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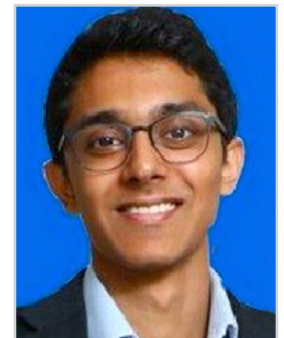
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The financial protection of Indonesian migrant workers and its economic consequences

Abstract

The Indonesian Migrant Worker Placement Service mandates Law Number 18 of 2017, which aims to reduce the departure of illegal and unprotected Indonesian Migrant Workers (IMW). This study aims to describe the problem of job placement and financial protection of Indonesian migrant workers as well as its economic consequences. This study uses a descriptive method with an in-depth case study. The research was conducted in the provinces of Nusa Tenggara Barat (NTB) and Nusa Tenggara Timur (NTT). The research area was chosen because both regions have a bad record in many IMW cases outside Java. The data were obtained using observation and interviews with the authorities in the city/district government agencies. Data analysis using Miles and Huberman is done by data reduction, tabulation, presentation, and conclusion. The results show that the government's one-stop integrated service (LTSA) has not reached all prospective migrant workers from NTB and NTT. The limitations of LTSA are influenced by technical factors, budget, and insufficient human resources. The research results are expected to provide an overview of the relevant parties always to prevent or suppress illegal IMW, which is the responsibility of the State. So that cases of violence against illegal IMW can be avoided.

Keywords: Migrant Workers; Protection of Workers; Illegal Worker; Government; Economic Consequences; Indonesian Migrant Workers

JEL Classification: I31; I38; J01; J15

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1. Introduction

Global migration governance is defined broadly as the norms and organizations that govern international migration. Globally, more than 150 million international migrant workers (Hargreaves et al., 2019). More than 86% of Indonesian Migrant Workers (IMW) throughout Indonesia come from Java and Nusa Tenggara islands. IMW from the Province of Nusa Tenggara Barat (NTB) and Nusa Tenggara Timur (NTT) also play an important role in absorption labor (Mas'udah, 2019). The World Bank noted that almost 35% of the total number of IMW, both legal and illegal, which contributed to employment, came from the island of Nusa Tenggara, especially NTB (World Bank, 2017). An increase in the number of IMW automatically increases the number of remittances to Indonesia. In 2019, the Head of the Central Statistics Agency (BPS) of the Province of NTB detailed that the total remittances that entered NTB from these various countries amounted to Rp. 1.22 trillion, and in the first quarter of 2020, the total remittances entered NTB was Rp. 76.6 billion from Bank Indonesia and Rp. 213.5 billion from PT. Pos Indonesia. Labor migration has diverse demographic, economic, and social impacts in sending and receiving areas (Arakelova, 2020). Most migrant workers, including IMW, work in the informal sector involving long working hours and hard physical work (Mucci et al., 2020), such as a plantation (Devkota et al., 2021) and household assistant.

More recently, research has also highlighted seasonal agricultural employment in European countries and how countries relate to precarious employment (King et al., 2021). The desire of IMWs to earn a better income is still the main attraction for IMW to work abroad. Most of the IMW from NTB work in Malaysia and Saudi Arabia because of the easy requirements and the existing network. Indonesian immigrants as the highest immigrant population in Malaysia (Waridin et al., 2020). However, the economic potential of working abroad has not been matched with maximum protection (Kumar, 2021). IMW placement will bring protection benefits if managed with integrated services so that local governments have exact data on residents who work as IMW. Previous experience, many IMW departed through brokers, causing various problems. IMW was dispatched using a tourist visa to become the target of control by the police abroad and even deported (Dhungana et al., 2019). Some cases are also indicated as human trafficking. The Indonesian government has prioritized enforcing immigration laws over labor and employment laws. From 2017 to 2019, the NTT local government has received 282 IMW coffins, most of which were shipped from Malaysia. The government's consistency in establishing indicators considers critical aspects of regional social and economic development (Kovarda, 2021).

This shows the vulnerability of IMW's position in the workplace, where death is caused by torture or unacceptable conditions at work. Through data obtained from the center for the Placement and Protection of Indonesian Migrant Workers (BP3IMW) NTT in 2017, NTT received shipments of around 62 coffins. In 2018 it continued to increase to 105 coffins, and as of December 18, 2019, as many as 115 coffins. Indonesian Migrant Workers who die abroad generally go to various destinations to find work without official procedures. The presence of the One-Stop Integrated Service (LTSA) brings a vision to minimize the rate of sending illegal/non-procedural IMW. This service is confirmed in Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers. The steps that can be taken to prevent illegal/non-procedural IMW start from the registration process for Prospective Indonesian Migrant Workers (PIPW) in their respective local governments. Previously, service provider companies (agents) were central in IMW recruitment. This is stated in the 2014 Law. However, at this time, the company is no longer recruiting because it has been carried out in an integrated manner through LTSA. This was done because the IMW recruitment mechanism carried out by agents gave rise to brokers, which even led to debt bondage, data falsification, and finally, human trafficking.

Nusa Tenggara Barat and Nusa Tenggara Timur are two provinces located in eastern Indonesia. These two provinces are part of the island of Nusa Tenggara. NTB's Open Unemployment

Rate (TPT) in February 2020 was 3.14%. The total workforce is 2,491,250 people. The working population is 2,413,030 people. A total of 1,570,820 people (65.10%) worked in informal activities, and 842,210 people (34.9%) worked informal activities. While in the province of NTT, TPT reached 2.80%. The number of the NTT local workforce in 2020 is 2.64 million. The working population is 2.56 million people, and the unemployed are 73.7 thousand people (Hargreaves et al., 2019). These two provinces are the largest IMW senders in Indonesia outside Java. IMW from NTB was ranked 4th in IMW placement by province for the 2017-2019 period. The number of IMW NTB working abroad in 2019 was 30,706 people. Based on 2019 IMW data released by BP2MI in 2018 and 2017, the number of IMW sent from NTB abroad was more than in 2019, namely 32,557 people, 34,994 people.

The number of cases against IMW shows the weakness of the institution's bureaucracy in protecting worker safety. So that research is needed to describe the main problems of violence against Indonesian migrant workers. This study aims to describe the problem of job placement and protection of Indonesian migrant workers. This article will describe the reality of IMW placement in NTB and NTT, raising the main problem, namely how local governments run IMW placement services in NTB and NTT to protect IMW. The study results are expected to provide answers to the problems of Indonesian migrant workers working abroad and be taken into consideration by relevant parties in managing prospective Indonesian migrant workers.

2. Research Methods

This study uses a descriptive method with an in-depth case study. The research was conducted in the provinces of Nusa Tenggara Barat (NTB) and Nusa Tenggara Timur (NTT). The research area was chosen because both regions have a bad record in many IMW cases outside Java. The areas described are Mataram City, West Lombok Regency, Central Lombok Regency, Kupang City, Kupang Regency, and Southeast Timor Regency. Agencies that were targeted for research visits were the Manpower and Transmigration Office of NTB Province, the NTT Province Manpower and Transmigration Office, the Mataram City Manpower Service, the Kupang City Manpower Service, the West Lombok Regency Manpower Service, the Central Lombok Regency Manpower Service, Manpower Office Kupang Regency, Southeast Timor Regency Manpower Office, West Lombok Regency LTSA, Central Lombok Regency LTSA, Mataram City LTSA, Kupang City LTSA, PT. Cahaya Lombok, the Indonesian Migrant Worker Protection Agency (BP2MI) of Mataram City, and BP2MI of Kupang City. The data were obtained using observation and interviews with the authorities in the city/district government agencies. Data analysis using Miles and Huberman is done by data reduction, tabulation, presentation, and conclusion.

3. Results and Discussion

3.1. Employment Profile of the Provinces of NTB and NTT

The province of NTB has limitations in absorbing labor due to the low level of education. So that the people of NTB and NTT have the choice to become IMW. On average, people who become IMW have a low level of education and are placed in the informal sector. Indonesian migrant workers from NTB AND NTT have an average age of 27-30 years, 68.6% male and 31.4% female. On average, Indonesian migrant workers have a basic education level of 41.8% and a secondary education level of 33.79% (World Bank, 2017). Indonesian Migrant Workers from NTB and NTT work in the agricultural sector in Malaysia, other Asian countries, and the Middle East. Indonesian Migrant Workers work as housemaids (32%), farm laborers (19%), construction workers (18%), factory workers (8%), caregivers for parents (6%), shopkeepers (4%), drivers (2%) and ship workers (2%).

3.2. Problems faced by IMW from NTB and NTT

The violence experienced by IMW is usually due to workers from the village and having a low level of education. The low absorption of labor and low education are widely used by irresponsible parties (illegal IMW distributors) to seek profits without the safety of IMW. The limited absorption of local workers makes IMW candidates not care about safety at work, and the most important thing is getting a job and getting a salary. Indonesian Migrant Workers departures through illegal parties often cause problems when working abroad. Indonesian Migrant Workers, with the help of illegal parties, usually use a tourist visa and are in the destination country of work (Devkota et al., 2021).

The departure of IMW, who initially wanted to work because they went through illegal channels, often caused problems. A better income still tempts many people if working abroad is a special attraction for the community. As a result, many third parties, namely illegal IMW distributors, take advantage of this condition. During 2017, there were 237 complaints from IMW from East Nusa Tenggara. In 2018 it decreased to 75 complaints but increased again to 118 complaints in 2019. From 2017 to 2019, the NTT government has received 282 IMW coffins. Most of IMW's coffins were imported from Malaysia. Data from BP2MI NTT in 2017 shows that NTT received shipments of around 62 coffins, then in 2018, it continued to increase to 105 coffins, and as of December 18, 2019, as many as 115 coffins. The IMWs who died abroad generally went to various destinations to find work without going through official procedures. Migrant workers have a higher risk of mental health decline than non-migrant workers (Devkota et al., 2021). Indonesian Migrant Workers who work in the Asia Pacific region have low salaries, heavy workloads, discrimination in the workplace, and a hostile work environment (Asis & Carandang, 2020; Suyanto et al., 2019).

3.3. IMW Placement Services in NTB and NTT

3.3.1. Placement services that have not been integrated with the system

The central government has built a unique system for IMW called the Employment Information System (SISNAKER), LET'S WORK, and the Computerized System for Overseas Workers (SISKOTKLN). SISNAKER, LET'S WORK, a recording and data collection system for all workers. SISKOTKLN, specifically for PIPW, will get an identification number as IMW later. The observations and interviews found that not all districts and cities in the Provinces of NTB and NTT carried out the placement procedure by utilizing the system. The NTB Manpower Office regulates IMW recruitment procedures and the entire PIPW registration process at the Regency/City Manpower Office. PIPW who already have an identity number goes directly to the NTB Provincial Manpower and Transmigration Office to get a passport recommendation. The Manpower Office's Head stated that all these processes had been written in a manual following the applicable laws and regulations.

In West Lombok Regency - NTB, the «Let's Work» Application is applied. First, the West Lombok Manpower Office inspected the PIPW files/documents, requirements, and validity. Then PIPW is called for selection. For jobs in the non-formal sector, the selection of PIPW is admittedly not so selective because the average PIPW who registers for jobs in the non-formal sector such as plantations, housemaids, elementary school graduates, or not elementary school graduates. In addition, agricultural industries in rural areas are increasingly dependent on migrant workers (Hedberg, 2021). After the PIPW selection stage is complete, the PIPW data will be entered into the «Let's Work» application. This application will automatically display PIPW data if the Population Identification Number (NIK) follows the Civil Registry and Population Service.

Furthermore, PIPW will be interviewed by Disnaker to explore their knowledge of placement agreements and work agreements. PIPW is expected to read this agreement carefully. They considered that there were still many discrepancies between placement locations in agreement and what was happening in the field. After that, the Manpower Office issues the PIPW Identification Number, which serves as the serial number for passport issuance at the LTSA, and if the number of IMW has reached 5-10 people who have finished processing the documents, the Manpower Office will bring the PIPW documents to the LTSA. The document was also brought to the Disdukcapil for verification. In the following process, PIPW will check health, then make a passport at the Immigration office. In addition, supervision will be tightened if incomplete documents related to P3MI Disnaker are found. The West Lombok government has the right to reprimand verbally and in writing and even impose sanctions coordinated directly with the Ministry of Manpower.

Observations at the NTT Manpower Office revealed that SISNAKER did not work well because the internet network quality in some districts/cities was inadequate, so there could be delays in information being sent from the center or province to districts/cities. The absence of operators in several districts/cities to operate the system makes it unable to be utilized optimally, and even some districts/cities cannot use it. The results of observations at UPT BP2MI and the Manpower Office of Kupang show that the City of Kupang has implemented SISKOTKLN. PIPW leave all their input data into the system and have their own NIK. If the NIK entered does not match, then PIPW cannot yet take care of the shortage. The district government of Southeast Timor has developed the SISKOTKLN system to locate IMWs from this district. The Southeast

Timor Regency Government also prepares data manually as a data recap to obtain faster if needed. All data from PIPW and data from companies regarding recruitment quotas and others are already in this system. The SISKOTKLN system also eliminates the interview stage between PIPW and the company.

The recruitment system follows Law no. 18 of 2017. Currently, the NTT Provincial Office no longer publishes Recruitment Cover Letters for companies because of quotas from the center and applies to all of Indonesia. The previous system was considered insufficient to protect because if the quota for the targeted company were complete, the recruited PIPW would be transferred to another company or the PIPW who chose to go to Malaysia. However, because the quota is complete, it will be transferred to Brunei through the same company. This move from Malaysia to Brunei will make it difficult for officers because it still lists the country of origin (Malaysia), not the original (Brunei). The current SISKOTKLN system helps check whether a service company can recruit or not and whether the service company still has a valid license because sometimes the center puts a service company on the blacklist for committing violations. With the SISKOTKLN system, district governments who initially did not know became aware.

3.3.2. Need to Improve One-Stop Integrated Service (LTSA)

The NTB Provincial Government has provided an LTSA that can serve PIPW who do not yet have an LTSA in the Regency/City where they live. Government commitment can be interpreted as a desire to involve the psychological bond between workers and organizations (Mustafa et al., 2019). Therefore, LTSA in NTB Province is running effectively. The presence of LTSA is useful for PIPW in making the necessary documents as a condition to become an IMW legally. Document creation in LTSA can be done in just one day. So, with LTSA, PIPW can create documents quickly, well, and effectively. The LTSA formation was also accompanied by a Task Force, which is expected to minimize illegal IMW. The task force is placed at posts at ports and airports to detect PIPW departing illegally. However, this is also still considered not successful in eliminating IMW that is not procedural. This is because PIPWs leave with travel passports, and they end up being unprocedural IMW when they get there.

The Central Lombok area in NTB Province already has LTSA equipped with Immigration, Dukcapil, Banking, Social Security Administering Agency for Employment, Hospital, UPT BP2MI. PIPW conducts the pre-placement process flow by completing the documents brought to the Central Lombok Manpower Office by the distributor (P3MI). Documents that must be brought include KTP, Birth Certificate, Family Card, Diploma (if any), Family Permit, Photo Pass. Furthermore, the file will be verified by the Central Lombok Manpower Office. After going through the file selection stage, the PIPW will be interviewed directly by the Manpower Office. After the Disnaker of Central Lombok Regency received the file, the file was then brought to LTSA. The biodata will be entered into the system, and then an IMW ID will be created, which will be entered into the SISKOTKLN. Central Lombok Manpower Office will accompany PIPW with Disdukcapil because many fake NIK is found. Data is entered into SISKOTKLN to prevent non-procedural departures. The Central Lombok Manpower Office asked the Dukcapil to check the validity of the PIPW NIK. This mechanism is good enough to reduce PIPW using fake identities. PIPW has understood that it will be rejected by the system if it provides false documents. PIPW whose incomplete documents can be completed/made at LTSA, such as a family card or KTP.

The LTSA in the Regency/City of the Province of NTT was not supported by an adequate budget, causing several parties to leave LTSA because they were deemed not to have sufficient budget to carry out the entire PIPW placement process. LTSA cooperates with several parties such as immigration as the manager of PIPW passports, imaging clinics, and BPJS Health as providers of health facilities. The problem in processing files at LTSA is making passports because there is no passport machine at LTSA, so to go to immigration or wait for immigration officers who only come 2-3 times a month to the LTSA office. Regencies/cities that have not yet formed LTSA in their territory can process their documents at the NTT Provincial Manpower Office. Although the documents that can be processed only to help make passports to immigration are submitted to BP2MI for departure. Hence, the NTT Provincial Manpower Office authorities and function for districts/cities that do not yet have an LTSA is as a facilitator and a coordinating liaison with other agencies and not as a decision-maker. The interrelated horizontal and vertical factors of local and central government hinder the better recruitment of Indonesian migrant workers (Devkota et al., 2021).

The presence of LTSA in several districts/cities in NTT Province will reduce the level of illegal IMW in this province because the process is easy and practical, so that there is almost no gap for P3MI to commit fraud. The easy and inexpensive process at LTSA is expected to make people who want to work abroad choose companies that have the right placement management. P3MI, whose territory has formed an LTSA, then the management is direct to LTSA and P3MI, whose territory does not yet have an LTSA, then directly to the district/city Manpower Office or directly to the Provincial Manpower Office. However, LTSA's performance was not optimal due to inadequate or insufficient operations, so the P3MI cheating loophole still existed. At least it can be reduced as much as possible with minimal surgery. LTSA in Kupang City has not been effective because the programs that have been implemented have not been maximized. Inadequate access to equipment is one of the factors that the LTSA in Kupang City has not run effectively. The Regional Government of Kupang City and Kupang Regency hopes that LTSA in these two areas can serve PIPW from Timor Island, Sabu Raijua, Rote Ndao, and Semau and Maumere, as well as PIPW from Flores, Palue, Solor, Adonara, Lembata, and Alor Islands.

3.3.3. Community Legal Culture

The NTB Provincial Government took preventive steps to protect PIPW by providing training to PIPW according to Governor Regulation No. 44 of 2020. The training must be carried out in the Province of NTB and should not be carried out in other areas. This is to prevent the sale and purchase of training certificates. After the training is carried out, the PIPW will be tested for its competence. Proper training can increase the ability to create good workers (Nawi et al., 2019). In addition, the government must improve facilities and infrastructure according to the competence of PIPW. The Mataram City Government prioritizes community empowerment to work independently through the Entrepreneurial Program. This effort is carried out in equipping job seekers with entrepreneurial skills and being financially independent. This program also aims to minimize non-formal PIPW. If the workforce can work abroad, the local government directs the workforce to the formal sector work path through the Government to Government (G to G) program. The Mataram City Manpower Office has a workforce empowerment program to provide financial independence to foreign exchange/IMW retirees, namely Independent Workers, an entrepreneurial program by opening a business in their village after returning to their homeland (Djafar, 2019).

The presence of LTSA in West Lombok is very time-efficient and cost-effective. However, it is necessary to complete the LTSA with a work unit in the Immigration sector and ask the Ministry of Health to carry out health checks for PIPW at hospitals in West Lombok Regency to save time. The West Lombok Manpower Office is very optimistic that the existence of LTSA can minimize the number of IMWs who do not comply with procedures because LTSA makes PIPW faster and easier in processing documents for registration purposes as IMW. All documents can be managed in one place, thus saving costs and time. The West Lombok government also guides by establishing Productive Migrant Villages. The benefit is that it can conduct early socialization to PIPW about the placement procedure. Four villages became Productive Migrant Villages in West Lombok Regency, namely Bagussalam Village, Banyu Urip Village, Gelogor Village, and Kuranji Village, formed in 2017-2020. These villages continue to coordinate with the West Lombok Manpower Office. Women migrant workers and undocumented migrants are the most vulnerable subgroup of migrants (Arakelova, 2020).

The local government has provided exemplary services for IMW placement. Failure to comply with regulations can cause migrant workers to lose their «legal status.» However, in the system, there is no coordination between each agency in terms of legislation. Immigration, BP2MI, and the Ministry of Manpower have their own rules. So there is often an ego-sector of each agency. For example, when the PIPW has been recommended by the Manpower Office and brought by the company to immigration, but when at the Immigration office, the PIPW will be interviewed again by the Immigration officer. If the ID number provided by the previous Disnaker fails at immigration, the ID number cannot be deleted. If PIPW fails to issue a passport, this becomes a problem. Immigration has its own rules that must be used as guidelines. If the Immigration officer says the PIPW failed to issue a passport, the Manpower Office cannot refuse the decision. However, facilities from Disnaker and other parties are still provided.

4. Conclusion

The government implemented a one-stop integrated service (LTSA) that has not reached all prospective migrant workers from NTB and NTT. The limitations of LTSA are influenced by technical factors, budget, and insufficient human resources. Good and orderly coordination between relevant agencies in managing PIPW files about to leave to run effectively. The culture of NTB and NTT who choose to work abroad is a right that the State must accommodate. Therefore, the functions and responsibilities of the State can be seen from the seriousness of providing integrated and integrated, affordable, and inexpensive services so that the PIPW and P3MI data can be ascertained. Their presence at work is also well controlled, which in turn reduces illegal IMW. The research results are expected to provide an overview of the relevant parties always to prevent or suppress illegal IMW, which is the responsibility of the State. So that cases of violence against illegal IMW can be avoided.

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