according to the type and their disability level. Provision of protection is to be in accordance with applicable laws and regulations”. The article clearly stipulates that employment protection is applied uniformly to all employees. An informant at Alfamart Makassar stated that his company offered health insurance and employment (BPJS Health and BPJS Employment, respectively). However, another informant with a mental disability stated that BPJS Health did not cover certain expenses, such as the cost of seroquel medication (BPJS covered only 50% of the expected dose) and consultations with psychiatrists/psychologists. This is expected to be covered by the business.

People with disabilities do not have the same employment protection as other employees

because the company is only in a position to meet quota requirements or because it is viewed as a charitable act. There are workers with disabilities whose contracts are renewed every three months, despite having worked for more than eight years. Obviously, the employment contract renders the worker's position more precarious because it can be terminated at any time.



*Every 3 months renew the contract. Have been working since 2013.*

**(I, Worker with hearing & speech disabilities, PT Wangta Agung, Surabaya)**

Companies also still consider that hiring people with disabilities is riskier than hiring people in general. Perceptions of high risk certainly led to perceptions of high costs for employing people with disabilities. An example of the high costs that need to be incurred is the JKK contribution (Work Accident Insurance) which classifies the JKK contribution amount based on the employee's level of risk. For low-risk workers, the contribution that is charged is only 0.24 percent of the total employee salary per month, while for workers with high risk is 1.74 percent of the employee's salary per month (Anwar, 2021). JKK contributions are entirely delegated to the company.



*So the company affirms that they want to meet this quota but are also worried. They think more about outsourcing contracts than making permanent employees, especially those with disabilities. So changing people's stigma is incredibly difficult. It's normal for people who walk then fall, it's normal for women who is wearing high heels then fall. But - if it's the disabled who falls, not even those with physical disabilities, like me who is blind falls, the company's fear will be very high. Because there is a K3 law where the company must be fully responsible for all kinds of work accidents in the company. So they still see disability as strange, vulnerable or fragile, even though they should be treated the same.*

**(TD, Visual Disabilities, Indonesia Inclusive Forum, DKI Jakarta)**

The two interviews above show that management does not see disabled workers as assets that can be developed to increase company profits. Yet, a study in two companies by Kalargyrou (2014) actually shows that employing disabilities can increase competitive

advantage for companies because they have high job loyalty, the tendency to resign and change jobs is low, can increase the productivity of other workers, and shows a good work environment. By considering the benefits of employing people with disabilities, providing protection for disabled employees is no longer viewed as a burden. This is an effort to exercise the right to acquire additional competitive advantages.

- **Difficulty Getting Guaranteed Return to Work**

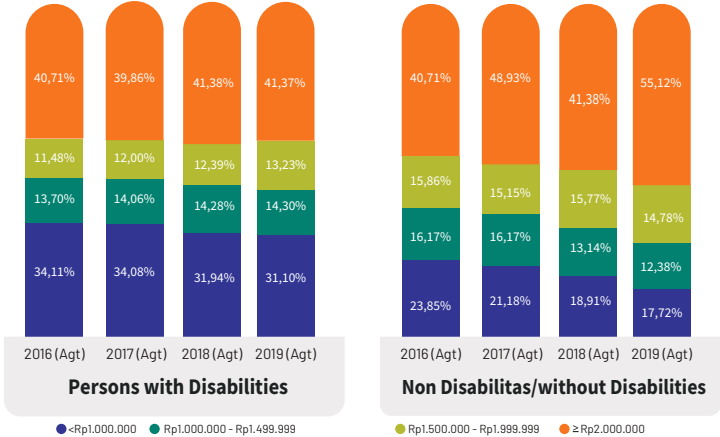
Every worker who has a work accident may not be terminated unilaterally by the employer. This has been regulated in Law 13/2003. Article 153 point (j) states that the worker/laborer is in a state of permanent disability, is sick as a result of a work accident, or is sick due to a work relationship, according to a doctor's certificate, the term of recovery is uncertain. Article 172 of Law 13/2003 concerning Manpower also states that workers/laborers who experience prolonged illness, are disabled as a result of work accidents, and are unable to carry out their work after exceeding the 12 (twelve) month limit may apply for termination of employment and be given severance pay (two) times the provisions of Article 156 paragraph (2), compensation for tenure of service 2 (two) times the provisions of Article 156 paragraph (3), and compensation for rights 1 (one) time the provisions of Article 156 paragraph (4).

However, this policy was removed in the Job Creation Law. In Article 81 number 42 of the Job Creation Law in addition to article 154 A paragraph (1) to the Manpower Law, it is stated that termination of employment can occur, one of which is in point (m) namely for the reason that workers/laborers experience prolonged illness or disability due to work accidents and unable to perform the job after exceeding the 12 months limit. This is contrary to Article 153 paragraph 1 point (j) which prohibits termination of employment where the worker/laborer is permanently disabled, sick as a result of a work accident, or sick as a result of a work relationship, which according to a doctor's certificate, the term of recovery is uncertain.

he government has also issued a new policy in the "Return to Work"<sup>6</sup> program organized by BP JAMSOSTEK. This program applies to workers who are already participants in the BPJS Employment in the JKK program. The company stated that they would continue to accept the workers as long as they were able to work. However, if they are unable to work, they will be terminated. Other companies said they would find a more appropriate position according to the worker's abilities.

Based on Sakernas data, 45% of workers with disabilities earn less than IDR 2 million. The large percentage of workers with disabilities who earn low wages indicates that it is still difficult for people with disabilities to access jobs with decent wages or formal jobs.

Figure 11 Workers by Disability Status and Average Wage Group (Percent)



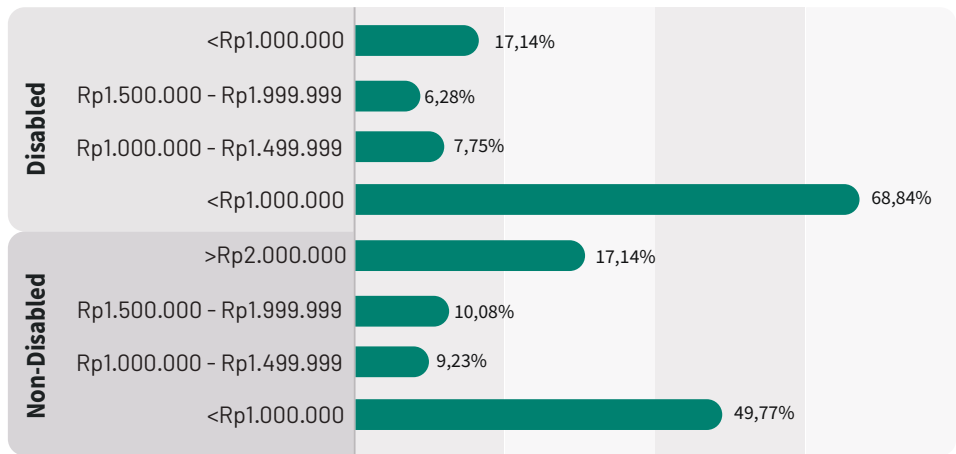
There is no problem with wages or salaries for workers with disabilities who work in government agencies because they are clearly regulated. However, what is still difficult to ascertain are private sector workers because they do not have the opportunity for career development or to improve their skills, so they are often stuck at the nominal minimum wage and have no bargaining position.

“

As for salaries for ASN, there is no problem. Currently, many workers with disabilities are trapped at regional minimum wage (UMR) because according to them, even entering the company is a dead end. There are even a lot of friends who don't have a career path, even to improve their skills.

(TD, Visual Disabilities, Indonesia Inclusive Forum, DKI Jakarta)

Figure 12 Employee Wages Scale per August 2020 (Per Month).



Source : Sakernas, August 2020.

According to the table above, the wages of workers with disabilities are lower than those of workers without disabilities. When viewed according to the type of disability, individuals with speech impairments have the lowest wages. In addition, those with mental disabilities are susceptible to receiving lower wages than non-disabled workers if productivity is the determining factor.

One of the disabled informants stated that they did not know their rights until recently, despite having worked for the company for many years. When their wages decrease, they are similarly powerless. Consequently, a safety net is required to protect workers with disabilities so that they may earn a living wage. The state must be present in order to demonstrate its commitment to enforcing applicable laws.

“

*Understanding of this is very lacking. I still don't understand 'rights', what I understand is that I get a uniform and a salary. My rights have been explained on how much the salary per day, how much overtime is per hour, and the uniform has been explained. But now the salary has decreased, since the change of person in charge, the salary has gone from 110,000 to 80,000.*

**(I, employee with hearing and speech disabilities, PT Wangta Agung, Surabaya)**



Regarding working hours one informant stated that he works according to the working hours set for all employees.

“

*Working time is efficient, for example I work in the morning, if I work in the evening, then I could find another job in the morning, as I work here from evening to night.*

**(AA, worker with hearing disabilities, GERKATIN South Sulawesi)**

Workers with disabilities are also unfamiliar with their right to organise. This is also due to the fact that, in general, labour unions continue to prioritise the issue of pay and contract parity. On the job market, disability issues have not received special attention. In the following quote, the chairman of KSBI Indonesia echoed this sentiment.

“

*Indeed, I see this disability issue from the other side, this disability issue is not a sexy issue for the labor union. As we know, workers always focus on normative issues, whether it's a matter of social security. When an issue that is booming internationally or nationally is not about that thing, the labor unions are not really interested. But, we are indeed maybe not, even from employment, what is disability, what is digital climate change, all kinds.*

**(ERS, KSBI, DKI Jakarta)**

Labor unions can be a modality for employees with disabilities to voice their rights and be a form of active involvement as employees. Involvement in associations and expressing opinions is one indicator of decent work. Thus, the absence of disability issues in labor unions is regrettable.

#### **4. Readiness to Employ People with Disabilities**

The inability or barriers of people with disabilities to work impact the poverty rate of this group; as many as 43% of people with disabilities are in the bottom 40% of the economic group (Susenas, 2020). They are entitled to equal opportunities to obtain respectable employment. Mental and intellectual disabilities are the most difficult group to enter

the formal sector because they are perceived as dangerous, legally disabled, and unable to perform any tasks.



*I speak in the context of psychosocial mental disabilities because mental disabilities are considered dangerous, lacking faith, less than human (can't do anything, can't work, stupid, incompatible, lack of education) especially women.*

**(AHS, REMISI Founder, DKI Jakarta)**

Existing barriers to the employment of people with disabilities include a mismatch between their skills and available jobs, limited access to infrastructure, inadequate access to public services, and access to justice (work protection and non-discrimination). These are discussed in further detail in the following section.

#### **A. Building Readiness and Access in the Workplace**

Law 28/2002 regarding Buildings, Law 8/2016 regarding Persons with Disabilities, and PUPR Ministerial Regulation 14/2017 regarding Building Ease Requirements already regulate building standardisation for individuals with disabilities. Article 98, paragraph 3 of Law 8/2016 stipulates that building owners and/or managers who fail to provide easily accessible facilities for people with disabilities are subject to administrative sanctions ranging from a written warning to building demolition. However, many businesses admit that their status as building tenants restricts their ability to provide these facilities.

The law also stipulates that the central and regional governments have the authority to conduct audits of existing buildings with the participation of organisations of people with disabilities and/or people with disabilities with expertise in the building sector. However, this monitoring mechanism remains inadequate on the ground. The lack of oversight and confusion among job providers regarding the provision of appropriate accommodations for employees with disabilities has resulted in a dearth of work support facilities for the disabled.

Employing people with disabilities is viewed as a significant burden for employers due to the additional expenses that are incurred. This condition is frequently cited as a reason for employers or companies to reject disabled workers. Despite the fact that companies can also learn and grow from employing individuals with disabilities. To address this issue, an organisation of blind people with disabilities and APINDO have collaborated to create a guidebook for businesses seeking to employ people with

disabilities. In addition, a guidebook on workplace inclusion for people with disabilities was published in 2020 (APINDO, 2020). However, the government has not yet issued regulations mandating the use of this manual for entrepreneurs.

*Case box 1:*

**A non-inclusive environment impedes the productivity of disabled workers**

Pak Aman has moderate vision and physical disabilities works in a private company. Pak Aman uses a wheelchair or walking stick to support his mobility to get to work. His office is located on the 6th floor and there are no guiding blocks to the elevator and there is no braille sign in the elevator. In addition, the size of the toilet door in the building is not accessible by wheelchairs. At the entrance to the toilet there is a barrier between the floor outside and inside the toilet, and the floor inside the toilet is deeper than the floor outside. The toilet is still difficult to access even though Pak Aman uses a cane.

Pak Aman is also quite exhausted at work due to excessive sitting, but his employer does not provide facilities for rest. This facility is unavailable because Pak Aman's employer leases the building space and has no authority to make modifications or adjustments to the building's accessibility. In exchange, the company provides Pak Aman with an office boy (OB) who assists him with his daily commute to work. Pak Aman is an employee, but he lacks independence, which hinders his work output.

*Source: Interview Results*

## **B. HR and Inclusive Work Environment**

In addition to the physical environment, non-physical support is also needed. Colleagues' understanding of disability conditions must be fostered so that it is expected to reduce discrimination and create a supportive environment. Several informants of workers with disabilities, non-disabilities colleagues, and employers stated that workers with disabilities can quickly adapt if they are well acquainted with the environment and they can work as a team. Adaptations must also be made by non-disabled colleagues to work with people with disabilities because they do not have adequate knowledge. Equal and rights-oriented treatment must also be provided by employers so that discrimination does not occur.

Environmental support for people with disabilities in the workplace is proven to not only increase self-confidence but also accelerate the work adaptation process for employees with disabilities. This at the same time affirms the findings of a study by Kalargyrou (2014) that employing people with disabilities can provide a competitive advantage in the form of creating mutually supportive behaviour between workers which indirectly also creates a harmonious work environment. This modality needs to be considered by employers when providing employment opportunities for people with disabilities.

### C. Public Facilities and Access to Mobility Support for Workers with Disabilities

Inaccessible public transport facilities result in increased mobility expenses for individuals with disabilities. Workers with disabilities acknowledge that they incur additional costs while working, such as for transportation, due to the inaccessibility of public transportation. According to research conducted in Australia by Hogan et al. (2012), the lack of appropriate accommodations, facilities, and infrastructure for people with disabilities in the workplace led to limited workforce participation. This research confirmed these results.

One of the informants who is both a practitioner and a worker with a disability stated that in DKI Jakarta, the nation's capital, transport is not yet accessible to people with disabilities. In addition, access to public transport for people with disabilities, such as the Mass Rapid Transit (MRT), is not readily accessible and requires additional costs that are quite expensive. The government should provide compensation for employees with disabilities who are able to use their own transportation due to the lack of adequate transportation. Large additional costs to support mobility, such as transportation costs to work, limited opportunities, and less accessible infrastructure, encourage people with disabilities to establish their own employment opportunities in easily accessible locations (Cameron & Suarez, 2017).

#### *Case box 2*

##### **Additional costs for people with disabilities to get to work**

Mas Fuad is an employee of a public institution in Jakarta. Due to his physical disability, he must use a wheelchair to reach his Menteng office. He lives in Depok and must pay between Rp. 30,000–50,000 each per day for one way to pay for online taxi services. Transportation services from his house to the office are insufficiently accessible because public transportation services cannot be accessed by wheelchairs. Indeed, Mas Fuad must change modes of transportation from his house in Depok to Hotel Indonesia (HI), and to the MRT. This situation also increases the amount of time he needs for travel. In the end, Mas Fuad's transportation costs go up because his choice he does not have the option to use inexpensive public transportation.

*Source: Interview result*

Disability-friendly development is often not understood resulting in the implementation of policies such as the construction of public facilities that could undermine the safety of people with disabilities. For example, guiding blocks on sidewalks are still very risky for

people with disabilities to use because they are installed in dangerous places. Disability-friendly infrastructure will encourage the independence of persons with disabilities. In the photos below the guiding blocks in South Jakarta have not been installed taking into consideration that safety of people with disabilities.

Figure 13 *Guiding Block* in South Jakarta



*Source: research documentation (2021)*

#### D. Unavailable Work Tools

There is a need for a variety of types of work tools for people with disabilities in order to facilitate the work being done. Jobs requiring equipment such as computers are sometimes not available due to high costs. This was the experience of an informant with a visual impairment where an employer was unwilling to invest in a computer due to the cost. The cost of the work tools is often used as an excuse not to hire disabled employees or to require workers to provide their own work tools. The government should subsidize the provision of work tools as a means to encourage companies as a means to employee workers with disabilities.

“

*...like for example a blind person will work using a computer, actually not specifically for screen readers. So, to fulfil it, how can he have that tool? Yes, the state should take part. Actually, screen reader software is now open source. My laptop is also a normal one, but there's screen reader software in it.*

(ES, Visual Disabilities, PERTUNI, DKI Jakarta)

The central government is aware that support for work aides incurs additional expenses that have not been accounted for in technical policies. Law 8/2016 concerning Persons with Disabilities, Article 11, states that persons with disabilities have the right to obtain proper accommodation at work. This is vague, however, and companies often do not live up to the requirement to provide specific work aid support. PT Wangta Agung, Surabaya and Alfamart Makassar stated that colleagues often help and accompany workers with disabilities while working. Although this is important, it does not go far enough in ensuring the proper work tools are available.

The provision of work tools for people with disabilities in the workplace is ultimately not only the sole responsibility of employers, but the government plays an essential role in assisting businesses in this regard. This endeavour is simultaneously a form of government support for employers and a mechanism for penalising businesses that have not met the disability employment quota.

#### E. Insufficient Understanding of Disability Conditions

Personal limitations and environmental barriers have a significant impact on the employment prospects of individuals with disabilities. People with disabilities are extremely diverse on a personal level and cannot be evaluated solely based on their sensory or motor conditions. Several categories of disabilities, including mental, psychosocial, and mild disabilities, cannot be readily identified. Consequently, it is crucial to conduct a medical evaluation in order to identify the obstacles that a person with a disability faces. This medical evaluation is closely related to the health model approach in disability studies (Nathan & Brown, 2018).

In other G20 nations, the purpose of medical identification of people with disabilities is to help employers and society comprehend the obstacles faced by this group. In Indonesia, the standards for assessing disability have not yet been spelt out in sufficient detail to aid medical personnel in identifying medical barriers for this population. A person with a visual impairment recounted their experience.

“

*So, to say he is disabled or not, now according to the law there must be justification from the relevant professional doctor. But not all health clinics (puskesmas) and all hospitals have this form. For example, yesterday I took part in the KND selection, I needed a medical disability certificate. When I went to several hospitals and they were confused “we don’t understand, Sir”. Imagine if that becomes a requirement that must be included when we apply for a job, there are still challenges there.*

**(TD, Indonesia Inclusive Forum, DKI Jakarta)**

The confusion of medical personnel, as described by the informant above, shows that there is no specific guide or instructions to aid medical personnel in conducting disability assessments. The absence of technical guidance can lead to stigmatization and discrimination against a person’s disability. This confusion reduces the meaning of disability to the type of disability which only sees the cause of a person’s disability as a lack of bodily functions similar to those of people in general (Shogren et al., 2018).

The absence of a disability assessment has negative effect on the employment of individuals with disabilities that are not easily identified or understood by the general public.

Due to the dearth of public awareness regarding disability conditions and the absence of a comprehensive disability assessment, people with disabilities prefer to omit stating their disability in their cover letter and resume. If they mention it, they are afraid their job application will be rejected.



“

*This is interesting because I just had a discussion with an organization that are looking for internships for the ship crew employees, then when I received the CV, I said ‘There is no information at all if they have special needs for ABK-ABK, and the school is up to S1, also public schools.’ So how will people know they are people with special needs? In this case I need information that they are crew members, but I also really understand why they didn’t include it. Because they also often meet when they are listed, the process is not continued. It’s also difficult to answer this question because it depends on the company, but in my opinion it’s better to include it. Because that makes clear what the needs are.*

**(RP, Employee with Disabilities, ThinkWeb, DKI Jakarta)**

Employer’s knowledge on disability determines the employer consideration to allocate the budget to meet the need of persons with disability to work. In the absence of disability assessment guidelines, it is assumed that an individual with a disability is physically and mentally unfit. This will result in people with disabilities being rejected for employment and, as the number of employment opportunities decreases, a lack of employment opportunities for these individuals.

Table 2: A Summary of Factors Influencing the Employment of People with Disabilities.

Provision	People with Disabilities (Micro)	Employers (Meso)	Environment/ Policy (Macro)
1. Recruitment			
Preparation for recruitment	<ul style="list-style-type: none"> <li>• People with disabilities have a high ethos and are proactive in finding and applying for jobs</li> <li>• Access to information on job vacancies is not available</li> <li>• Family, acquaintances, or closest people to them become the mainstay in obtaining information on job vacancies</li> <li>• Job vacancies are not yet accessible to several types of disabilities</li> <li>• Not written open to persons with disabilities</li> <li>• Some of the requirements listed are quite inhibiting, such as education level and physical and spiritual health requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Collaboration with the community of people with disabilities in the recruitment process is required</li> <li>• The company fulfills the quota obligation only to abort the obligation or be considered as charity</li> <li>• Hiring people with disabilities is considered more risky than hiring non-disabled people</li> <li>• Companies have difficulty finding prospective workers with disabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Recruitment that is carried out through multi-stakeholder collaboration such as FHCI increases the chances of people with disabilities being accepted for work</li> <li>• There is no technical policy that stipulates companies or employers must use specific guidelines for employing people with disabilities</li> </ul>
Additional interviews & tests	<ul style="list-style-type: none"> <li>• It was difficult to take the test because the type of selection test did not accommodate the needs of disabilities according to the variety of disabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Types of tests are not fully inclusive</li> <li>• There is still no companion for disabilities during the selection process</li> </ul>	<ul style="list-style-type: none"> <li>• The persistence of a perspective that focuses more on personal barriers than the abilities of persons with disabilities</li> </ul>
Trial of Employment and Supported Work Placement	<ul style="list-style-type: none"> <li>• Colleagues do not understand how to communicate with certain disabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Restrictions on the type and position of work for people with disabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Work placements have not been the focus of work inspectors to support an inclusive labor market</li> </ul>

Provision	People with Disabilities (Micro)	Employers (Meso)	Environment/ Policy (Macro)
2. Promotion			
Career paths	<ul style="list-style-type: none"> <li>• Not yet able to compete with non-disabled workers</li> <li>• Minimal opportunity to move up the career path because they generally start from the lowest level jobs</li> <li>• Employees with disabilities have limited knowledge of their rights as employees</li> </ul>	<ul style="list-style-type: none"> <li>• Career path for people with disabilities is determined by their superiors</li> </ul>	<ul style="list-style-type: none"> <li>• Stigma for the inability of people with disabilities to lead</li> </ul>
Opportunities for upgrading skills outside the company	<ul style="list-style-type: none"> <li>• Workforce gets minimal information for job training</li> </ul>	<ul style="list-style-type: none"> <li>• Employers have not been able to organize training according to the needs of persons with disabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Training outside the company is not widely available</li> <li>• Training organized by BLK is not fully inclusive</li> <li>• On the job training has been carried out by the Indonesian Employers' Association (APINDO)</li> </ul>
3. Maintaining Jobs			
Fulfillment of protection for employees with disabilities	<ul style="list-style-type: none"> <li>• People with disabilities have low bargaining power due to the stigma attached to them</li> <li>• The type of disability barrier determines the difference in average wages received</li> </ul>	<ul style="list-style-type: none"> <li>• Protection for employees with disabilities has not pay attention to the needs of various disabilities</li> <li>• Employing people with disabilities is still considered a burden and a risk</li> <li>• There are already companies that provide health insurance (BPJS Health) and employment (BPJS Employment)</li> </ul>	<ul style="list-style-type: none"> <li>• There is already an employment policy</li> <li>• Not yet optimal supervision of the fulfillment of employment guarantees</li> </ul>

Return to Work policy	<ul style="list-style-type: none"> <li>• Unable to compete with non-disabled workers</li> <li>• The employment relationship can be terminated if the worker has a disability and cannot work for more than one year</li> </ul>	<ul style="list-style-type: none"> <li>• The employer has not fully complied with the regulations regarding post-accident recruitment</li> <li>• The decision to return to work is highly dependent on the discretion of the company head</li> <li>• If re-accepted, there are companies that transfer them to the positions that are not their area of expertise</li> </ul>	<ul style="list-style-type: none"> <li>• There is a “Return to Work” program</li> <li>• No policy evaluation results yet available</li> </ul>
4. Adjustment			
Accessibility	<ul style="list-style-type: none"> <li>• Can't access public transportation, so it's expensive to go to work or use private transportation</li> <li>• Work support tools cannot be provided by the employer, such as a computer/laptop with a screen reader feature, so the individual has to use their own work tools</li> </ul>	<ul style="list-style-type: none"> <li>• The needs of people with disabilities are now only physical disabilities.</li> <li>• Not all workplaces accommodate the needs of workers with disabilities, such as work tools</li> </ul>	
Adaptation	<ul style="list-style-type: none"> <li>• Can quickly adapt to a new work environment and can work with a team</li> <li>• Colleagues do not have the ability to communicate with people with disabilities and need to try to adapt</li> </ul>	<ul style="list-style-type: none"> <li>• The condition of the building is not friendly to a variety of disabilities</li> <li>• The company has the status of a building tenant</li> </ul>	<ul style="list-style-type: none"> <li>• There is no support to provide assistance</li> <li>• Inadequate supporting infrastructure such as access roads and unavailable public transportation</li> </ul>

		<ul style="list-style-type: none"> <li>• Work support tools cannot be provided by the employer and are considered expensive (such as screen reader software)</li> </ul>	<p>Construction of public facilities has not been fully understood by contractors. Such as making guiding blocks on sidewalks is still risky and dangerous</p> <ul style="list-style-type: none"> <li>• Some costs are not borne by BPJS Health (Public Healthcare Insurance), such as Seroquel medicine, only 50% of the dose is borne by BPJS, it is hoped that consultation with a psychiatrist/psychologist will not be covered</li> </ul>
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*Source: Processed research*

### 5.3. Employment Related Gender Inequality Issues for People with Disabilities

Gender inequality is still a big issue although it has undergone significant changes in the last decade. Gender inequality is characterized by inequality of relations/conditions (differences, access, participation, control, and benefits of development) for men and women which are influenced by culture and policies. This unequal relationship/condition of men and women is commonly referred to as a gender issue.

Disability and gender issues should not be considered distinct issues. A comprehensive understanding of gender and disability will reduce discrimination against women with disabilities and improve the quality of policies and programmes for this population. Due to their physical limitations, women and children with disabilities are at risk of receiving discriminatory treatment and criminalization, making them vulnerable to becoming victims of violence. The preceding is sufficient to demonstrate that people with disabilities should receive special treatment everywhere, but in reality, they are frequently marginalised (Karim, 2018).

The United Nations (UN) Sustainable Development Goals (SDGs) 2030 Agenda for sustainable development mandates *no one left behind* in development. The Indonesian government must ensure that all development is inclusive. This must include the poor and disadvantaged, community groups with special needs, both men and women. Concerning employment issues, the SDGs are closely linked to the eradication of poverty, the maintenance of decent work, and economic growth.

### 5.3.1 Gender Based Discrimination against Disabled People

Gender analysis on the issue of people with disabilities in the job market has not been widely reviewed in articles, journals, or in the mass media. Year-end records (Catahu) by Komnas Perempuan (2019) noted that there were 89 cases of violence against women with disabilities, of which more than half were sexual violence. Marcoes (2020) states that women with disabilities often experience double discrimination compared to men with disabilities. Another factor that hinders the self-development of women with disabilities is the limitation of space for movement from the family.

Many people with disabilities are hidden by their families at home. Apart from being hidden, many families choose to marry off their children or family members (females with disabilities) in order to reduce the burden on the family.

“

*I speak in the context of psychosocial mental disabilities because mental disabilities are considered dangerous, lack of faith, “less than human” (can’t do anything, can’t work, stupid, incompatible, lack of education) especially women. The women usually get far more discriminatory treatment. Women with mental disabilities are considered a burden, the solution is to marry them to anyone who wants to [marry them], who is much older, sometimes they become second or third wives, because they are considered a burden to the family and society. It is far more profitable than having her sent to an orphanage or shackled. If we talk about women with psychosocial disabilities, we do get layered discrimination.”*

**(AHS, REMISI Founder, DKI Jakarta)**

Society in general views women with disabilities as someone who is not normal. This has contributed to discriminatory practices, violence, harassment, difficulties in accessing basic services, and limited opportunities to access the job market. Women with disabilities are considered by society as women who are not ideal. The social construction of society perpetuates the idea of standardizing the ideal woman as being beautiful, smart, and without physical deficiencies.

Women with disabilities are vulnerable to violence. Based on information, the most widely accepted forms of violence are sexual violence, rape and domestic violence (KDRT). Sadly, close friends and family are the most common perpetrators of violence.

Advocacy and legal protection for women with disabilities who are victims of violence

are also not maximized because of their isolation from society. When women with disabilities are known to have experienced violence, they will receive double discrimination so that the family tends to cover it up and settle it amicably. This also applies to women workers with disabilities. They chose not to report the violence they experience out of fear for their jobs.

*Case box 3:*

**Gender-based violence against women with disabilities**

Maemunah is 38 years old this year. As an individual with a mental disability, Maemunah shares her home with her mother, father, two older brothers, and one niece. Maemunah is extremely dependent on household members due to her disability, including for toilet activities. Her parents had to purchase the medication he had to take daily. Maemunah became an extremely dependent family member who struggled to be independent. This was also a result of Maemunah's unstable emotions, and she frequently went on a rampage. In similar circumstances, Maemunah frequently receives violent treatment from members of her household. Even though this incident has occurred on multiple occasions, Maemunah has never reported it or sought protection from others. She tends to keep quiet. For her, family provides both material and nonmaterial support. However, she is frequently subjected to harsh treatment because of her viewpoints. Maemunah, at the age of 24, was subjected to sexual violence by her own neighbours, who were also considered close relatives. Unfortunately, this case was only settled amicably and no legal action was taken. Her family stated at the time that they would be ashamed if this case were made public. As a person with a mental disability, Maemunah must finally accept that acts of violence against her is normal due to her disability.

*Source: Interview result*

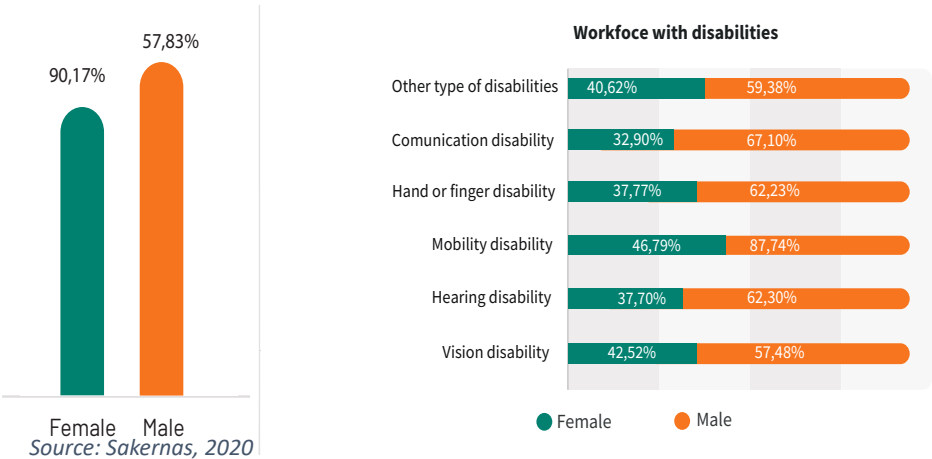
In addition to the lack of gender and disability disaggregated data, policies and programmes that are still categorised as “charity” contribute to the discrimination of women with disabilities. The ratification of the Convention on the Rights of Persons with Disabilities (CRPD) by the government with Law 8/2016 provides hope for the creation of an inclusive environment for persons with disabilities, including disabled women. Some disability communities/organizations and CSOs have also taken steps to eliminate gender discrimination through various training and advocacy efforts. It is expected that women with disabilities can advocate for themselves and express their opinions.



### 5.3.2 Gender Disparity in Employment

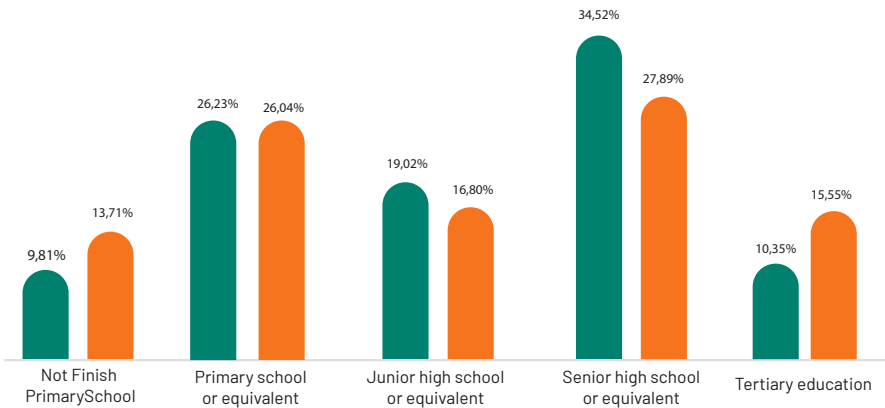
In 2020, men made up 57.83 percent of the disabled workforce, while women made up 42.17 percent. The majority of female workers with disabilities are individuals with mobility or visual impairments.

Figure 14: Workforce with disabilities.



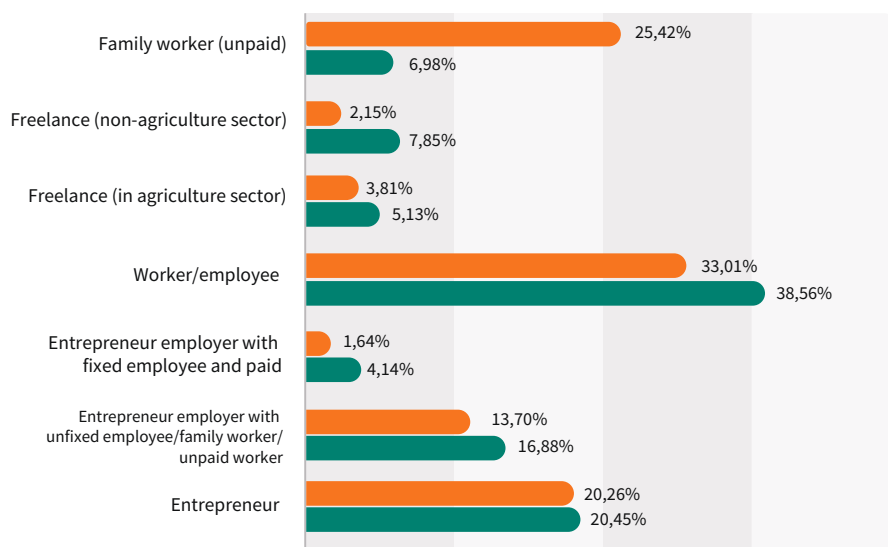
Similarly, to the size of the workforce, the participation rate (TPAK) in 2019 was lower for women than for men, with the TPAK for the women’s disability group being 33% and the TPAK for the men’s disability group being 60.06 % (Budget Info, 2020).

Figure 15 Educational Level of the Disabled Workforce in Indonesia 2020.



Women with disabilities who have low levels of education have a low likelihood of obtaining employment. Approximately 56 percent of women with disabilities in the workforce have not completed junior high school. Women with disabilities are more likely than men to be employed in the informal sector. If the proportion is differentiated by gender, 80.85 percent of all female workers in the informal sector have a disability, compared to 71.89 percent of all male workers (BPS, 2020).

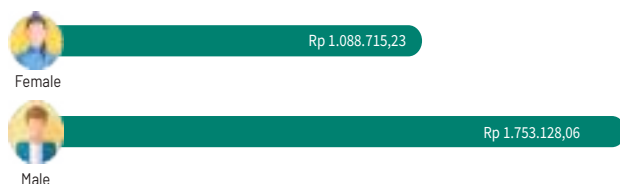
Figure 16 Main Employment Status of Persons with Disabilities Based on Gender.



Source: Sakernas 2020

Up to 25% of women with disabilities are family/unpaid workers. This number is higher than men when calculated from the total proportion of men and women. Despite having a similarly low average income, female disabled workers have a lower average income than male disabled workers. Female disabled workers average IDR 1,099,715 per month, while males average IDR 1,752,828 per month.

Figure 17 Average Income Men & Women Workers with Disabilities (in Rupiah).



Source: Sakernas 2020

Some of the companies interviewed have implemented affirmative action<sup>7</sup> measures to employ women with disabilities. Female employees are considered more cooperative and neater in their work performance. Unfortunately, the offered field of work offered is low and so are the wages..

Acceptance of female workers with disabilities is still highly dependent on the company's leadership, resulting in an uncertain gender ratio. This was conveyed by one of the informants who is the HRD of PT Wangta Agung, Surabaya, with the following statement.

“

*Women, there are 30 of them, 23 for men. That's only the deaf. If Daksa 15s. Yes, mostly women. I also don't know, if me, a deaf boy is okay. So, it also depends on the head of the section*

**(M, HRD PT Wangta Agung, Surabaya)**

There is also no special quota for women with disabilities in public institutions, such as government agencies. Gender mainstreaming (PUG) and/or affirmative action can assist with the integration of policies, programs or activities within government agencies. Through PUG, gender becomes an integral dimension of planning, budgeting, implementation, monitoring and evaluation of development policies, programs and activities. The aim of gender mainstreaming is to realize gender equality and justice. Gender equality means the equality of conditions and positions for women and men to obtain opportunities and rights as human beings so that they are able to play a role and participate in various development activities and equality in enjoying outcomes that have a balanced impact. This is in accordance with the Convention on Rehabilitation of Skills and Employment Opportunities for Persons with Disabilities (No. 159 of 1983) which stipulates that governments, employers' and workers' organizations should

increase opportunities and provide equal treatment at work for workers with disabilities (ILO, 2013).

Table 3 Gender Inequality in Employment Issues for People with Disabilities.

There is discrimination	<ul style="list-style-type: none"> <li>• The labor force participation of persons with disabilities is low, especially for women with disabilities</li> <li>• Society still views persons with disabilities as needing pity or even as a disgrace</li> <li>• Many do not have ID cards (KTP) so they cannot work, nor can they demand their rights, such as education as one of the supporting factors for job opportunities</li> <li>• Women with disabilities are vulnerable to violence</li> </ul>
Discrimination reinforcing factors	<ul style="list-style-type: none"> <li>• Inter-regional policies are not evenly distributed and are still at the normative level</li> <li>• There is no disaggregated data system for women with disabilities</li> <li>• Lack of stakeholder understanding on gender and disability issues</li> <li>• Implementation of rules that do not meet the needs/does not substantively solve the problem</li> <li>• Not yet available or not evenly distributed facilities and infrastructure to support access for groups with disabilities</li> </ul>
Causative factors	<ul style="list-style-type: none"> <li>• Cultural factors in society: ideal standardization of women in society, girls with disabilities are seen as a burden, families have minimal knowledge of caring for children with disabilities and minimal community support</li> <li>• Structural factors: existing regulations are not gender sensitive, there are no structured efforts to reduce discrimination against women with disabilities and information related to gender and disability is not available</li> <li>• Economic factors: poverty, and girls do not go onto higher education</li> </ul>

Source: processed by researcher

## 5.4 Possibilities for Indonesia's Disability Job Market

This study aims to identify opportunities to increase the employment of the disabled in Indonesia that are based on interviews with the key stakeholders. This research is therefore grounded in the context of the discipline. This mapping is presented in accordance with the issue's scope, specifically the macro and meso levels. At the macro level, improvement efforts must be undertaken by the government as both regulator and executor, whereas at the meso level, improvement efforts are directed at actors in the work environment.

## **A. Opportunities for Improvement at the Institutional and Policy Level**

On the regulatory front, Indonesia has supported and safeguarded people with disabilities so that they have access to an inclusive labour market and decent employment. The minimum quota policy for employees with disabilities is a policy innovation that ensures affirmative employment for individuals with disabilities in the formal employment sector. However, employees in the informal sector continue to dominate the employment status of people with disabilities, as compared to those in the formal sector (Sakernas, 2020). The results of studies conducted in a number of G20 member states concur with this study's conclusion that the establishment of a minimum quota policy is insufficient to increase the employment of people with disabilities. Additional effort is required. The following are government initiatives that can be implemented.

### **1. Employer Capacity Strengthening Approach**

In an effort to support the recruitment process, the government can also assist companies or employers in conducting assessments based on the International Classification of Functioning, Disability, and Health (ICF) developed by the World Health Organisation.

Governments can provide advisory services to prospective employers. Norway has established a public agency that serves as a corporate consultant for the employment of people with disabilities. Assistance to employers in order to optimise the "Return to Work" programme should be considered. The National Institute of Disability Management and Research (NIDMAR) created a national post-occupational re-employment guidebook to develop such a programme for the Canadian government.

In addition, the government can optimise the performance of trained personnel accompanying individuals with disabilities or so-called case managers from BPJamsostek. The case manager serves both individuals with disabilities and the organisation. Case managers can play a role in preparing plans for people with disabilities, ranging from potential analysis to consulting services for appropriate job positions in companies and job training. For businesses, case managers can play a role in assisting applicants with disabilities through the apprenticeship or work trial process and then evaluating the

performance of workers with disabilities. Therefore, the case manager is responsible for assisting the organisation in creating an inclusive workplace.

## 2. Incentive Policy

Incentives may include; providing wage subsidies to employees with disabilities, company assistance, and tax reductions. These incentives are necessary because a company's decisions and activities are driven by profit and loss. Maximising production can influence company commitments that view the productivity of workers with disabilities as lower than that of workers without disabilities.

Incentive schemes can assist employers in financing additional expenditures necessitated by the need to employ people with disabilities such as infrastructure upgrades, building adjustments, and adapted workspaces. For workers with disabilities, the salary subsidy programme can take the form of a reduction in salary tax and the cost of social insurance contributions.

## 3. Strengthening the Capacity or Supply of Workers with Disabilities

By providing job training (vocational training), apprenticeships, and job placement services, the supply side offers a number of intervention options. The government, the private sector, or the community can all organise vocational training. This policy can encourage the workforce to have skills commensurate with the needs of the current labour market. The government can implement a vocational rehabilitation programme similar to those implemented in European Union countries, in which rehabilitation focuses on developing work skills while concurrently addressing health issues. This programme aims to restore a worker's skills and ability to work following an extended period of sick leave or a change in their condition that renders them disabled.

To ensure that individuals with disabilities who participate in job training obtain employment commensurate with their skills, job training providers must consider the skills demanded by the labour market. Organisers of job training must provide inclusive job training reference materials and sign language dictionaries with industrial topics. The special skills accreditation system for individuals with disabilities may also include the creation of guidelines. Accreditation administered to individuals with disabilities will need to be modified.

Job training does not end at the training center with the handing over of certificates, but there is also a need to link graduates directly with the job market for both apprenticeship programs and work placements. An apprentice salary assistance program for people with disabilities can be an option. This assistance has been implemented in Australia in the form of a package of providing grants, tutorials, interpreters and mentors for

apprentices. Collaboration with the private sector is essential so that after training, participants can directly enter the job market.

Inclusive education is key to preparing robust human resources for the job market. This means advancing all students, including those with disabilities. The government needs to create an inclusive curriculum, complete with teaching methods, and sufficient teaching staff. In one class, for example, there may be non-disabled, blind and deaf students and the teacher has to deliver instructional materials. This means that every inclusive school needs a special teacher assistant. The government must include special teacher assistants with disabilities into the PNS teacher scheme, not honorary teachers.

#### 4. Support Public Facilities Policy

Regarding public transport infrastructure, it appears that both the central and regional governments have a lot of work to do. Access to public transport infrastructure in Indonesia remains difficult for individuals with disabilities. To improve the mobility and workplace accessibility of people with disabilities, the central and local governments must enhance the infrastructure public transportation so that it is accessible.

The federal government can also intervene by providing special allocation funds (DAK) to promote the employment of individuals with disabilities. DAK is intended for infrastructure development so that public facilities and infrastructure that are accessible to people with disabilities can improve their access to the job market.

#### 5. Promotive Policies

The government can expand employment information to prospective workers with disabilities. The government must also collaborate with the private sector which employs digital business workers. This can help persons who have difficulty moving around. Collaboration with e-commerce companies, business investment institutions in the IT and computer sector can be carried out. This effort can follow the example of China in developing a digital ecosystem which has created an IT training scheme to provide quota assistance packages for entrepreneurs with disabilities.

#### 6. Imposition of Sanctions

State owned enterprises and private sector companies that do not meet the quota for persons with disabilities in the workplace can be subjected to sanctions. These sanctions can be administered in stages, beginning with a warning and culminating in a fine. The collected fines can be allocated to infrastructure development programmes, the promotion of people with disabilities, incentives for businesses that employ people



with disabilities, educational inclusion, the improvement of BLK, the improvement of public infrastructure, the construction of public transportation that is accessible to people with disabilities, and so on. A sanctions regime will need to be supported by a monitoring system.

## 7. Strengthening Supervisory Functions

The government, via the Ministry of Home Affairs, must oversee regional governments' implementation of PP 70/2019 on the Planning, Implementation, and Evaluation of Respect, Protection, and Fulfilment of the Rights of People with Disabilities. This regulation requires local governments to have an action plan, one of which addresses the employment of individuals with disabilities. In this instance, Bappeda can map the Regional Apparatus Work Units (SKPD) to promote and protect the disabled workers. Thus, there is a clear connection between the SKPD's rehabilitation efforts and the development of an accessible employment system for people with disabilities.

By establishing a Disability Service Unit (ULD), the right of individuals with disabilities to employment opportunities can be further strengthened. The existence of ULD is an indication that it will be easier for people with disabilities to obtain employment. To enhance the effectiveness of ULD, the local government must ensure that SKPD officers in charge of the ULD are aware of the challenges faced by individuals with disabilities. Thus, ULD officers not only maintain an inventory of prospective workers with disabilities and a list of companies with open positions for people with disabilities, but they are also able to make programmatic breakthroughs to expedite the meeting of the supply side (potential workers with disabilities) and the demand side (companies). In the meantime, the central government must ensure that each regional government has a functioning ULD.

The President officially appointed members of the National Commission on Disabilities (Komnas Disabilitas) on December 1, 2021. The National Commission on Disabilities is a source of optimism for the protection of people with disabilities. The National Commission on Disabilities Secretariat is structurally subordinate to the Ministry of Social Affairs. It is hoped that the National Commission on Disabilities will be able to maintain institutional independence in the performance of its oversight function so that it can optimally oversee the work of each ministry/institution relating to the protection of people with disabilities. The Commission can also develop monitoring and reporting mechanisms for the employment and public participation of people with disabilities.

## **B. Opportunities for Improvement at the Meso Level**

Employers frequently perceive a person with a disability as someone who faces many obstacles in their daily life. People with disabilities, however, are and can be productive. Many businesses continue to believe that the productivity of people with disabilities is inferior to that of non-disabled workers. In fact, if companies have a commitment, they can create a disability-friendly work environment in order to maintain productivity. Increasing the inclusiveness of the work environment for people with disabilities can begin with advertising job openings, recruitment of candidates, meeting workers' rights and, the enhancement of their capacity and work skills.

Efforts to promote inclusiveness at the company level begins with posting job vacancies and conducting recruitment. Several companies have succeeded in recruiting employees with disabilities through a collaborative process with foundations or with the disability community. Job opening advertisements need to be revised as they still stipulated "physical and mental health". This creates confusion for both applicants and prospective employers since it inevitably results in a dichotomy of normal and abnormal for disabilities. Therefore, companies must emphasize that these openings are accessible to individuals with disabilities by adding, for example, the statement "open to persons with disabilities".

In the context of ensuring the rights of people with disabilities as employees, labour unions must also play a role. Unions must incorporate disability issues into social dialogue spaces at both the company and regional, national, and tripartite levels. The right to decent work for workers with disabilities must be included in company-level collective agreements. At the regional and national tripartite levels, labour unions must ensure that the government carries out its job inspection function.

People with disabilities have the right and desire to develop skills. In order to ensure that workers with disabilities have the same opportunities as non-disabled workers, the government and the private sector must develop programmes to improve their skills. Programmes for job training must be adapted for various types of disabilities.

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## CHAPTER 6 CONCLUSION

This approach was initially developed in the mid-20th century, particularly in the field of psychology. One of the modern social ecological model theories was introduced by Urie Bronfenbrenner through bioecological theory.

### 6.1 Conclusion

In Indonesia, people with disabilities still lack access to decent employment. These limitations occur at the macro level such as with policies, the meso level in the work environment, and living environment with disabilities as well as at the micro level with individuals with disabilities. These multilayered restrictions influence one another. These multilayered restrictions influence one another.

At the macro level, various factors such as; low levels of education, the social construction of disability which presents disability as an abnormal condition; work opportunities are mainly limited to the informal sector and; poverty which is higher amongst the disabled versus the non-disabled. Discrimination against people with disabilities in nearly all aspects of development hinders them from participating in the development process. To fulfil the rights of people with disabilities to work with a decent standard of living, greater awareness and a more effective strategy are required.

In 2019, prior to the Covid-19 pandemic, groups of people with visual disabilities had higher job opportunities than other groups of people with disabilities. This changed, however, in 2020 due to the decrease in the number of individuals working in 2020. The number of individuals with visual impairments who were unemployed increased

in 2020. The increase in unemployment among people with visual disabilities cannot entirely be attributed to the transmission of Covid-19, but rather to non-Covid-19 diseases, which accounts for 46% of the cases. Meanwhile, between 2019 and 2020, there is no significant difference in the likelihood of obtaining a job for individuals with communication and other non-visual disabilities.

Reductions in wages was the most significant impact of the Covid-19 on workers with disabilities. In 2020, the average wage received by workers with disabilities decreased. In 2020, as many as 47.85 percent of workers with disabilities will earn less than they did in 2019.

The state's efforts to fulfil the right to work for people with disabilities have been regulated in Law 8/2016 concerning People with Disabilities. BUMN/BUMD and the private sector are obliged to provide quotas for them. The state's efforts to grant people with disabilities the right to work is governed by Law 8/2016 concerning People with Disabilities. Both the state-owned enterprises (BUMN/BUMD) and the private sector must fill a quota for disabled workers, but in practise many businesses have not met their quota obligations. This is because the government has no monitoring and evaluation system in place to ensure that the quota for disabled workers is met.

To implement Law No.8/2016, the government issued a regulation with its derivative Government Regulation 70/2019 concerning Planning, Implementation and Evaluation of Respect, Protection and Fulfilment of the Rights of Persons with Disabilities. In order to support employment efforts, the government also issued Government Regulation 60/2020 concerning the Disability Service Unit (ULD) which is tasked with providing information on job vacancies and promoting workers with disabilities to employers as well as providing counselling, guidance, and conducting job analysis for workers with disabilities. Nevertheless, both the national and local governments have not fully implemented this policy.

There are still disparities between local governments in their efforts to protect the rights of people with disabilities. The majority of local governments lack local regulations to ensure the fulfilment of the rights of individuals with disabilities. As of 2021, only 18 provinces have regional regulations related to fulfilling the rights of this group. In addition, approximately 65 district/city level governments have regional regulations for the protection of persons with disabilities. Considering these circumstances, it is clear that the issue of the rights of people with disabilities has not yet become a mainstream concern.

Stigmatization and discrimination are also stumbling blocks for people with disabilities, not only in accessing the job market and obtaining employment, but also in obtaining jobs commensurate with their competence. They continue to encounter discriminatory employment practises, such as limited job vacancy information, requirements that

disregard the needs of various disabilities, lack of a supportive environment (physical and non-physical), low employer knowledge and commitment, fewer opportunities to participate in capacity building, and difficulty obtaining promotions.

The analysis of the quantitative data indicates that individuals with disabilities who require fewer assistive devices will find it easier to obtain employment than those with a broader range of needs. The type of disability a person has can also have an impact on the number of wages received. Existence of clustering types of work with types of disabilities can also contribute to discrimination. This classification will not only impede the diversification of employment opportunities for people with disabilities, but it also contradicts the principle of an inclusive labour market based on the abilities of people with disabilities.

*The state apparatus candidate (CPNS) recruitment process for people with disabilities faces a number of issues, including high requirements and no affirmations, technical constraints related to disability needs, and insufficient disability formation.*

According to the data analysis, men with disabilities have a greater chance of being integrated into the workforce than women with disabilities. This is due, in part, to the fact that the education levels of women with disabilities are lower than those of men. Not to be neglected, is the ongoing stigmatization of women as being more involved in the domestic sphere and hence have no abilities or skills. As this implies, the marginalisation of women with disabilities begins at the family level, particularly for women with mental disabilities for whom it is assumed a priori that they cannot work.

Indonesia already has a number of legal protection efforts and affirmative policies aimed at developing normatively inclusive job markets. These efforts include job training, capital, budgeting to support the ability and opportunities for disabled individuals to work, and charitable initiatives such as assistance programmes. The findings of this research analysis indicate that these efforts can be elements of a strategy for creating employment opportunities and supporting individuals with disabilities to gain access to the job market. People with disabilities must be acknowledged as having both abilities and limitations and to identify them requires a medical analysis. This is necessary in order to determine what interventions are required to maximise the capabilities of each individual with a disability. Unfortunately, medical analysis in Indonesia frequently only distinguishes between a person's normal and abnormal states. The result is that individuals with disabilities do not qualify for the healthy category and cannot apply for jobs. This condition is also exacerbated by the lack of technical guidelines for medical personnel in Indonesia to follow when conducting health assessments for people with disabilities.

Disability communities and civic organisations also play a significant role in assisting individuals with disabilities to gain access and protection in the workplace. This role

encompasses training programmes, networking to obtain employment, and legal aid efforts to secure workers' rights for individuals with disabilities. Companies that are already committed to hiring individuals with disabilities, the disability community, and employer associations collaborate creatively to fulfil this function in the field. Although the government has begun working on multi-sector cooperation with the emergence of Disability Service Unit (ULD) in response to field findings, non-government actors must be involved in this cooperation. Additionally, the productivity of people with disabilities demonstrates modality factors that will increase the supply of disabled workers in the labour market. This is demonstrated by the fact that people with disabilities are capable of achieving work goals, which disproves the stereotype that people with disabilities are unproductive or even unable to work.

## 6.2 Recommendations

The results of this study indicate that there is an intersection between personal, family, community, work environment, and employment protection policies for people with disabilities. The intersection of these factors can be both an impediment and an opportunity for the development of an inclusive labour market in Indonesia for individuals with disabilities. Reflecting on the aforementioned findings, this study identified several recommendations. Recommendations are made based on the urgency and implementation priority scale to stakeholders.

### A. Recommendations for the Central Government

- **Mensuring the implementation of Government Regulation 60/ 2020 concerning the Disability Service Unit (ULD) in the employment sector and the active involvement of persons with disabilities.** The participation of people with disabilities in the management board of the ULD should be a priority. The ULD is expected to achieve programmatic breakthroughs to expedite the matching of the supply side (potential workers with disabilities) with the demand side (companies).
- **Collaboration between ministries and the BPS to generate disaggregated data on individuals with disabilities.** To ensure that people with disabilities as citizens are recognized and can gain access to special affirmation programs, it will be necessary to collect data on people with disabilities and provide disability identification.
- **Optimizing the function of the Commission on National Disabilities.** National Commission on Disabilities must ensure the protection of the fulfilment of the rights of employees with disabilities. Particularly the right to receive an



appropriate education, equitable access to health care, legal aid services, and employment opportunities for people with disabilities. To ensure the participation and fulfilment of the rights of individuals with disabilities in the workplace, the National Commission on Disabilities must compile a “disability appropriate index” and develop a monitoring and reporting system for all state-owned corporations and the private sector.

- **Evaluation of Argentina’s Implementation of G20 results.** The Government of Indonesia recommended to the G20 a regular monitoring and evaluation mechanism for the proposals for the G20’s Argentina Presidency proposals regarding the protection of the rights of people with disabilities in the workplace. A framework or set of principles is required to remove technological barriers for people with disabilities and enable their full participation in the digital economy.
- **Comprehensive understanding of inclusivity.** The Ministry of Manpower must mainstream, develop, implement, and evaluate inclusive employment policies for individuals with disabilities. In these stages of policy development, the charity paradigm must evolve into an affirmative paradigm based on efforts to protect the rights of people with disabilities. The government must also collaborate with the private sector, which employs workers in digital businesses.
- **Affirmative policy development.** The Coordinating Ministry for Economic Affairs must establish affirmative and inclusive employment policies. Provision of benefits, assistance, or guarantees of minimum income must be followed by fiscal interventions for employers such as providing wage subsidies to employees with disabilities, company assistance, and tax reductions. In addition, the government can support the provision of work aids, mentoring, the creation recruitment guidelines and the employment of persons with disabilities.
- **Preparation of monitoring and reporting mechanisms.** Develop monitoring and reporting mechanisms for the employment and public participation of individuals with disabilities. This mechanism includes gender-responsive policies and programmes to ensure budgets are available to build capacity and opportunities for people with disabilities, obtain business capital, ensure access to the labour market, and work protection.

## **B. Recommendations for Local Government**

- **Ensure that local action plans for persons with disabilities comply with the RPJMD.** This commitment must be accompanied by an increase in budgets and programmes for people with disabilities. The programmes developed by local governments must accommodate people with disabilities so they can access and

receive training, provide accommodations based on the type of disability, provide disability-friendly training facilities, provide training and work placements for people with disabilities.

- **The ULD oversees and provides advisory services for the company's recruitment and the fulfilment of the rights of workers with disabilities.** *This mechanism must be accompanied by a supervision system that is sensitive to disability issues in the job market, supervisor comprehension, and supervision guidelines.* The ULD is expected to be proactive in providing consulting, guidance and call center services for employers. The ULD can provide complaint services and legal assistance to disabled workers.
- **Local government agencies understand and accommodate a variety of disabilities.** The lowest technical sector or sub-sector can receive and accommodate information from the field on the needs of persons with disabilities. This creates a flow of information from the bottom up in an effort to improve the provision of training, accommodations, programme planning, and the fulfilment of the rights of people with disabilities.

#### C. Recommendation for Employers

- **Review the requirements for recruiting persons with disabilities.** Remove physical and mental health requirements for recruiting persons with disabilities, carry out health assessments during the recruitment selection process, and clearly state that vacancies are open to persons with disabilities.
- **Pay attention to individual abilities and workers' rights.** This will alter the perception that only certain types of disabilities can work in specific fields. The attention to individual abilities and workers' rights will enable employers to develop the necessary work skills, develop career paths and better budget allocation to accommodate the needs of employees with disabilities.
- **Follow the rules for disability-friendly buildings according to Minister of Public Works and Public Housing Regulation 14/2017.** Review building accessibility codes in accordance with PUPR Ministerial regulations and recommend modifications to building owners for employers with tenant status. Adjustments to a building's accessibility must account for all types of disabled individuals.

#### D. Recommendation for Families with Disabilities and Communities

- **Families must provide assistance for disabled individuals to work.** It is necessary to eliminate stigma and promote the notion that people with disabilities can live independently. Family members with disabilities require material, social, and psychological support from their families.

- **Monitoring the employment and public participation of individuals with disabilities.** This can be accomplished by altering the perception of disabled individuals who are viewed as powerless, unable to work, and “second class” citizens. Communities must provide information, ensure equal treatment, and include individuals with disabilities in their activities. The community must be involved in monitoring the public participation of people with disabilities.

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# ANNEXES

## Annex 1: Selection of Dependent Variable dan Treatment Variable

Labor Force Conditions Based on Employment/Unemployment August 2019

Disability Status	Working Status	Number of People	Total Percentage	Percentage of Each Disability Category
Non-disability	Not working	6872153	5,06	5,45
Non-disability	Working	119298760	87,81	94,55
Visual disability	Not working	129753	0,10	1,93
Visual disability	Working	6592891	4,85	98,07
Hearing disability	Not working	26293	0,02	2,14
Hearing disability	Working	1202781	0,89	97,86
Mobility disability	Not working	26407	0,02	2,40
Mobility disability	Working	1075825	0,79	97,60
Hand or finger disability	Not working	694	0,00	7,75
Hand or finger disability	Working	8266	0,01	92,25
Communication disability	Not working	20469	0,02	8,99
Communication disability	Working	207144	0,15	91,01
Other type of disabilities	Not working	28655	0,02	7,20
Other type of disabilities	Working	369604	0,27	92,81

## Labor Force Conditions Based on Employment/Unemployment August 2020

Disability Status	Working Status	Number of People	Total Percentage	Percentage of Each Disability Category
Non-disability	Not working	9448573	6,84	7,26
Non-disability	Working	120776372	87,38	92,74
Visual disability	Not working	201782	0,15	3,60
Visual disability	Working	5396277	3,90	96,40
Hearing disability	Not working	40288	0,03	4,36
Hearing disability	Working	883972	0,64	95,64
Mobility disability	Not working	40549	0,03	4,18
Mobility disability	Working	930261	0,67	95,82
Hand or finger disability	Not working	10172	0,01	7,47
Hand or finger disability	Working	126020	0,09	92,53
Communication disability	Not working	14137	0,01	9,81
Communication disability	Working	129958	0,09	90,19
Other type of disabilities	Not working	12253	0,01	5,48
Other type of disabilities	Working	211324	0,15	94,52

#### Employee Salary Status by August 2019

Disability	Average of Salary (Rupiah)
Non-disability	1819195.32
Visual disability	1448207.96
Hearing disability	1137828.22
Mobility disability	1192604.86
Hand or finger disability	1116706.57
Communication disability	1029831.48
Other type of disabilities	1311903.34

#### Employee Salary Status by August 2020

Disability	Average of Salary (Rupiah)
Non-disability	1524207.84
Visual disability	1076595.93
Hearing disability	633039.71
Mobility disability	766968.08
Hand or finger disability	906036.03
Communication disability	485466.78
Other type of disabilities	772380.89

Conditions of the Labor Force by sex August 2019

Type of Disability	Sex	Number of people	Total percentage	Percentage of each disability category
Non-disability	Female	48241587	35,51	38,24
Non-disability	Male	77929326	57,36	61,77
Visual disability	Female	2697039	1,99	40,12
Visual disability	Male	4025605	2,96	59,88
Hearing disability	Female	445343	0,33	36,23
Hearing disability	Male	783731	0,58	63,77
Mobility disability	Female	505780	0,37	45,89
Mobility disability	Male	596452	0,44	54,11
Hand or finger disability	Female	1306	0,00	14,58
Hand or finger disability	Male	7654	0,01	85,42
Communication disability	Female	78603	0,06	34,53
Communication disability	Male	149010	0,11	65,47
Other type of disabilities	Female	146391	0,11	36,76
Other type of disabilities	Male	251868	0,19	63,24

Conditions of the Labor Force by sex August 2020

Type of Disability	Sex	Number of people	Total percentage	Percentage of each disability category
Non-disability	Female	50826025	36,77	39,03
Non-disability	Male	79398920	57,44	60,97
Visual disability	Female	2380158	1,72	42,52
Visual disability	Male	3217901	2,33	57,48
Hearing disability	Female	348475	0,25	37,70
Hearing disability	Male	575785	0,42	62,30
Mobility disability	Female	454234	0,33	46,79
Mobility disability	Male	516576	0,37	53,21
Hand or finger disability	Female	51437	0,04	37,77
Hand or finger disability	Male	84755	0,06	62,23
Communication disability	Female	47401	0,03	32,90
Communication disability	Male	96694	0,07	67,10
Other type of disabilities	Female	90818	0,07	40,62
Other type of disabilities	Male	132759	0,10	59,38

Condition of labor force by age August 2019

Disability	Average of age
Non-disability	38,87
Visual disability	55,54
Hearing disability	58,32
Mobility disability	56,59
Hand or finger disability	46,23
Communication disability	41,07
Other type of disabilities	46,71

Condition of labor force by age August 2020

Disability	Average of age
Non-disability	39,35
Visual disability	56,37
Hearing disability	59,73
Mobility disability	57,18
Hand or finger disability	51,04
Communication disability	40,27
Other type of disabilities	46,01

## Annex 2: Result of Logit Regression Analysis Sakernas 2019 and 2020

Result of logit regression analysis 2019

	<i>Dependent variable:</i>	
	Working	
	(1)	(2)
Hearing disability	-0.127	-0.078
	(0.141)	(0.147)
Mobility disability	-0.233*	-0.191
	(0.132)	(0.135)
Hand or finger disability	-1.406**	-0.368
	(0.602)	(0.648)
Communication disability	-1.506***	-0.675***
	(0.174)	(0.188)
Other type of disabilities	-1.293***	-0.762***
	(0.127)	(0.136)
Sex		0.155*
		(0.083)
Attending Junior High School		0.029
		(0.118)
Attending Senior High School		-0.322***
		(0.103)

Result of logit regression analysis 20

	<i>Dependent variable:</i>	
	Working	
	(1)	(2)
Hearing disability	-0.164	-0.132
	(0.118)	(0.122)
Mobility disability	-0.074	0.007
	(0.111)	(0.114)
Hand or finger disability	-0.525**	-0.189
	(0.218)	(0.223)
Communication disability	-0.852***	-0.295
	(0.220)	(0.230)
Other type of disabilities	-0.191	0.103
	(0.185)	(0.190)
Sex		-0.131*
		(0.073)
Attending Junior High School		-0.213**
		(0.099)
Attending Senior High School		-0.357***
		(0.093)



Tertiary education		0.080
		(0.148)
Trained		-0.565**
		(0.264)
Urban		0.508***
		(0.088)
Work Ability		-0.582***
		(0.198)
Age		0.066***
		(0.003)
Java-Bali		-0.265**
		(0.105)
Nusa Tenggara		0.480**
		(0.203)
Kalimantan		-0.234*
		(0.139)
Sulawesi		0.206
		(0.140)
Papua-Maluku		-0.145
		(0.150)
Constant	3.945***	0.576***

Tertiary education		0.190
		(0.145)
Trained		0.017
		(0.105)
Urban		0.691***
		(0.076)
Work Ability		-0.581***
		(0.184)
Age		0.037***
		(0.003)
Java-Bali		-0.445***
		(0.089)
Nusa Tenggara		0.266*
		(0.160)
Kalimantan		-0.029
		(0.130)
Sulawesi		0.041
		(0.117)
Papua-Maluku		0.103
		(0.147)
Constant	3.393***	1.410***

	(0.050)	(0.202)
Observations	28,657	28,657
Log Likelihood	-3,050.534	-2,752.191
Akaike Inf. Crit.	6,113.069	5,542.383
Note:	*p**p***p<0.01	

	(0.041)	(0.181)
Observations	25,523	25,523
Log Likelihood	-3,805.430	-3,573.646
Akaike Inf. Crit.	7,622.861	7,185.293
Note:	*p**p***p<0.01	

*Source: The estimation results of the researchers used Susenas data 2019 and 2020.*

### Annex 3: Result of logit regression analysis Sakernas 2019 and 2020

Result of regression WLS 2019

	<i>Dependent variable:</i>	
	Salary	
	(1)	(2)
Hearing disability	-281,127.900***	-180,764.300***
	(68,647.360)	(65,914.300)
Mobility disability	-310,930.000***	-303,292.100***
	(67,465.380)	(64,660.720)
Hand or finger disability	-676,205.200	-604,859.400
	(501,675.300)	(502,742.200)
Communication disability	-572,753.300***	-604,274.400***
	(160,136.400)	(155,590.000)
Other type of disabilities	-235,337.400**	-251,836.100***
	(97,983.590)	(94,575.590)
Sex		684,326.700***
		(46,415.580)
Attending Junior High School		167,797.600***
		(53,401.430)
Attending Senior High School		459,085.900***

Result of regression WLS 2020

	<i>Dependent variable:</i>	
	Salary	
	(1)	(2)
Hearing disability	-512,944.700***	-209,411.300***
	(47,095.640)	(40,910.570)
Mobility disability	-406,080.800***	-234,503.800***
	(42,130.920)	(36,294.750)
Hand or finger disability	-296,030.200***	-209,167.000**
	(100,280.100)	(85,971.270)
Communication disability	-717,765.600***	-560,423.600***
	(116,904.400)	(101,503.700)
Other type of disabilities	-468,311.500***	-263,690.500***
	(79,680.990)	(69,035.980)
Sex		465,952.900***
		(25,230.780)
Attending Junior High School		36,253.280
		(34,207.860)
Attending Senior High School		257,381.900***
		(34,552.650)

Tertiary education		962,005.200***
		(122,511.800)
Trained		-39,485.290
		(242,331.500)
Urban		-290,107.700***
		(45,233.130)
Work Ability		-313,486.600**
		(158,791.800)
Age		-3,513.909**
		(1,764.990)
Java-Bali		-93,904.740*
		(50,035.450)
Nusa Tenggara		-301,875.800***
		(100,331.000)
Kalimantan		170,516.900*
		(90,080.940)
Sulawesi		236,905.400***
		(74,490.320)
Papua-Maluku		391,721.800***
		(120,471.300)
Job-sector2	3.945***	223,402.500

Tertiary education		1,982,967.000***
		(56,149.080)
Trained		234,795.300***
		(39,682.330)
Urban		-295,295.000***
		(26,865.750)
Work Ability		-52,890.180
		(85,698.880)
Age		-4,626.283***
		(1,001.583)
Java-Bali		21,933.570
		(29,123.550)
Nusa Tenggara		-346,418.300***
		(51,454.290)
Kalimantan		105,230.800**
		(50,046.420)
Sulawesi		-138,327.600***
		(43,143.850)
Papua-Maluku		-5,322.608
		(68,835.850)
Job-sector2	3.393***	1,610,983.000***

		255,164.700)
Job-sector 3		181,416.100**
		(74,313.860)
Job-sector 4		262,943.900
		(584,896.000)
Job-sector 5		-321,864.100
		(230,018.500)
Job-sector 6		547,514.200***
		(90,283.210)
Job-sector 7		886,832.300***
		(59,238.150)
Job-sector 8		372,346.500***
		(87,740.720)
Job-sector 9		951,988.200***
		(86,191.080)
Job-sector 10		112,408.200
		(307,312.200)
Job-sector 11		6,268,075.000***
		(703,457.700)
Job-sector 12		1,860,363.000***
		(241,458.500)

		(146,908.700)
Job-sector 3		493,951.800***
		(42,803.090)
Job-sector 4		1,296,969.000***
		(304,714.000)
Job-sector 5		298,799.600*
		(164,801.300)
Job-sector 6		1,254,116.000***
		(61,466.730)
Job-sector 7		303,519.000***
		(36,064.730)
Job-sector 8		918,406.100***
		(68,320.830)
Job-sector 9		251,479.100***
		(52,140.490)
Job-sector 10		1,315,304.000***
		(177,999.100)
Job-sector 11		1,883,725.000***
		(161,508.400)
Job-sector 12		2,173,943.000***
		(167,928.800)

Job-sector 13		559,248.600**
		(258,713.600)
Job-sector 15		-102,932.900
		(290,655.400)
Job-sector 16		1,487,619.000***
		(266,776.500)
Job-sector 17		214,771.900**
		(85,941.670)
Constant	1,720,929.000***	1,080,182.000***
	(24,862.920)	(124,601.800)
Observations	9,671	9,671
R2	0.005	0.103
Adjusted R2	0.004	0.100
Residual Std. Error	30,088,574.000 (df = 9665)	28,603,027.000 (df = 9637)
F Statistic	9.491*** (df = 5; 9665)	33.652*** (df = 33; 9637)
Note:	*p**p***p<0.01	

Job-sector 13		1,185,301.000***
		(124,809.300)
Job-sector 15		2,244,198.000***
		(75,551.060)
Job-sector 16		1,096,663.000***
		(67,820.570)
Job-sector 17	1,327,454.000***	1,369,412.000***
Job-sector 10	(15,865.400)	(121,296.800)
Constant	1,327,454.000***	694,364.900***
	(15,865.400)	(71,127.960)
Observations	9,671	9,671
R2	0.005	0.103
Adjusted R2	0.004	0.100
Residual Std. Error	30,088,574.000 (df = 9665)	28,603,027.000 (df = 9637)
F Statistic	9.491*** (df = 5; 9665)	33.652*** (df = 33; 9637)
Note:	*p**p***p<0.01	

Source: The estimation results by the researchers using Susenas data 2019 and 2020.

## Annex 4: Provinces Enacting Disability-related Policies

No	Name of Province	Local regulation name
1	DKI Jakarta	Peraturan Daerah Provinsi Daerah Khusus Ibukota Jakarta Nomor 10 Tahun 2011 tentang Perlindungan Penyandang Disabilitas
2	DI Yogyakarta	Peraturan Daerah Provinsi Daerah Istimewa Yogyakarta Nomor 4 Tahun 2012 tentang Perlindungan dan Pemenuhan Hak-hak Penyandang Disabilitas
3	Jawa Timur	Peraturan Daerah Provinsi Jawa Timur Nomor 3 Tahun 2013 tentang Perlindungan dan Pelayanan bagi Penyandang Disabilitas
4	Jawa Barat	Peraturan Daerah Provinsi Jawa Barat Nomor 7 Tahun 2013 tentang Penyelenggaraan Perlindungan Penyandang Disabilitas
5	Jawa Tengah	Peraturan Daerah Provinsi Jawa Tengah Nomor 11 Tahun 2014 tentang Pemenuhan Hak Penyandang Disabilitas
6	Riau	Peraturan Daerah Provinsi Riau Nomor 18 Tahun 2013 tentang Perlindungan dan Pemberdayaan Penyandang Disabilitas
7	Kepulauan Riau	Peraturan Daerah Provinsi Kepulauan Riau Nomor 3 Tahun 2012 tentang Perlindungan dan Pemberdayaan Penyandang Disabilitas
8	Lampung	Peraturan Daerah Provinsi Lampung Nomor 10 Tahun 2013 tentang Pelayanan dan Pemenuhan Hak-hak Penyandang Disabilitas
9	Sumatera Selatan	Peraturan Daerah Provinsi Sumatera Selatan Nomor 6 Tahun 2014 tentang Perlindungan dan Pelayanan Kesejahteraan Sosial bagi Penyandang Disabilitas
10	Sumatera Barat	Peraturan Daerah Provinsi Sumatera Barat Nomor 2 Tahun 2015 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas
11	Kalimantan Selatan	Peraturan Daerah Provinsi Kalimantan Selatan Nomor 17 Tahun 2013 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas
12	Kalimantan Barat	Peraturan Daerah Provinsi Kalimantan Barat Nomor 1 Tahun 2014 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas



13	Kalimantan Timur	Peraturan Daerah Provinsi Kalimantan Timur Nomor 1 Tahun 2018 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas
14	Sulawesi Selatan	Peraturan Daerah Provinsi Sulawesi Selatan Nomor 5 Tahun 2016 tentang Perlindungan dan Pelayanan bagi Penyandang Disabilitas
15	Sulawesi Barat	Peraturan Daerah Sulawesi Barat Nomor 2 Tahun 2019 tentang Penghormatan, Perlindungan, dan Pemenuhan Hak Penyandang Disabilitas
16	Bali	Peraturan Daerah Provinsi Bali Nomor 9 Tahun 2015 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas
17	Nusa Tenggara Barat	Peraturan Daerah Provinsi Nusa Tenggara Barat Nomor 4 Tahun 2019 tentang Perlindungan dan Pemenuhan Hak Penyandang Disabilitas
18	Papua	Peraturan Daerah Provinsi Papua Nomor 5 Tahun 2013 tentang Perlindungan terhadap Penyandang Disabilitas

*Source: research analysis*



# PRAKARSA

Welfare Initiative for Better Societies

The PRAKARSA is a research and capacity-building institution established to create a democratic, just, and prosperous society through ideas development, policy and institutional reforms, and evidence-based problem-solving innovations. The PRAKARSA focuses on fiscal policy, social policy, and sustainable development issues.


We conducts research activities, policy analysis, and training on a wide range of topics related to welfare issues. In executing its various activities, The PRAKARSA consistently adopts collaborative and engagement approaches to collaborate with varied parties: governments, parliaments, civil society organizations, universities, think tanks, international organizations, private sectors, development donor agencies, and mass media.

We believe that this multi-stakeholder approach will strengthen our works and initiatives in the knowledge production and dissemination as well as the evidence-based policymaking process. We also believe that networking will facilitate and reinforce one another. Therefore, we have received support from various donors and participated in multifarious initiatives with The PRAKARSA partners.

**[www.theprakarsa.org](http://www.theprakarsa.org)**

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