Child Domestic Workers (CDW) in Indonesia:
Case Studies of Jakarta and Greater Areas

RESEARCH REPORT

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Executive Summary

The Situation

In 2004, ILO estimated that there were at least 700,000 child domestic workers in Indonesia. Many believed this figure was an underestimate. Even though SAKERNAS and SUSENAS discover less number, it does not negate the fact that working in private dwellers makes it difficult for children in child domestic work to be identified, and therefore to be reached by basic services and specific protective measures. In nature and by circumstances, child domestic workers are often not seen by the public eye and hidden from the big national data.

Domestic work, in addition to its contribution to the overall economy and to the welfare of their own families, is also contributing to the broader social aspects of the society. This work mostly undertaken by women and girls does not take place in “traditional” working spheres such as offices, shops, markets, or factories. Being in informal economy makes domestic work rarely counted as part of the labour market.

One of the girls interviewed in West Jakarta

General knowledge, nonetheless, indisputably tells us that the existence of domestic work, hence the role of domestic workers, is one of the determining factors for other economic activities. The fact that families and individuals can now rely on the support that domestic workers provide, have enabled more men and women to participate constructively in the economy and development. Domestic workers ease the burden of their employers by taking care of house chores, keeping it clean and at times arranging meals and house supplies, taking care of babies, toddlers or teenagers, help the children in the house to get ready for school hence indirectly enabling other children’s education, safeguard their homes while they are away – list of things that in a way enable the employers to be a much more productive employees to others.

For certain, domestic work plays a significant socioeconomic role in the society and therefore should be treated with respect, protected and compensated accordingly.
The situation becomes more complex when it comes to children working as domestic workers. In Indonesia, child domestic workers make up about 4 to 5% of child labour market and approximately 15% to 23% of domestic work. More than 84% of child domestic workers are girls and the percentage is higher in the older children of 15 to 17 year-olds. Around 10% of children in domestic work are aged between 10 to 14 years old, what makes them fall under the child labour category.

The debate on child domestic work is as extensive as the one raised on child labour in general, and it all comes down to the main issue: should we allow children to work, and in this case, as domestic workers? Indonesia sets the minimum working age at 15 years. By complying with this international standard, Indonesia categorizes children below 15 years old working as domestic workers as child labour, i.e. a situation to be eliminated or prevented. On the other hand, the Indonesian government also recognizes child domestic work, regardless of the age of the child, as one of the worst forms of child labour ought to be eliminated. The question then: is it a thorough assertion and if so, how to best address it.

Presumably, child domestic workers in Indonesia –as child workers in general, come from families with economic adversities and national data shows that most of them have low qualifications. Over 99% of child domestic workers in Indonesia are literate, but over 50% only attended primary education. On one hand, being in domestic work has put these children in paid employment despite their poor competencies. Unfortunately, on the other hand, they tend to work long hours and being paid very little. None of the child domestic workers interviewed has a written working agreement, and none were able to negotiate his/her salary. Other benefits such as health care and safety insurance are not included. When the worker falls ill, medicals are covered based on the employer’s personal discretion.

SAKERNAS and SUSENAS 2010 show that child domestic workers are working in average 55 to 70 hours per week and being paid in average 120,000 rupiah per month (around $12). The lowest salary of those interviewed is 200,000 rupiah per month (around $20). Although vanishing, the risk of being in unpaid domestic work is higher in younger children 10 to 14 year-olds. Child domestic workers with scheduled visits (non live-in) tend to belong to the lower salary group. Some live-in child domestic workers interviewed receive allowance and tips for extra work and in-kind payment in the form of meals, lodge and toiletries, and most receive holiday allowance (THR).

Poverty, parents’ education, lack of access to education and employment opportunities, are common push factors for young people to enter domestic work. 86% of child workers come from low-income families who earn less than 1 million rupiah per month.
(around $100). Parents from 68% of them only attended primary school (51%) and junior secondary school (17%). The interviews show that more than 20% of the Child Domestic Workers have at least one parent who works as domestic worker. Most of the children interviewed are self-motivated to work as Domestic Workers. 65.71% started working to help their parents financially and the rest because it interests them.

Being employed in paid domestic work while having low qualifications might presumably have prevented some of them from falling victim to worse forms of child labour such as being trafficked for sexual purposes, from illegal migration, or from falling to early marriage. However, the hidden nature of child domestic work makes them vulnerable to exploitative situations. Experience of sexual harassment and physical abuse are discovered in the interviews, but none of them were reported to the authorities and it does not stop the child from re-entering domestic work. This situation is eased by inadequate domestic work monitoring mechanism and absence of sufficient protective regulations.

In addition to constant availability of supply, children are drawn into domestic work by perpetual need from individuals and families alike. Improved economy at large, increased both men and women’s participation in the job market, long hours parents spend at work and commuting, are anecdotally influencing the demand side. More than 50% of Child Domestic Workers’ employers finished their higher education with a bachelor degree of diploma. The salary of the head of households who employ child domestic workers is in average 7.5 million rupiah per month and 60.2% of them work as employees (“pegawai”). A regression analysis from national data suggests that households with higher income and higher level of education of household head have smaller chance to employ child domestic worker, while the likelihood increases with the size of the family. When the regression is applied to 15 to 17 year-old Child Domestic Workers, the likelihood to employ one increases with the level of education and income of the household head, and decreases with head of household’s age. National data shows that most employers are concentrated in DKI Jakarta province followed by East Java, West Java, Central Java and Banten. In 2009 and 2011, Bali and East Nusa Tenggara increasingly became the destination provinces for child domestic workers.

Despite some positive apparent impacts of child domestic work, negative long-term impacts are of concern calling for better policies and programs to address the issue. Previous studies evident that child labour in general deters child’s cognitive development and in the end decreases his/her ability to have better earning in the future. Findings from this study suggest that being in domestic work puts children out of school. More than 75% of child domestic workers are not attending school anymore. *Figures of child workers who are out of school are lesser compared to that of*
child domestic workers suggesting that the risk of school dropouts amongst children who work in domestic work might be greater than in other type of activities. Interviews show a low aspiration of education amongst child domestic workers and a growing perception that they are not worthy of other type of work. They perceive that domestic work provides them sufficient earnings; although at the same time they would like their siblings to avoid such work.

There are a number of notable regulatory frameworks such as the Law No. 23 of 2002 on Child Protection and ratification of ILO Convention No. 138 and No. 182. A Presidential Decree No. 59 was signed in 2002 setting forth a National Action Plan to Eradicate All Worst Forms of Child Labour, which lists child domestic work as a worst form of child labour. In addition, the Ministry of Labour and Transmigration is implementing PPA-PKH as the only child labour-specific program that is reaching children with direct benefit. It was launched in 2008 and even though it was not designed specifically for child domestic workers, the program has been reportedly provided assistance to Child Domestic Workers. PPA-PKH aims at withdrawing children from child labour, by having them participate in a one-month rehabilitation-training program, and at the end of the program to provide them with assistance to register in schooling formal, non-formal, or vocational. PPA-PKH works within PKH (National Conditional Cash Transfers) beneficiaries framework and finances children from PKH families who are not being covered by the PKH grant.

Despite its necessary targets, PPA-PKH reportedly lacks durable mechanism in identifying and minimizing risk of labour and has fragmented response to tackle the negative impact of child labour. Due to unclear beneficiaries eligibility, PPA-PKH does more prevention than withdrawing. The efficacy of the approach is seemingly indefinite. PPA-PKH does not include the monitoring of withdrawn children, which makes it difficult for the program to know whether these children manage to stay in school, to strive structured education and academic challenges, or if they end up going back to the same, better or worse labour. PPA-PKH also depends on the infrastructure of the education sector. Non-governmental organizations are providing bridging and remedial courses for children withdrawn from child labour to help them transition back to school in some locations. However, there is no mechanism in place to measure whether it increases the likelihood of success of PPA-PKH beneficiary.

The Proposed Policy Response

1. **To immediately address the absence of accurate and comparable data on child domestic workers.** Despite common understanding that being in a child labour situation in domestic work is not of children’s best interests, limited evidence
exists on the condition of Child Domestic Workers as well as on the factors influencing its supply and demand. To help provide inputs to policy making, therefore, it is recommended to improve ways to generate evidence and develop a mechanism to monitor and to gather information on child domestic workers. One possible way is to cooperate with the national statistics body (BPS) in improving its regular surveys as to capture key information regarding Child Domestic Workers.

2. Acknowledging that Indonesia has taken steps towards considering domestic work a worst form of child labour despite showing slow progress in clear policy directions, actions and programs to combat child labour in general and child labour in domestic work in particular should encompass at least four main goals, which are:

a. **No child below 15 years old should be in domestic work;**

b. **No child, irrespective of his/her age, should be in a hazardous labour situation in domestic work, i.e. in a situation** where the work by its nature or the conditions in which it is carried out is likely to harm his/her health, safety or morals;

c. **No child, irrespective of his/her age, should be in a slavery alike domestic work situation,** i.e. trafficking, forced labour, or debt bondage; and

d. **All young employees (15 to 17 year olds) in domestic work should be protected,** while continue working towards elimination of child labour in domestic work.

Therefore, continuous policy dialogue towards building a comprehensive legislative and policy action to end child labour and to protect young workers in domestic work should carry with it elements of:

- Revisiting the national hazardous child labour list and contemplate domestic work, to explore how to regulate, with special attention to the specific needs of the four groups above, including regulating the minimum standards on the working and living conditions of those who are in youth employment in domestic work situation. This should include strict limits on hours of work, the prohibition of night work, restrictions on work that is excessively demanding, and monitoring mechanisms on working and living conditions.
• Developing an employer incentive system that rewards ideal domestic work situation and establishes a proper monitoring mechanism that is in line with the Child Labour Conventions No.138, No.182 and the Convention No.189 concerning decent work for domestic workers, which includes formalization of the employment relationship in domestic work through the promotion of written contracts or model employment contracts.

• Developing a prevention-focus effort to avoid that a child below-15 years of age enters domestic employment regardless of the working condition, by continue working on the access to education. It is worldly recognized that the longer a child is kept in education, the lesser the chances to be exploited in addition to the greater the chances for future earnings.

• Enforcement of the general minimum age for admission to work or employment: no child in Indonesia should be in domestic work, or in any work below the age of 15. This should also be linked to the national policy on 9 years of compulsory education.

• Identification, prohibition and elimination of the types of domestic work that by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children. This would entail adoption of appropriate penalties and provision for adequate complaint mechanisms as well as its handling, which guarantees access to justice and legal redress; an effective monitoring mechanism, including effective labour inspection that is authorized by law to enter premises in order to enforce provisions applicable to domestic work. In addition special attention should be paid to child migrants’ vulnerability to abusive working conditions in domestic work.

3. Although the study could not draw strong links between child domestic work and cultural patterns, it found in its literature review and anecdotal information from the interviews that there are perceptions of domestic work as a “safer” form of work, which would explain the majority of girls involved in this type of work as well as the low aspiration of seeking other alternatives including education. The forms of work in domestic area are also perceived as, in addition to being “safe”, also being highly feminized.

More in-depth study on knowledge, attitude and practices around these perceptions would be necessary in order to gain better understanding about the situation and the complex dynamic that are pushing and pulling it.
Recognizing its interlinked nature, child labour (and in this case, in particular, child domestic work) programs should cover at least three main components, which are:

1. **Child labour’s basic rights to survive**, which include food, nutrition, shelter, clothing, water, sanitation, and healthcare;

2. **Child labour’s developmental rights**, which include education and psychosocial support; and

3. **Child labour’s protection rights**, which include access to legal identity (birth certificate) and protection from as well as reporting mechanism of abuse and violence (either physical or psychological) and from labour exploitation.

The three components can be strengthened with enablers such as cash assistance utilized to access such services if needed and PPA-PKH facilitators offering family support that provides range of psychosocial care typically offered by caregivers, family members, neighbours, teachers, health workers, and community members on a daily basis and in some cases might require specialized social workers. Cash assistance should be seen as temporary while the more sustainable mechanism is to develop mechanism for the identified children to be able to access services for free.
## List of Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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| BAPPENAS  | Badan Perencanaan Pembangunan Nasional  
*Ministry of National Development Plan* |
| BLT       | Bantuan Langsung Tunai  
*Unconditional Cash Transfers Program* |
| BPS       | Badan Pusat Statistik  
*National Statistics Body* |
| BSM       | Beasiswa Siswa Miskin  
*Scholarship for Students from Poor Families Program* |
| CDW       |  
*Child Domestic Workers* |
| ILO       |  
*International Labour Organization* |
| JAMSKESMAS| Jaminan Kesehatan Masyarakat  
*Health Insurance for the Poor Program* |
| MOLT      |  
*Ministry of Labour and Transmigration* |
| PKH       | Program Keluarga Harapan  
*Indonesian Conditional Cash Transfers Program*  
(Program Keluarga Harapan in English would be Family Hope Program) |
| PKSA      | Program Kesejahteraan Sosial Anak  
*Conditional Cash Transfers for Child Welfare Program* |
| PPA-PKH   | Penarikan Pekerja Anak untuk Mendukung Program Keluarga Harapan  
*Withdrawal of Child Labour Program to support the Indonesian Conditional Cash Transfers Program* |
| RASKIN    | Beras Miskin  
*Rice Subsidy for the Poor Program* |
| SAKERNAS  | Survei Tenaga Kerja Nasional  
*Labour Force National Survey* |
| SUSENAS   | Survei Sosial Ekonomi Nasional  
*Socio Economic National Survey* |
| UNICEF    |  
*United Nations Children’s Funds* |
1| Background

Tuti, not her real name, just started working as a non-residence domestic worker in a household in Bekasi area. She followed her older sister to Jakarta with a desire of going back to school, but this thirteen year-old primary school graduate girl from West Java ended up working instead. Tuti’s sister is married with one child and Tuti lives with the three of them in a rented one-bedroom space nearby. Tuti works from 5:30 AM to 5 PM everyday including weekends. Sometimes she only leaves the house at 7PM when asked by her employer to cook dinner for the family. Tuti spends the night there from time to time when it is too late for her to go home, and when she does she sleeps on the floor and does not receive extra pay. Tuti said her employer once said that they will help Tuti gets back to school; and holding on to that ‘promise’ Tuti still is. She speaks nicely about her employer she referred to as ‘Ibu’ (Mam), telling us, “Mam is very nice to me, I think of her as my own mother, as mine has passed away and my father is now remarried”. Tuti’s employer often asks her to become their live-in worker. However, finding joy from playing with her new friends from a Quran class in her neighbourhood after work refrains her from saying yes. Tuti is not looking for another job because she finds it “okay” to work there and her employer promised her a chance of education. Although at the end of the interview Tuti then said “I don’t think it’s going to happen”.

Tuti shares her story with at least 700,000 other children in Indonesia. An estimate made in 2004; a figure that is believed by many as an underestimate. Working in private dwellers makes it difficult for Tuti and many children alike to be identified, and therefore to be reached by basic services and specific protective measures. In nature and by circumstances, child domestic workers are often not seen by the public eye and hidden from the big national data.

In less than two years, the world will have to humbly admit that we all have yet to fully achieve the millennium development goals we set by and for ourselves fifteen years ago. Despite some notable successes, Indonesia is one of the countries that still have a list of homework to be addressed. One of the issues on the list is child labour. Recent post-MDGs vision paper published by Save the Children emphasizes the fact that there are millions of children still involved in hazardous work. Ensuring that all children will be prevented from having to work in circumstances that are harmful to their health, safety or morals, development or interfere with their education is considered key (Save the Children, 2012).

Important achievement has taken place over the last decade in the fight against child labour. Globally, the number of working children and incidence of child labour have
declined, particularly among girls and in the worst forms of child labour. The reduction was driven by legislative, policy and advocacy initiatives, including the ratification of the key ILO Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) by countries. In addition, these ratifications are strengthened by development and adoption of National Action Plans to tackle child labour.

However, in spite of this dynamic, the rate of child labour reduction has slowed in recent years. There are currently still 215 million children in child labour with approximately 115 million children in hazardous work, where majority are found in agriculture, mining, fishing and the informal economy, including in domestic work. The ILO estimates that children make up nearly 30% of the world's domestic workers. Children in domestic work are very vulnerable to physical, sexual, psychological or other forms of abuse, harassment and violence because their workplace is shielded from the public and they generally lack co-workers, with live-in workers being the object of particular concern.

In 2011, the ILO adopted new standards, namely Convention No.189 and Recommendation No. 201, on Decent Work for Domestic Workers. These instruments stipulate that domestic workers, like other workers, have the right to decent working and living conditions. Concurrent with that, member countries, including Indonesia, are required to set a minimum age for domestic workers that must not be lower than that established for workers generally, in this case 15 years old, in accordance with ILO Convention No. 138 and No. 182. The attention is also drawn to the need to identify hazardous domestic work, to prohibit and eliminate such work for children under the age of 18, taking into account C.182 and R.190 supplementing it.

The new convention requires Members to take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence. In addition to emphasizing the need to eliminate child labour in domestic work, the Convention pays attention to the special needs of Child Domestic Workers, namely children above the legal minimum age for admission to employment or work and below 18 years of age. The Convention requires Members to take measures to ensure that work performed by these children does not deprive them of compulsory education, or interfere with opportunities for further education or vocational training. They should also strictly limit their hours of work to ensure adequate time for rest, education and training, leisure activities and family contacts; prohibiting night work; place restrictions on work that is excessively demanding, whether physically or psychologically; and establish or strengthen mechanisms to monitor their working and
living conditions. In order to do all that effectively, we need to know more about the situation.

In Indonesia, domestic work is an important part of the economy. The ILO estimates that there were nearly 2.6 million domestic workers in the country in 2001, and that this number could be higher today (ILO, 2004). Not less than 437,000 children below 18 years old have been identified by the Indonesia National Child Labour Survey 2009, as working as Child Domestic Workers, 58.5% of them are girls and from rural areas and almost 50% of them are below 15 years. Unfortunately, the number of working girls is often underestimated in statistical surveys due to the nature of work they are involved in. As a result, a large number of girls continue to engage in unpaid economic activities such as work in household enterprises, or hidden activities such as domestic work, with some of them being victims of prostitution and trafficking.

From different reports in different years, we get anecdotal trend information of Child Domestic Workers in Indonesia. Using the base of 2.6 million domestic workers in Indonesia in 2002, a Human Rights Watch report estimated that approximately 34.82% of them were children (HRW 2005). By 2004 this was up to approximately 35.47% (ILO 2004), however the 2009 child labour reported a much smaller percentage of 19%. More than 90% of Child Domestic Workers are girls and 32% started working when between 15-17 years old, while 25% started working before they reached the age of 15 (ILO 2004). Child Domestic Workers were recruited via family (34%) and via agents (8%), where most parents of Child Domestic Workers only completed elementary education and mostly work as farmers (ILO 2004).

Information on working condition of Child Domestic Workers in Indonesia is still varied from harsh (as used in Human Rights Watch reports) to inconclusive when tried to be statistically measured using more detailed indicators (ILO, 2004). It really depends on what account for good and bad working condition; in comparison to what kind of job or circumstances; or, like many scholars, in comparison to readily available alternatives for them.

This study intends to contribute to the discussion without claiming that it will provide the answers to the aforementioned gap of information. It looks at the SUSENAS and SAKERNAS surveys conducted by Indonesia’s Office of Statistics (BPS) to provide additional information to the one-time 2009 child labour survey about the characteristics of child domestic workers, the push and pull factors, their working situations and, when possible, the profile of the employers. This study intends to explore what the annual national data tells us about child domestic workers, and what it does not. Realizing its limitations, this study does not intend to give powerful
statistical evidence to support or refute current premises on child domestic workers, but rather it tries to provide clearer descriptions about Child Domestic Workers in Indonesia, and therefore contribute to the analysis of the phenomenon.

2| Study Questions

This study attempts to answer the followings:
1. What are the demographics of Indonesian Child Domestic Workers and their Employers?
2. What are the conditions of Child Domestic Workers in Indonesia?
3. What factors affect the supply of and demand for Child Domestic Workers in Indonesia?
4. How pervasive is the use of Child Domestic Workers in Indonesian households?
5. What policies deal with this issue?
6. What policy recommendations should we advocate for to improve the situation?

3| Methodology

The study was intended to take place in a short period of time and the method used was both qualitative and quantitative, which was adapted to investigate certain, often hidden, cases of Child Domestic Workers. Various methodologies are used in this study in order to gain a better understanding of Child Domestic Workers current social phenomenon, find out about the specific problems and analyse the conditions, factors and consequences within a particular context.

Identification of the situation on child domestic workers across the country was done through statistical analysis on available national survey data; literature reviews of select references; small purposively identified individual interviews in West Jakarta, East Jakarta, Tangerang and Bekasi area; and focused group discussions. The primary data collection method chosen does not allow the findings to be used as a generalization to represent the overall population, however, the in-depth details obtained which cannot be gathered from a large population survey will be one of the resources used to inform the design process of ILO’s targeted intervention strategies for the protection of child domestic workers in Indonesia.

There has been an increasing concern about child domestic workers, both at the international and at the national levels. The plight of child domestic workers has also drawn academic interests from different disciplines. Most of the studies seek to investigate the working condition of child domestic worker and to draw the profile of
this population. Notwithstanding a big body of literature on child domestic worker, this report was focused to review studies about child domestic worker in Indonesia, while also drawing from research on child domestic worker from other countries as well as literature on child labour in general when necessary.

From February to April 2013, the study completed the followings:

a. Literature review of 23 publications;

b. Regulation review of 15 laws and regulations;

c. Statistical analysis of SAKERNAS and SUSENAS, 2007, 2009, 2010, 2011 for national snapshots and selected years for select districts. The years were chosen to enable corresponding trend analysis. Some econometric assessments were undertaken to examine factors affecting the likelihood of a child being employed and the likelihood of a household employing a child domestic worker;

d. Focus Group Discussions of 6 NGOs/CSOs (with 8 representatives participated);

e. Interviews of 41 Child Domestic Workers (38 Girls, 3 Boys; 15 in Tangerang, 10 in Jaktim, 9 in Bekasi, 7 in Jakbar);

During the analysis the study decided to drop one interview due to some missing information. The study also acknowledges that 5 interviewees are CDW who were still receiving assistance from a child labour-focused NGO. When some findings have potential bias due to this assistance, it will be stated in the report.

f. Interviews of 4 Child Domestic Worker’s Employers; and

g. Interviews of 6 Policy Makers.

1.1. Statistical Analysis of SAKERNAS and SUSENAS

- It has been wordly recognized that macro national data do not representatively capture child labour phenomenon and they are not normally designed to get information on those who are working in informal sectors and private dwellings. The latter does not refer specifically to child labour but also to informal workers in general. At the same time, however, most child domestic workers as also adult domestic workers in Indonesia are characterized by their “live-in” situation, which makes them part of their employer’s household. SAKERNAS and SUSENAS as household-based surveys offer a potential, indirect source of data on the issue.

- Both SAKERNAS and SUSENAS use a probability sampling method that enables the survey results to be analyzed at the population level. By this method, BPS closely guarded the survey process from the very beginning to the final stage and set a specific formula on how many individuals at the level of population are being represented by each of the samples. Especially for SUSENAS and SAKERNAS 2011,
direct estimation method was applied to the projected population using Population Census data 2010. This weighting variables are available automatically in the cleaned data provided by BPS and it can directly be applied in the statistical tool used (this study uses SPSS and STATA).

Data processors or users outside of the survey design team in BPS in general do not know the origin of the formula and the form of the weighting formula. But in the cleaned BPS data package, weight variables are given and can be used automatically. As users of the data, this study run the SPSS (other statistical application tools might have different feature commands) to perform “weight cases” with weight variable provided by BPS in the data source. SPSS will multiply each case with the weight figures available for the case in question. In Stata this is done by multiplying the case and the weight so as to aggregate the sample to the estimated population.

The results of those weighting applications are then concluded by the study as estimations of Child Domestic Workers numbers at the population level. Keep in mind that this means that information about the numbers obtained in this study should always be treated as estimates. If analysis is done using a percentage, then the result will remain the same between using N samples and using the estimated figures (or in some literature referred to as BPS projection).

Example:
Category: Household Member Information SAKERNAS 2009
Variables: Type of Relationship with Head of Household
Code: 8 (“Domestic Worker”)
Filter: Age 0-17 years
Results: N = 367 (N here is the amount of N samples or total samples)
Then apply weight cases
Results: 131,215
Interpretation: Estimated Number of Child Domestic Workers in SAKERNAS 2009 is 131,215 children (this is the result of the calculation on population estimation method of N samples)

- The study took SAKERNAS 2009, 2010, 2011 and SUSENAS 2009, 2010, 2011 in order to get an idea of the situation trend from year to year. On several occasions, analysis of the variation range of 2007, 2009, 2011 was also carried out to obtain enough dynamics of the data with the assumption that if the data are too close to each other it would tend to capture only similar situations.
Benchmark data from other sources are also used, especially from ILO-BPS Survey on Child Labour in 2009 and ILO estimates data about the situation of other workers. These benchmarks are used to provide an overview of the situation of Child Domestic Workers in the context of child labour or domestic workers as a whole.

Number of Child Labour in SUSENAS are obtained through Employment Information of the Household Members, which asked for the individuals aged 10 years and above in the household who worked in the last week. A filter was then applied to the 17-year limit. In SUSENAS 2011, BPS added summary data for household members aged over 10 years old who worked in the last three months. But because the data is not available on SUSENAS 2009 and 2010, the number of children who work for this study are all obtained from processing the data on the employment information.

In SAKERNAS, the number of child labour from the data obtained from the past week activities for individuals 10 to 17 years old who claimed to have worked.

Basically, both SAKERNAS and SUSENAS collect information about children under two broad categories, namely:

a. Household members aged before or equal to 17 years old whose relationship status with the head of the household head is “child”, and

b. Household members aged before or equal to 17 years old whose relationship status with the head of the household head is other than “child”. 

In general, through category (a) the study finds cases of households with biological children who work as domestic workers in other households, and through category (b) the study finds cases of households who have children-aged domestic worker.

In group (b) there is a category of “Domestic Worker” applied equally both in SAKERNAS and in SUSENAS in Household Member Information section. From this case this study calculates the number of Child Domestic Workers in both SAKERNAS and SUSENAS. The study finds that the information obtained through this category are more convincing than others to explain the number of Child Domestic Workers. The reason is explained in the following points.

In group (a) SUSENAS and SAKERNAS alike gather information on whether there are individuals between the age of 10 to 17 years old who work in the last week. Based on that filter, the data can be further explored by:
o SAKERNAS: by filtering industry classification Primary Sector/Business code 5 category 5121 "Domestic Worker". But there are some problems, namely:

1. Data on Main Job variables (B5P9) and variable Standard Industrial Classification (B5P10) are removed in 2011 then re-encoded into 4 new variables:
   - Standard Classification of Occupation 2000
   - Standard Industrial Classification Indonesia 2 Digits
   - Indonesia Standard Industrial Classification 2005
   - Indonesia Standard Industrial Classification 1990
2. This study cannot find a certain replacement for the 5121 code. Thus, the study only presents information of this category from 2009 and 2010 SAKERNAS.
3. Because the number of child domestic workers who come from the code 5121 is very small compared with the number of child domestic workers who come from the process (b) above, then as an alternative proxy, the study also tried to calculate the number of children that by SAKERNAS are put into Standard Industrial Classification Indonesia 2 Digit code 95 ("Individuals Providing Services to Households"). To be noted: This category cannot exclusively represent child domestic workers as there is possibility of other types of domestic service such as nurses, nannies, gardeners, drivers, etc.
4. Moreover, SAKERNAS also gathers information on the activities carried out with regard to domestic work performed by members of the household. But this category refers more to family members perform domestic tasks/chores that are not within the context of the industry or occupation. This study decided not to further analyze this section.

o SUSENAS: there is no category available that can be used as a filter for child domestic workers in the category of biological children working.

- Demographic Characteristics of Child Domestic Workers: can only be processed through category (b) both in SAKERNAS and SUSENAS based on distribution of age, gender, education level, and marital status as part of demographic information following the Household Member Information section.
- Because SAKERNAS and SUSENAS do not allow for cross-households analysis, then at least we can retrieve information of parents of the child domestic workers from the group (a) in SAKERNAS, and information on employers of child domestic workers can be obtained from group (b) in the SAKERNAS and SUSENAS.
Because there is no category in SUSENAS that can be used as a filter for child domestic workers for the group (a), the information presented in this study shows the demographic characteristics of the parents of children in child labour as a whole.

Unfortunately, from the SAKERNAS data that can be accessed by this study, information of parents of the child domestic workers from the group (a), and information on employers of child domestic workers from group (b) cannot be done. This is due to the fact that SAKERNAS cleaned data does not provide household identifier variables such as District code, Village code, sample code number and serial number of sample households. These variables are necessary to enable selection of household cases with child domestic workers and household cases with children who work as domestic workers.

Working conditions of child domestic workers can be obtained from the SAKERNAS survey which is specialized in the field of labour information. Available information are salaries and working hours of child domestic workers group (a).

Some additional information such as child domestic workers perceptions and aspirations from group (a) can also be obtained from SAKERNAS.

Limitation:
All estimations from SUSENAS and SAKERNAS shown in this report refer only to live-in child domestic workers as both surveys cannot capture the non live-in population.

1.2. Econometric Estimation

To enrich the analysis and to provide more clarity to some information, the study did a econometric exercise. The estimates are divided into two groups: 1) factors that affect the likelihood of a child to be working, and 2) factors that affect the likelihood of a household to employ a child worker (eg. for domestic work).

Ideally, the two estimates above can describe the same thing, which is child domestic workers -so it could be seen as a proxy for "supply" and "demand". However, due to the very limited data provided in SAKERNAS and SUSENAS where the number of child domestic workers are represented by very small sample, some adjustments needed to be made. Firstly, for the first estimate the study applied any type of child labour and not just domestic work. Secondly, estimate of the
second groups is being applied to child domestic workers in the more representative sample, which is households in Jakarta.

- The econometric exercise was applied to SUSENAS data but not to SAKERNAS, as SUSENAS allowed us to cross-reference some demographic information required (for example, household income).

- The variables observed for the first estimate group include: gender, age, education, location (urban/rural), age of head of household, head of household’s education, family size, and household income.

- The variables observed for the second estimate group include: age of household head, education of household head, family size, as well as household income.

- For both estimations, samples were filtered into “all ages”, 10-17 years, 15-17 years, and 10-14 years. To observe the dynamics, estimation was performed on 2007, 2009, and 2011 samples.

1.3. Interviews

Due to the hidden nature of CDW, field researchers combined snowball and purposive sampling methods to identify CDW to be interviewed. In Bekasi and some areas of Tangerang, field researchers worked with a pre-identified child-labour focused NGO, Yayasan Imadei, to help finding CDW. Field Coordinator of the NGO provided a list of names of CDW, and the field researchers made contacts. They then followed up with an interview with the CDW at a scheduled time. In Tangerang Selatan, CDW are identified through social networks of the field researches. Using snowball method, one interviewed CDW will then refer to and/or asked a CDW in the community to participate in the study. In Jakarta Barat, and Jakarta Timur, field researchers utilized existing street children network in the area. Street children gave information about their friends who are working as CDW. The same snowball method then followed after the field researchers interviewed some of these CDW. For interviews that took place in the employment site (household), field researchers then asked respective employer who was home to participate in the study.

Consultation with relevant stakeholders is planned following the completion of the report, potentially with:

- Key Government Ministries and actors responsible for child labour: Ministry of Labour and Transmigration (KEMENAKERTRANS/MoLT), for social protection,
poverty reduction, and child protection: Ministry of Planning (BAPPENAS),
Coordinating Ministry of People’s Welfare (KEMENKOKESRA/CMoPW), Ministry
of Social Affairs (KEMENSOS/MoSA), Ministry of Women Empowerment and Child
Protection (KPPPA/MoWECP), and National Commission on Child Protection
(KPAI);

- Representatives from Development Partners and the UN, such as: UNICEF and ILO;
- Practitioners and professionals from international NGOs and national
  organizations in the field of child protection, such as: Save the Children, PLAN,
  World Vision Indonesia, YKAI, and Komnas PA;
- Academics working in the field of social development and child protection.

4| Case Definitions

Accounting the Child Domestic Workers is a complex and difficult task. The main
problem lies on different working definition of ‘child’, ‘child labour in domestic
work’, and ‘worker’. In addition to this, in many countries as well as in Indonesia,
children are often sent to their better-off relatives to be taken care of and educated in
returns for helps in domestic works (HRW 2005, p.4; Blagbrough 2008, p. 180s). It is
claimed that these children are regarded as family thus they are not classified as
‘worker’ in census (Levison & Langer 2010, p. 126). Furthermore, the private nature
of domestic work renders these children to be invisible hence undercounted.

The debate over the definition of child domestic worker reflects the bigger
conundrum of the debate around child labour (Edmond 2007, p. 3637-3639).
Nevertheless, this study uses the definition provided by ILO C.189 (Art. 1): “the term
domestic work means work performed in or for a household or households” and
“the term domestic worker means any person engaged in domestic work within an
employment relationship” . We need to be conscious that by using these definitions,
this study, excludes children who perform domestic chores in their own house or
families. However, although these situations cannot technically be considered as
domestic work, in certain cases where the domestic chores performed by the children
in their own house or family might interfere with the children’s education or are
excessive they might be tantamount to child labour, and therefore they should be
prevented and or eliminated.

This study uses the following key concepts to build its understanding of the situation
and to frame its analysis:
### Key Concepts

<table>
<thead>
<tr>
<th>Child Labour</th>
<th>Work undertaken by children under the legal minimum working ages. The law normally lays down various minimum ages for different types of work.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child</td>
<td>A person under the age of eighteen. (As per Convention of the Rights of the Child and Indonesian Law Number 23 Year 2002 on Child Protection).</td>
</tr>
</tbody>
</table>

According to Law 20/1999 on Ratification of ILO Convention 138/1973 concerning Minimum Age for Admission to Employment, Indonesia sets its minimum age of working as 15. Therefore, this study looks at group of 15-17 year old as “Child Workers” and below 15 year old to enable identification of children who are automatically in “Child Labour”.

<table>
<thead>
<tr>
<th>Worst Forms of Child Labour</th>
<th>A term defined in the ILO Convention No. 182 Article 3, regardless of the age of the Child, comprises of:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;</td>
</tr>
<tr>
<td></td>
<td>- The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic performance;</td>
</tr>
<tr>
<td></td>
<td>- The use, procuring, or offering of a child for illicit activities - in particular, for the production and trafficking of drugs as defined in the relevant international treaties;</td>
</tr>
<tr>
<td></td>
<td>- Work which, by its nature or because of the circumstances in which it is carried out, is likely to harm the health, safety, or morals of the child. (commonly referred to as “hazardous work”).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Domestic Work</th>
<th>Means work performed in or for a household or households.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Worker</td>
<td>Means any person engaged in domestic work within an employment relationship.</td>
</tr>
</tbody>
</table>
By this definition, the study excludes work carried out by members of the family within their own household.¹

Child Domestic Work(er): General reference to the presence of children or persons below the age of 18 in domestic work. Child Domestic Worker is therefore domestic worker below the age of 18, either in permissible situations (“Youth Employment in Domestic Work”), in non-permissible situations (“Child Labour in Domestic Work”), as well as in hazardous situations (“Worst Form of Child Labour in Domestic Work”).

This study also disaggregates its data and analysis on age groups. According to Law 20/1999 on Ratification of ILO Convention 138/1973 concerning Minimum Age for Admission to Employment, Indonesia sets its minimum age of working as 15. Therefore, this study looks at group of 15-17 year old and below 15 year old to enable identification of children who are automatically in a child labour situation regardless of the working conditions.

By age group and its relation to the working situation, the study looks at Child Domestic Work as follow:

<table>
<thead>
<tr>
<th>Age of Child Worker</th>
<th>Domestic Work Situation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permissible</td>
</tr>
<tr>
<td>Below 15</td>
<td>Child Labour</td>
</tr>
<tr>
<td>15-17</td>
<td>Youth Employment</td>
</tr>
</tbody>
</table>

¹ After the study was completed, the United Nations Special Rapporteur on Extreme Poverty and Human Rights, Magdalena Sepúlveda Carmona, analyses the relationship between unpaid care work (which by definition would also refer to domestic work undertaken by member of the family within his/her own household) and poverty, and argues that heavy and unequal care responsibilities are a major barrier to gender equality and to women’s equal enjoyment of human rights. Full report: http://www.unwomen.org/en/news/stories/2013/10/special-rapporteur-positions-unpaid-care-work-as-major-human-rights-issue
Child Domestic Work

Youth Employment in domestic work

Child Labour in domestic work: children below minimum age & in work that by its nature or the conditions in which it is carried out is likely to harm the health, safety or morals of children

Worst Forms of Child Labour in domestic work: hazardous child labour or slavery alike situations in domestic work
5 Findings and Discussions

5.1. Demographics

As explained in the methods section, this study looks at SAKERNAS and SUSENAS for same variables measured, and whenever possible shows either contrasts or consistency between the two sources. In addition, SAKERNAS and SUSENAS were also analysed individually for different variables only available in either one to obtain answers to our research questions.

Before we move into a more Child Domestic Worker specific, it is important to look at numbers of child workers in general counted by SAKERNAS and SUSENAS below.

To give an overview of how different data source tells us different things, the 2009 SAKERNAS and SUSENAS show different figures of working children to the 2009 BPS-ILO child labour survey, which estimated 4,052,800 working children in Indonesia. If we compare based on percentage of boys and girls, they still show different information. BPS-ILO 2009 survey shows an estimation of 2,391,300 or 59% boys and an estimation of 1,661,500 or 41% girls, while SUSENAS 2009 shows 66% of working children are boys and 34% are girls.

A paper developed by ILO in 2011 also confirms that despite having the national survey on child labour in 2009 and annual national surveys of socioeconomics (SUSENAS) and labour (SAKERNAS), data from which we can draw powerful and consistent information about Child Domestic Workers is lacking (Irwanto, 2011). The paper suggests that, as in situations defined as worst form of child labour, our current knowledge about Child Domestic Workers still depends on small-scaled studies,
usually conducted or funded by non-government organizations working on the issue.

5.1.1. Number of Child Domestic Workers in Indonesia

The complex nature of Child Domestic Worker makes it hard to precisely count their numbers (Levison & Langer 2010, p. 125). However, it has been argued that Child Domestic Workers make the biggest percentage of economically active children in developing countries, especially for girls (Edmonds 2007, p. 3629). In Indonesia there are various estimates over time. In 2002, ILO estimated that out of 2.6 million domestic workers in Indonesia, at least 34.82 percent were below 18 years old (HRW 2005, p. 8). In 2004, ILO released new estimate of 35.47 percent of domestic workers were under the age of 18 years or estimated around 700,000 (ILO 2004, p.22), while the official data from BPS\(^2\) in 2007 showed a smaller percentage of 19 percent of total domestic workers as children (HRW 2009, p.41).

The complexity around counting the number of Child Domestic Workers reflects that of getting the accurate number of child workers in general. It is never an easy task. The government can undertake some focused-purpose large-scale surveys, like the one supported by ILO in 2009. However, it requires a lot of extra resources and specific expertise, making it only feasible to be conducted episodically. We still need to rely on a set of data that is being collected consistently to enable monitoring of trends of child labour. Despite a number of shortcomings, SAKERNAS and SUSENAS thus far remain two of the most reliable sources of information and to count child workers, including child domestic workers. SAKERNAS covers the national labour market aspects. The survey is undertaken every year interviewing all working individuals from all age group\(^3\) within sampled households. SUSENAS is provided through a large-scale multi-purpose household survey every one or two year, capturing range of socioeconomic data. In addition to core questions collected from about 200,000 households, SUSENAS also collects supplemented data about labour (rotating with other topics) from about 60,000 households.

The numbers of child domestic workers counted by SAKERNAS and SUSENAS are as presented below in Diagram 2. Both 2009 SAKERNAS and SUSENAS show very small numbers of Child Domestic Workers when compared to the total population of working children as estimated in 2009 ILO-BPS survey. To be more critical towards what the statistic tells us, both data sources are assumed to have underestimated the number of domestic workers in general. SAKERNAS numbers also show decreasing

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\(^2\) Indonesian Central Bureau of Statistics

\(^3\) Different than the previous years, SAKERNAS starting 2011 only identifies individuals starting 15 years old.
trend of Child Domestic Workers. However, unlike the previous ones, 2011 SAKERNAS does not show any information on individuals below 15 years old, and therefore this study finds the decrease inconclusive.

Diagram 2. Estimated Number of Child Domestic Workers in SAKERNAS and SUSENAS

To provide alternative information, the study revisits the 2009 ILO-BPS Child Labour Survey, and finds 437,246 Child Domestic Workers were identified, with 49% children below 15 year-old and 51% 15 to 17 year-old children (ILO, 2009). This data also shows that Child Domestic Workers make up to 10.79% of the total child workers identified in 2009. When being compared to the ILO 2004 estimation of Domestic Workers population in Indonesia, Child Domestic Workers make up to almost 17%. Relatively – especially when factoring their “hidden” situation, this should be considered high (see Diagram 3).

Diagram 3. Child Domestic Workers Percentage against Total Child Workers and Total Domestic Workers

SAKERNAS and SUSENAS show that Child Domestic Workers make up about 4 to 5%
of Child Labour market in Indonesia (Diagram 4), different than the almost 11% estimation from the 2009 ILO-BPS Child Labour Survey. To be noted, this study also cannot and was not designed to draw conclusion on how it makes the economy (be it the informal economy).

Diagram 4. Child Domestic Workers against Child Workers

However, more consistently with the previous interpretation from ILO-BPS surveys that shows almost 17% of domestic workers are children, SAKERNAS and SUSENAS (2007, 2009 and 2011) also show, not in an order, that around 14.94% to 23.53% of domestic workers in Indonesia are below 17 years old (Diagram 5).

Diagram 5. Child Domestic Workers against Domestic Workers

5.1.2. Age of Child Domestic Workers

Both SAKERNAS and SUSENAS show that the higher prevalence of child domestic workers is among the older children (Diagram 6 and 7). The fact that there are under
15 year olds found in domestic work should be given proper attention due to its potential hazardous nature.

*Age of First Working as Child Domestic Worker.* Most of CDW who were interviewed are girls and started working when they were 14. Considering that 60% of the CDW interviewed are primary school graduates, this might indicate a phenomenon of primary to secondary school dropouts. A girl as young as 12 was found already working for half a year when the interview took place. The age of CDW interviewed is ranging from 12 to 17 years old. The boys, however, are from the older age group (16-17 year-old). From SAKERNAS we also learn that 10% of 15 year-old child domestic workers have worked before. 50% started working “more than 1 year ago” which signals that their starting working age was below 15, i.e. below the general minimum age for work or employment in the country.

**Diagram 6. Distribution of Child Domestic Workers Age in Percentage (SAKERNAS)**

**Diagram 7. Distribution of Child Domestic Workers Age in Percentage (SUSENAS)**
5.1.3. Gender of Child Domestic Workers

Globally, Child Domestic Workers are disproportionately dominated by girls; reflecting the gender bias in domestic work (Blagbruogh 1995; Camacho 1999; Klocker 2011). The same phenomenon is observed in Indonesia; with more than 90 percent Child Domestic Workers are female (ILO 2004, p. 54). The common age when first working as domestic workers in Indonesia is between 15-17 years old (around 32 percent) while 25 percent started working before they reached 15 years old (ILO 2004, p. 52).

Child Domestic Work, and domestic work in general, is commonly known as gender-specific leaning to females. In Table 2 we can see that girl domestic workers are overall bigger than boys (58% of total Child Domestic Workers). Interestingly, in the younger children group (below 15 year-old) the number of boy domestic workers almost doubled the girls. More study is needed to explain this situation.

The fact that girls are predominant in child domestic work landscape in Indonesia is also confirmed in SAKERNAS and SUSENAS (Diagram 8).

Diagram 8. Percentage of Child Domestic Workers by Gender (SUSENAS)

The figures are consistent with SAKERNAS which record 84.5% and 86.4% of child domestic workers are girls respectively in 2009 and 2010.

5.1.4. Education

Education is along with poverty and cultural perceptions one of the most important push factor for children entering into domestic work. The cost of education combined with the need to raise family’s income has prompted many children to drop out of
school and to work. The low level of education and the lack of skills render domestic work as the only viable and accessible option of job for these children. ILO’s study found that 67 percent of Child Domestic Workers in Indonesia only completed elementary schools (2004, p. 33). However, peer social exclusion in school can also force children to choose work over education (Bessell 2009, p. 532).

Almost all of the Child Domestic Workers captured in SUSENAS are literate (Diagram 9), but both SAKERNAS and SUSENAS show that more than half of them only enjoy primary school as their highest level of education (Diagram 10).

Diagram 9. Child Domestic Workers Based on Their Literacy (SUSENAS)

60% of the child domestic workers interviewed graduated from primary education and there was no lower education status found. 25.71% attended junior secondary (dropped out of junior secondary at grade 7 or 8), and 14.29% of them are junior secondary school graduates. None of the primary school graduated are taking non-formal education package “Paket B” (equivalent to junior secondary education). The study finds incidence of 4 graduated from junior secondary who are currently taking Paket C (equivalent to senior secondary education). All of them are assisted by a child labour-focused NGO, although they pay the Paket C tuition themselves. This was also confirmed by the NGO.

5.2. The Push and Pull Factors

5.2.1. Poverty

Poverty at home seems to be the recurrent theme across studies in different countries of what drives children to take up domestic work (Budlender & Bosch 2002, HRW...
2005, 2009; Jacquemin 2006, Bourdillon 2009; Klocker 2011); echoing the general phenomenon of child labour. Contributing to family’s income has been reported as the main reason for Child Domestic Workers in Indonesia (ILO 2004; HRW 2009). Child Domestic Workers come from families with low socio-economic background. Poverty in families characterizes the circumstances of Child Domestic Worker that later prompt them to enter the labour force (Blagborough 2008, Bourdillon 2009, Klocker 2011).

Although not specific to child domestic workers, SUSENAS confirms that most child workers come from low-income families (Diagram 11). During the interviews, the study did not ask questions about family income, but asked about parents’ occupation. Almost 44% said that their parents are working as low-paid intermittent labour in informal sector such as construction’s coolie, traditional masseur, and hawkers. This study also discovers that more than 20% of the CDW interviewed have at least one parent who works as domestic worker. The size of the data could not bring us to conclusion that there is an indication of any inter-generational issue; however it might suggest some pattern of recruitment needing more investigation. Most of the CDW interviewed come from a family size of three siblings.

Diagram 11. Income Level of Household with Child Workers in Percentage (SUSENAS 2011)

5.2.2. Parents’ Education

It has been suggested that Child Domestic Workers come from parents with low education background (Hesketh et. al 2011). In Indonesia, an ILO’s study documented that most Child Domestic Workers’ parents only completed elementary schools with most of the parents work as farmers (2004, p. 58).
Almost 97% of CDW interviewed have parents who did not finish their primary education, but all of them know how to read and write. None of the parents has experienced a higher level of education. This corresponds with the national data from SUSENAS as seen in Diagram 12, that the predominant level of education of the Head of Household where child workers come from is primary education. However, incongruous figures are shown by the same SUSENAS when the study looks at selected districts in Jakarta and greater areas. It is suggested not to draw final conclusion based on this particular finding since more in-depth investigation is needed to explain this phenomenon.

Diagram 12. Child Workers' Head of Household Education in Percentage (SUSENAS 2011)

5.2.3. Sending Areas

The CDW interviewed come from: Banten, Gabus, Lampung, Tasikmalaya, Indramayu, Kerawang, Bekasi, Banjaran, Cianjur, Wates, Cirebon, Purworejo, Pekalongan, Brebes, Pandeglang, Pasuruan. Those come from Bekasi only found in Bekasi during the data collection.

Some CDW interviewed would refer to fellow CDW from the same hometown indicating that they are maintaining communications. The interviews could not confirm the assumptions that Child Domestic Workers from nearby origin would mostly be found in the non-residential or non live-in type of employment.

5.2.4. Model of Recruitment

Child Domestic Workers are recruited through various modes. The common pattern usually involves families, acquaintances, friends, town mates and sometimes the
employers. Camacho (1999) found that most girls in Metro Manila were recruited by their family members who were already working in the city, mostly as domestic workers too. This pattern of recruitment provides assurance of supports and network in the city where they work. She also noted, that some girls approached prospective employers on their own (1999, p. 62). Human Rights Watch (HRW) reported that in Indonesia, girls are also recruited by labour agents (2005 p.2). ILO confirmed this finding, stating that 7.9 percent of Child Domestic Workers were recruited by agents, while 34 percent were recruited by their own families. (ILO 2004, p. 38).

More than half of the CDW interviewed said that they got connected to their current employer by their friends, the rest are from family or relatives, such as neighbours and their own parents, including the ones who are not in their first job. From the interviews, none of the employers used agency service for getting the CDW. The reason being it’s too expensive.

5.2.5. Motivation

Some scholars assert that poverty alone do not push children to work. As Basu pointed out, family access to job market can be determinant of a child’s entry to employment (2010, p. 8). Camacho’s study of child domestic workers in Metro Manila, for instance, found that most of them work to fund better education for themselves while some also spoke of their aspiration of live in the cities as the reason to become child domestic workers (1999). Waissuzaman and Welsh’s study in India also noted that some of the child domestic workers work to gain money for their own use (2011, p. 289). In Indonesia, some of the child domestic workers’ income goes to fund sibling’s education (HRW 2009, p. 60). Bessell’s study (2009) on child labour in general gathered various reasons apart from poverty at home for children to take up employment. The reasons are to gain independency of one’s life (including marriage options), to have a better future and to have own pocket money. In Indonesia, some Child Domestic Workers expressed their plans to become migrant domestic workers to get higher income (HRW 2005, p. 11).

The complex webs of reasons for children to work as domestic workers suggest some aspects of agency from the children in decision making. Camacho, for instance, countered the common depiction of Child Domestic Workers as passive victims. Her study in Metro Manila found that 80 percent of the respondents claimed that it was their personal decision to work as Child Domestic Workers, with others said that it was a joint decision with family (1999, p. 58). Albeit in different degree, the same observations have been made in Tanzania (Klocker 2011) and in Zimbabwe (Bourdillon 2006). In Indonesia, child’s involvement in decision to become domestic workers is
Currently underresearched although Bessell’s study on child labour in general tend to suggest active participation of the children (2009).

Most of the child domestic workers interviewed claimed that they were self-motivated to work, 65.71% did it to help their parents financially and the rest did it because it interests them. Only 1 incident said that she was asked by her parents to do so. Another 1 said that she was just “tagging along” with migrating aunt and eventually ended up working. When asked of what they want to do if they stop working as domestic worker, fewer answered “to continue education”. The ones who said that also in doubt if that is “realistic” considering the costs. Most said they would want to work elsewhere or try new things ranging from busking to work in “an office”. However, the same child domestic workers said they are not looking for another job, most reasons being “it’s the only available job” and “it’s not bad”. Some of them would choose to continue working for financial reasons; few are self-interests ranging from paying for motorbike’s lease to getting enough money to start their own business.

5.2.6. Econometric Analysis: What Determines the Likelihood of a Household to Have their Child Working

The study also attempted some econometric assessment to see what factors mostly affect the likelihood of a child to become a child domestic worker. However, due to data limitation, we could not do the regression specifically on child domestic worker. Instead, we cover “children who are working” in general.4

In general, poorer and bigger households tend to send their children to work. The more educated the household level is, however, the less likely the family would send its child to work. Furthermore, it is rural households, rather than urban households who are more likely to put their children at work. Finally, a male child is more likely to be working than the female child, and education of the child reduces the odds of working5.

5.3. Working Condition

The working condition of Child Domestic Workers has been frequently presented in reports and publications. Labelling domestic work as good or bad depends on what

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4 Tables 1-3 in Appendix 2 show the regression results of factors affecting the probability of a child in his/her respective household to be working in 2007, 2009, and 2011.
5 Applied to Child Worker, not necessarily Child Domestic Work.
account for good and bad working conditions, terms of comparison to other jobs or alternative, or to readily available alternative for these children. Nonetheless, there are some common findings across countries. This includes long or around the clock working hours with no definite rest and holidays, far too many responsibilities, no safety regulation, low or no remuneration and vulnerability to physical, verbal and sexual abuses (UNICEF 2000, Bourdillon 2006, p. 5; HRW 2005, 2009, Blagbrough 2008). ILO (2004) however, also found some indication that the types of work done by the child domestic workers are lighter than the adult domestic worker.

5.3.1. Working hours

In Indonesia, the picture of CDW’s working condition is sketchy and mixed. ILO found that the average working hours of Child Domestic Workers range from 9 to 14 hours a day (2004, p. 68), while in 2009, HRW presents that average Child Domestic Workers they interviewed in Indonesia work 14 to 16 hours a day with the majority never having a day off (2009, p.1). Similar to HRW’s findings, ILO recorded 98 percent of CDW works 7 days a week (2004, p. 65). This study finds that most child domestic workers (92.6% in 2009 and 92.7% in 2011) work 7 days a week according to SUSENAS. Hence “living in”, suggesting either “very flexible” or “unlimited” working hours. Average working hour and salary are as seen in Table 1.

Table 1. Working Hour and Salary of Child Domestic Workers in Indonesia

<table>
<thead>
<tr>
<th>Year</th>
<th>Average working hours in a week (in hour)</th>
<th>Average monthly salary (in 2000 rupiah)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SAKERNAS</td>
<td>SUSENAS</td>
</tr>
<tr>
<td>2009</td>
<td>67.5</td>
<td>66.5</td>
</tr>
<tr>
<td>2010</td>
<td>55.49</td>
<td>70.14</td>
</tr>
<tr>
<td>2011</td>
<td>n/a</td>
<td>67.91</td>
</tr>
</tbody>
</table>

5.3.2. Remuneration

In terms of remuneration, Child Domestic Workers generally receive lower salary than adult domestic workers (Camacho 1999, p. 61), which also has been confirmed in Indonesia (ILO 2004, p. 92). Depending on the working arrangement, some children might have their salaries be paid directly to recruiters or parents and some who work with relatives might only receive in kind payment (Jacquimen 2006, p. 393; ILO 2004, p. 93). Allegedly, there are few cases where children work as debt bondage (Black & Blagbrough 1997).
In SUSENAS the study finds that although vanishing, the risk of not being paid is higher in younger child domestic workers (Diagram 13).

Diagram 13. Child Domestic Workers Who Are Not Being Paid (SUSENAS)

Table 3 shows the wages of child domestic workers as reported in SAKERNAS. It is rather surprising that the average total wage (that is, the sum of money- and non-money wage) of CDW is above the average of the overall domestic workers (irrespective of age). Within the CDW category those aged 15-17 earned more than their younger peers (aged 10-14); however, over time the real wages are actually decreasing. That is, their nominal wages are losing to the inflation rates.

It is important to understand that remuneration to domestic workers can often take a non-monetary form. Those who live-in usually get free food and shelter; this is more often the case of domestic workers than, say, drivers. In addition to these, employers sometimes provide them with other in kinds such as toiletries. While the SAKERNAS survey includes question of money and non-money wage, it does not break down the latter into its components. Therefore in the case of domestic workers we can only take this as an indication of in-kind payments.

Table 2 also shows, however, that the compensation to the domestic workers (including child domestic workers) is still dominated by money payment as opposed to in-kind. The ratio of non-money to money wage was between 0.2 and 0.4 for the 2007 to 2011 period. However, in the case of child domestic workers below 15 years old, the ratio increased to 50 percent in 2009, indicating an increasing share of in-kinds in their remuneration.
The child domestic workers interviewed received salary ranging from IDR 200 thousand per month to 1.5 million per month (approx. USD 20-150). Half of them receive salaries from IDR 600 to 800 thousand rupiah per month (approx. USD 60-80). Some receive allowance and tips for extra work. Some receive in-kind mostly meals, lodge and toiletries. All this (i.e. the proportion) cannot be conclusively associated with the amount of salary. Most receive holiday allowance (THR). Child domestic workers with scheduled visits (non-residential or non live-in) tend to belong to the lower salary group.

None of the child domestic workers interviewed has written working agreement, and none of them negotiated his/her salary. All confirmed that they received what was promised. With regard to the mode of payment, most child domestic workers receive full salary on a monthly basis. Some receive the salary weekly, and some receive extra allowance daily or weekly. Few cases were found where salaries are being kept by the employer. Child domestic workers can prompt for lump sum as they need it. Interestingly, neither the child domestic workers nor the employers keep written record while both refer the arrangement as “savings”. The interviewed employers said they “remember them exactly”. Interviews could not confirm if actual bank accounts are opened for this “savings”.

Salaries are mostly sent to families. Child domestic workers keep “enough” amount for themselves mostly for refreshments, recreation, and to buy make up cosmetics.
Most of Child Domestic Workers who receive daily/weekly allowance said that they send 100% of their salaries home.

5.3.3. Type of Employment

Most of the child domestic workers interviewed are employed on a live-in basis. Only 37% of the interviewees are scheduled child domestic workers. For those in live-in situation, over 30% do not sleep in a private bedroom. Over 45% of them work in a house which has one other domestic worker, and around 14% do so in a house with two other domestic workers.

Table 3. More from the interviews

<table>
<thead>
<tr>
<th>[In percentage]</th>
<th>Type of Employment</th>
<th>Live-in</th>
<th>Non</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Live-in Provided with Bedroom</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Number of other Domestic Workers in the House</td>
<td>One</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Number of Siblings</td>
<td>Three</td>
<td>Five</td>
</tr>
<tr>
<td></td>
<td>62.86</td>
<td>37.14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>65.71</td>
<td>34.29</td>
<td></td>
</tr>
<tr>
<td></td>
<td>45.71</td>
<td>40.01</td>
<td>14.29</td>
</tr>
<tr>
<td></td>
<td>54.29</td>
<td>14.29</td>
<td>11.43</td>
</tr>
</tbody>
</table>

5.3.4. Risk of Abuse and Violence

In the 2004 study, none of the Child Domestic Workers interviewed by ILO, reported being physically abused and only 1.2 per cent reported having received verbal assault (2004, p.45). This is in contrast to the much gloomier hearsay from the interview this study did. There has been a strong advocacy to put domestic work as one of the worst forms of child labour. Blagborogh (2008) argues that Child Domestic Workers have total dependence on her employers for her well-being. The informal nature of domestic work also means that it is hard to regulate and monitor this type of work. There are also some indications of close association with child trafficking (Brown 2007) and some practices closely resemble characteristics of slavery (UNICEF 2000). In Indonesia and elsewhere, child domestic work is considered as one of the worst forms of child labour (ILO 2004; Edmonds 2007, p. 3639). Some scholars and local NGOs,
however, criticize such classification as being too simplistic and potentially doing more harm by pushing these children to engage in worse types of underground works (Jacquemin 2006; Bourdillon 2009; Klocker 2012).

The new standards on decent work for domestic workers, in particular, R. 201 clearly acknowledges the possibility of not considering all domestic work as a worst form of child labour. In fact, it states that “Members should identify types of domestic work that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children, and should also prohibit and eliminate such child labour”, but also that when “regulating the working and living conditions of domestic workers, Members should give special attention to the needs of domestic workers who are under the age of 18 and above the minimum age of employment as defined by national laws and regulations, and take measures to protect them” (ILO R. 201 §5.1 and 5.2).

The interview found 2 Child Domestic Workers who experienced sexual harassment from their previous male employer. One of them defined it as an “attempted rape”. One immediately resigned after the first incident, and one was kicked out of the house when the incident was caught by other members of the household. Two Child Domestic Workers experienced physical abuse due to being accused of theft and of recklessness. Some noted being “yelled at” as bad experience. These bad experiences do not prevent them from re-entering domestic work. “There are no other options” and “this employer is different” were used to explain.

5.4. Profile of Employers

The growing demand for domestic workers has been asserted as the main pull factor for Child Domestic Workers. This is especially driven by the increasing women’s participation in labour force and the rise in middle class population. The specific preference for Child Domestic Worker is mainly because they are cheaper, submissive, trusting, their availability and willingness to live with employers, and lack of other commitments (HRW 2005, p.10; Klocker 2011, p. 210). In addition to this HRW suggested that the growing numbers of domestic workers migrating abroad also contribute to the inevitable demand for Child Domestic Workers (2005, p. 10).

5.4.1. Destination Area

According to SUSENAS, most employers of CDW are concentrated in DKI Jakarta province followed by East Java, West Java, Central Java and Banten. DKI Jakarta
employs the most Child Domestic Workers in all age group categories, except in 2007 where West Java employs more -younger Child Domestic Workers aged between 10-14 years old. While employment of younger Child Domestic Workers decreased in other 4 top-5 provinces, it increased from 7.1% in 2009 to 17.1% in 2011 in Central Java. In 2009 and 2011, Bali and East Nusa Tenggara increasingly became the destination provinces for Child Domestic Workers.

5.4.2. Employers’ Level of Education and Income

SUSENAS shows that more than half of head of households who employ child domestic workers completed their higher education. The average monthly salary of the head of households who employ child domestic workers is around IDR 7,500,000 (approx. USD 750) per month, and 60.2% of them work as employee (‘pegawai’).

Diagram 14. Level of Education of Child Domestic Workers’ Employers

Anecdotally, from the interview with Employers, the study finds that the demand for younger domestic worker was found in households with smaller children, and the reason being younger domestic worker makes better company for the children.

When asked about the possibility of minimum wage regulation for Domestic Workers, employers said they would comply but they note that the minimum wage should factor in meals and lodge they provide. They would not give extra allowance or in kind when the regulation is applied. Employers interviewed pay for their domestic worker’s medical needs. When interviewed, employers hope that the government can provide health coverage for them in the future.

Employers claim that they would support (even pay for) child domestic workers to continue their education or vocational training, as long as the housework is met.
5.4.3. Perception of Child Domestic Workers on Their Employers

Most interviewed child domestic workers ranked their current employers 8 to 10 on the scale of 1-10 (10 being the most positive). Those who ranked them 5 or 6 defined their employers as “demanding” or it is more due to “the employer’s unruly child”.

5.4.4. Econometric Analysis: What Determines the Likelihood of a Household to Employ Child Domestic Workers

Both the secondary data sources (SUSENAS and SAKERNAS) and the primary field data are too limited for the study to run an econometric assessment. However, SUSENAS asks households if they have a domestic worker in their house. Matching this with age information provides indication of whether or not a household employs a child domestic worker. But since the evidence of child domestic worker in SUSENAS is not significant in the country level, the assessment is focused only on DKI Jakarta. We ran a logistic regression of the likelihood of a household employing a child domestic worker on variables such as family income, family size, the education of the household level, and the age of household level.

Income appears as the most significant factor in affecting the odds of a household employing a domestic worker. But it cannot explain that in the case of child domestic worker of age 10 to 14 years old. In fact, none of the variables is significant in Age 10-14 regressions, except the family size in 2007. That is, an additional increase in the family size will increase the odds of employing a child domestic worker of age 10-14 years old more than 40 percent. Family size, however, does not significantly explain the hiring of child domestic worker age 15-17 years old.

In general, the regressions for 2007, 2009, and 2011 indicate that the higher the income, the younger the family, and the more educated the household head is, the higher the likelihood to have a child domestic worker of age 15-17 in the household.

5.5. The Impact on Children

The scope of the secondary data analysis and the fieldwork do not allow this study to analyse impact of child domestic work, except for some proxies on the risk of being out of school and some anecdotal findings on aspiration and perception on self.

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6 The results are presented in Appendix 2, Tables 4-6.
However, from the desk review the study finds that working as domestic workers, nonetheless, brings a range of negative impact on children. Bwibo and Onyango’s (1987 cited in Bourdillon 2009, p. 3) study in Kenya found that Child Domestic Workers experienced more psychological problems than both working and non-working children, including insomnia, headaches, nightmares, and depression. A comparative study in India and the Philippines shows that Indian Child Domestic Workers tend to have lower self-esteem and experience more stress and feelings of incompetence than their peers in the Philippines (Hesketh et al 2011, p. 776). Further analysis suggests that the level of self-esteem and stress among Child Domestic Workers might positively correlate with their current status of education, relationship with employers, and society’s view on domestic workers as occupation (Hesketh et al 2011 p. 776). In Indonesia, it has been reported that Child Domestic Workers who work longer hours than average tend to have a pessimistic view of alternative employment in the future than other working children (Blagbrough 1995).

A recent study on long-term effect of child labour on children in Indonesia, although not focusing on child domestic workers, found that children who worked tend to have slow numeracy and cognitive skills and less healthy pulmonary function as they grow up (Sim et al. 2012). This study also confirms previous ones that suggest child labour is related to poverty. The paper notes that being at work does compromise children’s ability to access education and schooling in terms of actual attendance and reduced time to study, even though some findings suggested that when working and schooling can go in parallel, the extra income to the household made by a child increases the opportunity for the child to remain in school. This suggestion is negated by the fact that the direct consequence of not attending school and the ability to escape poverty in the future by having a better-paying job in the future tends to be weak especially in the context of low quality of education and availability of schools.

5.5.1. Being Out of School

For children who work in domestic sector, the possibility of them continuing their education also gets smaller. SUSENAS shows that almost all domestic workers, with lesser percentage in the case of children, do not attend school anymore, most reasons being “cannot afford the school” and/or “have to work” (Diagram 15).
5.5.2. Low Aspiration of Education

Aspiration to continue education is lower than aspiration to look for a better job among the child domestic workers interviewed. From the fewer who want to go back to school, even fewer want to reach higher education. Interestingly all specifically mentioned that they want it to be “the regular school”

Looking at that there is lesser percentage of child workers who are not in school anymore (Table 4) compared to that of child domestic workers (Diagram 16), this study suggests that the risk of school dropouts amongst children who work in domestic labour might be greater than in other type of activities.

Table 4. Percentage of Schooling Status of Child Workers in Their Current Employment from SUSENAS

<table>
<thead>
<tr>
<th>Education Status in Employment</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Schooling</td>
<td>3</td>
<td>3.6</td>
<td>3.9</td>
</tr>
<tr>
<td>In School</td>
<td>40</td>
<td>40</td>
<td>38.7</td>
</tr>
<tr>
<td>Not Longer in School</td>
<td>57</td>
<td>56.4</td>
<td>57.4</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

5.5.3. Staying in Domestic Work

Almost 70% of the child domestic workers interviewed said that their current employment of domestic work is their first job. This is consistent with the SAKERNAS data which shows that more than 70% of children found in domestic work are there as their first employment (Diagram 16).
In the interviews, however, almost half of those who are not in their first employment, mentioned that their previous job was also domestic work. All of them said that they always worked as a domestic worker with experience of working in two or more dwellings. This indicates an anecdotal likelihood that children whose first job experience is domestic work tend to stay in the same type of employment. Other previous jobs that were mentioned are busking, work in a shop, restaurant and farming.

The likelihood of staying in domestic work when first job was one is also reflected in SAKERNAS. 75% to 86% of children providing services to household who are not in their first employment said that their previous job was also “personal services for household” (Diagram 17).

Diagram 16. Child Domestic Workers Who Are Not in Their First Job (SAKERNAS)

Diagram 17. Child Domestic Workers with Previous Job as “Personal Services for Household” (SAKERNAS)
5.5.4. Perception of Self and Domestic Work

SAKERNAS shows that more than 60% of child domestic workers do not desire another job. 40% of the child domestic workers interviewed perceive their current work as negative, 42.86% perceive it as positive and the rest remain neutral. From the interviews, the study finds that most of them (both the positive and the neutral) perceive domestic work as “sufficient” or “not bad”. Some of them were able to name advantages of domestic work (mostly financial and learning house chores), but some of them could not.

Those who identified advantages also note that their employers are kind, for example taking them along when they go out to malls and recreational places. Interestingly, all of those who said that their domestic work is sufficient do not want their siblings to work as domestic workers, some of the reason being “the work is too much”.

![Diagram 18. Percentage of Child Domestic Workers Who Will Not Consider Another Job (SAKERNAS)](image)

5.5.5. Are there Positive Impacts?

The desk review finds some advantages documented in past research and analysis. It should be noted that these benefits are assessed in comparison to other alternatives or to their previous circumstances. Commonly, Child Domestic Workers mention better health and nutritional status, better meals and sleeping environment than what were available at home as some positive gains being domestic workers (Klocker 2011, p. 209). Child Domestic Workers in Guatemala found that working in urban households is considerably lighter and better paid than working at home in rural
setting which is often unpaid (Hesketh et. al p. 777). Others cited good working conditions, good income, being given gifts, future opportunities (Klocker 2011, p. 209). In Indonesia, more than 80 percent of the CDW were given 3 meals a day, 70 percent were given snacks during the day and 89 percent got their health treatment paid by their employer should they get sick (ILO 2004, p. 103-108). From a general perspective, many working children found that working give them capacity to be independent and make more decisions about their lives than before (Bessell 2009, p. 536).
6| Regulatory Framework on Child Domestic Workers in Indonesia

6.1. Regulations Adopted at the National Level

There is no special law or regulation for domestic workers at national level; however there are some laws and ministerial regulations that are relevant to Child Domestic Workers. Law No. 23 of 2002 on Child Protection spells out general provisions on children and specifies all the rights that children must enjoy. The child protection law generally models UN Convention on the Rights of the Children. It gives mandate to the government as the primary duty bearers to ensure fulfilment and protection of these rights. Article 9 specifies that every child has the right to education while article 10 stipulates a child’s right to leisure, time to play and to socialize. Article 13 requires parents to protect children against exploitation, discrimination, and neglect. In particular, article 59 states that government will protect children in emergency situation that includes children who are exploited economically.

Indonesia also has ratified ILO Convention No. 138 Concerning Minimum Age for Admission to Employment through Law No. 20 of 1999 that adopts the legal minimum age of employment at 15 years old. This law changes the previous regulation that put 14 years old as minimum age for working children. Other relevant ILO Convention that has been ratified by Indonesia is ILO Convention No. 182 on the Elimination of Worst Forms of Child Labour through Law No. 1 of 2000. This law states that Indonesian commitment to adhere to ILO’s vision in eliminating the worst forms of child labour. Law No. 1 of 2000 later was operationalized by Presidential Decree No. 59 of 2002 on the National Action Plan to Eradicate All Worst Forms of Child Labour. The Decree lists 13 activities as a worst form of child labour, including Domestic Work. The decree also lays out a short, middle and long term programmatic plans to eliminate these worst forms of child labour. During the short-term plan, there are five worst forms of child labour as government’s priorities in the first five years (2002-2007). Domestic Work is not part of the top five priorities. It is interesting to know what is the concrete follow-up to the first short term plans.

Following up this decree and ratification, the government established national committee as well as a special task force on the elimination of worst forms of child labour. The committee now, according to Presidential Decree No. 59 of 2002, would have ended second five years phase of their programs. The first phase of the program was mainly focus on establishing local committees, socialization of worst forms of child labour, public awareness, and programs for elimination of the top five worst forms of labour. At the end of 2007, there were at least two regions with special local regulations
(Perda) in child labour: North Sumatera and Kutai Kertanegara. The report recognized that there are two other worst forms of labour one of which is domestic work. However, the report also recorded some achievement in writing up and replicating guidance to handle Child Domestic Workers in 12 provinces.

Employment of children in general is regulated by Law No. 13 of 2003 on Labour within which there is a section for children. This labour law has the general spirit of elimination of child labour. However, it also recognizes that under some circumstances, children employment cannot be avoided and in some cases can be beneficial to children. It generally prohibits employment of person below 18 years old with some exception for apprenticeship for children 15 years old and above under supervision of trainers and teachers. It also exempts light work for children between 13-15 years old with certain provisions including parental consent, working agreement with parents/guardian, maximum 3 hours working during day time and must not interfere with schooling time, a clear relationship with employer, and appropriate remuneration. It also stipulates separation of working place for adult workers and child workers.

Similar with ILO Convention No. 182, the Labour Law lists the worst forms of child labour; it does not make any specific reference to Domestic Work. However, similar to many other regulations, the labour law leaves rooms for further elaboration by stating that any kind of works that is harmful to a child’s health, safety or morals is to be prohibited and is subject to further interpretation regulated through ministerial regulations. Interestingly, the Labour Law states that a child is considered working when he/she is found in working place, unless it can be proved otherwise. The problem with this provision is how to define working place. Especially for Child Domestic Workers who work illegally, it would be hard to prove that a house is indeed a working place. In terms of government roles, the Labour Law sets out that government has obligations to implement measures to respond to children working outside clear employment relationship.

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7 Act of the Republic of Indonesia, Number 13/2003; Art. 74: (1) Every body shall be prohibited from employing and involving children in the worst forms of child labour. (2) The worst forms of child labour (literal: the worst jobs) as referred to under subsection (1) include: a. All kinds of job in the form of slavery or practices similar to slavery; b. All kinds of job that make use of, procure, or offer children for prostitution, the production of pornography, pornographic performances, or gambling; c. All kinds of job that make use of, procure, or involve children for the production and trade of alcoholic beverages, narcotics, psychotropic substances, and other addictive substances; and/or d. All kinds of job harmful to the health, safety and moral of the child. (3) The types of jobs that damage the health, safety or moral of the child as referred to under point d of subsection (2) shall be determined and specified with a Ministerial Decision.
Another relevant piece of legislation is Law No. 23 of 2004 on the Elimination of Domestic Violence that makes explicit reference to live-in domestic workers. The domestic violence law prohibits any form of violence against any member of family within one household. The domestic workers are regarded as members of the family as long as they live with the family. However, the Law neither stipulates special provisions for domestic workers nor recognizes their different vulnerabilities.

Although it is commonly linked with domestic workers, the recent Law No. 21 of 2007 on the Eradication of Trafficking in Persons does not contain any special reference to domestic workers. However, the operationalizing regulations at the ministerial level such as Ministry of Women Empowerment and Child Protection No. 09 of 2011 on the early awareness of people trafficking, do have some explicit reference to domestic workers in terms of their vulnerabilities to trafficking, fraud, and to forced labour. The ministerial regulation also particularly points to recruiter or agents and employers of domestic workers as some players in people trafficking. Many trafficked persons end up, the regulation continues, working as migrant domestic workers.

At ministerial level, there are only a few regulations related to Child Domestic Workers. The Ministry of Home Affairs Decree No. 6 of 2009 on the establishment of Local Committee on the elimination of the worst forms of child labour does includes Domestic Work as one of the worst forms of child labour. This decree also requires government to give scholarship and vocational trainings for working children who want to pursue back their education. The Ministry of Women Empowerment and Child Protection also have some provision on Child Domestic Work under the child friendly city regulation that classifies Child Domestic Workers as exploited children.

Most regulations on children or labour, in conclusion, do not give special provisions for Child Domestic Workers. For example, the Regulation No. 235 of 2002 from the Ministry of Manpower and Transmigration lays out in details characteristic of labour that is considered prejudice to children’s health, safety or moral but domestic work is not specifically spelt out. However, the decree classifies job that includes heavy lifting and requires children to work around 18.00 to 06.00 to be harmful. While Ministry of Women Empowerment and Child Protection Regulation on Violence against Children No. 6 of 2011, while it sets out action to protect children from violence at home and in school, it does not give recommended action to protect children against violence in working places.
6.2. Regulations Adopted at the Sub-National Level

At local government level, there are numbers of relevant legislation issued both at provincial and district level. Peraturan Daerah or Perda (Local regulation) Bekasi No. 12 of 2012 on Mother and Child Protection stipulates that the government is responsible for the protection of children who are economically exploited. In its Article 35, this regulation requires government to organize non-formal education for working children who no longer wants to pursue formal education. Perda Surabaya No. 6 of 2011 on Child Protection has a special chapter on child labour in informal sector. Article 18, although it does not include specifically Child Domestic Workers, includes other occupations in the informal sector under which domestic work can be classified. The chapter also sets out all requirements for employers who employ children in the informal sector. Most of the requirements are similar to the requirements in the Labour Law of 2003 with additional provision of one day off during the weekend.

During this study, three local regulations were identified that make special reference to domestic workers and/or Child Domestic Workers. Perda Bandung No. 10 of 2012 on Child Protection, in article 19 gives mandate to government to reduce risks for child labour by closely monitoring some working places including households that employ children. Article 20 of the same Perda lists Child Domestic Workers as a target group in need for special protection. The second relevant perda is Regulation of Special Province of Yogyakarta No. 31 of 2010 on Domestic Workers. Article 8 stipulates all the rights of domestic workers including holiday, remuneration, protection from violence, clear job descriptions, enough rest, and leaves for health and other reasons. Articles 4 to 6 regulate Child Domestic Workers. Article 4 requires employers of Child Domestic Workers to observe their rights as children while article 5 obliges employer to give time for Child Domestic Workers to pursue compulsory education. Article 6 lays out some provisions with regard to employing a Child Domestic Worker, which include parental consent, trainings to handle hazardous tasks, appropriate working hours for children, rights to maintain regular communication with parents or guardian, and rights to health cover, protection against violence, rights to socialize and to participate. The city of Yogyakarta also has similar Perda No. 48 of 2011 on domestic workers with similar provisions with regard to Child Domestic Workers. One additional requirement for employer of Child Domestic Workers is to set up agreement with children’s parents or guardians.

6.3. Bill on Protection of Domestic Workers

A draft law on protection of domestic workers has been discussed by the national parliament since 2006. The domestic workers bill will regulate mainly adult domestic
Perda Propinsi DIY 31/2010 on Domestic Workers stipulates all the rights of domestic workers including holiday, remuneration, protection from violence, clear job descriptions, enough rest, and leaves for health and other reasons. Article 4-6 are specifically for Child Domestic Workers. It requires employers of Child Domestic Workers to observe their rights as children; it obliges employer to give time for Child Domestic Workers to pursue compulsory education; and it lays out some provisions in regards to employing Child Domestic Workers which include parental consent, trainings to handle hazardous tasks, appropriate working hours for children, rights to maintain regular communication with parents or guardian, and rights to health cover, protection against violence, rights to socialize and to participate.

Perda Kota Yogyakarta 48/2011 on Domestic Workers has similar provisions with regards to Child Domestic Workers. One additional requirement for employer of Child Domestic Workers is to set up agreement with children’s parents or guardians.

Perda Kota Bandung 10/2012 on Child Protection gives mandate to the local government to reduce risks for child workers by closely monitoring working places including households that employ children. It also lists Child Domestic Workers as targeted groups in needs for special protection.

workers and aims at giving them protection. Normatively, the bill prohibits employment of children as domestic workers. However, recognizing that this vision will not be possible in short term, the draft bill considers a five years transition period where children can work as domestic worker albeit under some requirements. The requirements for employer are similar to those of the Labour Law 2003 and Perda Yogyakarta. The proposed draft, however, includes children consent and signatory on the working agreement and requires government to ensure free education for Child Domestic Workers.

With regard to the draft law the ILO Committee of Experts on the Application of Conventions and Recommendations has made a reference on a recent observation to the report submitted by Indonesia with regard to C.182: “(...) the Committee urges the Government to take the necessary steps to ensure that the draft Act for the protection of domestic workers is adopted as a matter of urgency, to ensure the protection of children under 18 from hazardous domestic work. It requests the Government to continue to take concrete measures to address the situation of child domestic workers, and to provide information on the results achieved, particularly in terms of the prevention and withdrawal of children from domestic work. The committee encourages the Government to ratify the Domestic Workers Convention, 2011 (No. 189), which has key provisions for child protection.”

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7| Policies and Programs on Child Domestic Workers in Indonesia

7.1. Child Labour within National Priorities

The government of Indonesia targets to have child labour eradicated by the year 2020. Less than seven years down the line, it remains difficult for anyone to determine how far Indonesia is from that target. Government as well as non-government organizations and individuals working on this issue are still lacking means to know whether the situation on child labour in Indonesia is getting better or worse. This situation is due to the difficulties of obtaining accurate data and information on children who are working, especially in hidden sectors such as domestic work. As a consequence, it also becomes problematic to know whether programs and policies being put in place to tackle different forms of child labour are effective. Moreover, despite having the noble and ambitious goal, this study could not find a specific national strategy or a roadmap on how Indonesia plans to eliminate child labour by 2020. There was a five-year national plan of action on the elimination of worst forms of child labour signed by the President in 2002, and this study could not identify newer strategic policy five years after its expiry.

From the Interviews with Policy Makers:

General Perception and Understanding of Child Domestic Workers

- Know about the ratification of ILO Convention 138 and 182 and that domestic work is considered one of the worst forms of child labour.
- Know about the regulations regarding Child Labour (i.e. minimum age, working conditions)
- When specifically asked about child domestic workers, everyone said that there is no specific legal instrument and/or program designed for the elimination of this type of child labour. However, all were able to mention other related child labour and child protection policy frameworks that include child labour.
- All related instruments are for the elimination of worst forms of labour (in general), even for specific social protection programs for child labour (PKSA under MoSA that is specifically for street children and PPA PKH under MoLT for child labour) none is able to target/captured CDW.

Data and Information on Child Domestic Workers

- All agree that child domestic workers are “hidden” and with the lack of accurate data, the government cannot set realistic targets and programs on child labour, including on child domestic workers.
- There is no agency being given responsibility to develop and test different ways and methods to measure prevalence and to collect rigor information regarding child

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labour including child domestic workers.

- Most programs rely on episodic or small-scaled studies provided by development partners working on child labour issues.

Coordination and Provision of Services for Prevention and Protection of Child Domestic Workers

- All agree that each sector works in accordance to their own mandate and responsibilities therefore coordination is needed. But all also concur that coordination even though crucial is very difficult to be achieved.
- National Committee being set up under the ministry of labour and transmigration (MoLT) structure to ensure inter-sectoral collaboration and communication seem to be lacking strategy on how to maintain coordination.
- Different sector has different programs offering different services, however none was specifically designed to target child domestic workers. The signature MoLT program to withdraw child labour PPA-PKH also does not seem to have child domestic workers as their specific mandate. PPA-PKH in reality does reach some children working in domestic sector, but it does not have particular strategy on how to identify and to include them in the program.
- These different services (health, education, social welfare and at time legal protection), although recognized but all that each one is linked to another, are still working in fragmented manner, implemented in different geographical areas with different scope and targets.
- As a consequence, each program also has its own monitoring and evaluation approach applying different methods and measuring different indicators, making it difficult to compare results.
- On prevention strategy, the predominant perspective is to raise the awareness of the parents and the children themselves. This supply side-heavy approach unfortunately has yet to include long-term economic strengthening and youth employment components.

Responsibility of labour issues falls under the Ministry of Labour and Transmigration (MoLT). However, when it comes to child labour, and this includes child domestic workers, the scope of responsibilities inherently spans over different ministries that handle not only labour but also other aspects of child welfare and protection. This includes health, education, social affairs, law enforcement and the judiciary. Overarching sectors such as planning, finance, and national statistics body, ideally, play key role in setting up the right policy, program and budgetary structure for implementation. Moreover, ministry of law and human rights is also responsible for developing the needed regulatory framework, where the Parliament will then deliberate and enact such laws. State auxiliary bodies such as KPAI (Indonesia Child Protection Commission) also holds mandate for the advocacy and monitoring of protection and prevention of child labour as well as some portion of report handling. When there are violations of child labour’s rights, law enforcement and judiciaries should come to the picture guaranteeing legal rights of the victims and upholding fair and transparent process of justice seeking.
These different sectors in addition to being navigated by the ILO conventions and child labour-specific sets of laws and regulations mentioned in previous section are also guided by the Convention on the Rights of the Child (CRC) ratified by Indonesia in 1990. CRC sets the standards of basic rights of children to survive and develop, rights to education, to participation and to protection, including from child labour.

In general, we see laws and policies on human rights-related issues mushroomed, and recently child protection became one of national priorities set in the Medium-Term Development Plan 2010-2014. In this national planning document, child protection was identified as one of the four national priorities (alongside Poverty Reduction, Climate Change, and of Marine Development). It includes strategic statement and five-year plan to improve the survival and development of children, and the protection and welfare of children including child labour. Following the core-planning document, the President of Indonesia issued a Presidential Instruction Number 1/2010 on the Acceleration of the Implementation of National Development Priorities for 2010 (Patunru, 2012). The directive puts forward the prioritization of child protection and wellbeing programs, including particular social assistance programs for children such as child labour’s PPA-PKH as one of the national priorities under the poverty reduction sector. Despite having child labour mentioned in child welfare and protection highlights; inopportunistly the issue seems to be falling under the radar, even more so for child domestic workers.

7.2. Child Labour Program PPA-PKH

When the study was conducted, PPA-PKH is the only child labour-specific program that is reaching children with direct benefit, other than advocacy and “socialization” activities alike. PPA-PKH is a program designed and implemented by the Ministry of Labour and Transmigration launched in 2008. Not designed specifically for child domestic workers, PPA-PKH has been reportedly provided assistance to CDW and therefore is discussed in this study in the context of CDW.

It has been recognized that poverty is a significant factor pushing children to be working. Child labour is an excess of poverty and when an individual is trapped in child labour it will be more challenging for him/her to escape poverty in the future. Even though this is not specific to child domestic workers, but in this paper poverty is mostly discussed in relation with CDW. As such, this study stands on a premise that effort to tackle child domestic workers must link with the national effort to alleviate

10 RPJMN 2010-2014 Book II Chapter 1 p. 43.
poverty and improve family wellbeing, or it will not be able to address the root causes otherwise.

The national program named “Penarikan Pekerja Anak untuk Mendukung Program Keluarga Harapan” or in short PPA-PKH was developed on that very thinking, and therefore from the very beginning has been designed to be attached with PKH -the household-based conditional cash transfer program conditional to participation of children in health checks and schooling.

**PKH** is a conditional cash transfer program providing direct cash benefits to poor families that are conditional on household participation in a locally provided health and education services. PKH is one example of social assistance program that incorporates an evaluation mechanism from the beginning. It allows for a regular monitoring and impact measurement. The latest report shows that the PKH benefits had increased beneficiaries’ monthly spending by 10% on protein foods and health services. It also shows positive impact on children’s health quality, and has a spillover effect to the quality of child’s health in neighboring households who did not receive the cash transfers. It also has a positive effect on children staying in school. However, it does not address problems around out-of-school children, either on enrolment in formal education or on providing access to alternative education (World Bank, 2012).

PPA-PKH targets to withdraw children from child labour, by having them participate in a one-month rehabilitation-training program, and at the end of the program to provide them assistance to register in schooling either formal, non-formal, or vocational. PPA-PKH works within PKH beneficiaries framework and finances children from PKH families who are not being covered by the PKH grant. This approach is encouraged because it uses single database and therefore enable an integrated services. However at the same time, due to unclear beneficiaries’ eligibility, PPA-PKH seemingly ends up reaching less “already-working” children in compare to “at-risk” children. Said differently, PPA-PKH does more prevention than withdrawing.

The success of PPA-PKH also depends on the supply side of education sector. Even though educational programs can also be provided in forms of vocational trainings held by private sectors or non-formal equivalency education such as Paket A, B and C, the services available are still struggling to catch up with the needs. Number of formal secondary schools such as SMP (junior secondary) and SMA (senior secondary) dropped to 36,425 and 10,239 from 148,361 SD (primary) schools available.11 In some locations, organizations like ILO collaborating with local NGOs are providing bridging

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11 Number of public and private schools as recorded in the Ministry of Education in 2012. Number of SMA was from 2009.
and remedial courses for children withdrawn from labour to help them transition back to school. These extra services, however, do not necessarily provided for PPA-PKH children. Even if they are, there is no mechanism in place to measure whether it increases the likelihood of success of PPA-PKH beneficiary.

PPA-PKH was, in theory, established to directly and indirectly support the government of Indonesia’s commitment to address poverty. Long before PPA-PKH, the government has been implementing a number of Social Assistance programs, gradually transforming into an integrated social protection program targeting the very poor, poor and near poor families and individuals. Each program has a different timeline and target but the common purpose of these programs are 1) to assist those who are currently poor meeting their basic survival needs; 2) to help the poor to be out of poverty; and 3) to protect the vulnerable from falling into poverty. Generally, those common purposes are also shared by PPA-PKH.

Beyond any child rights arguments, making sure that children are the main beneficiaries of these programs is economically reasonable as Indonesia soon to enjoy its demographic bonus\(^\text{12}\) and investing in children today will shape its development potentials. However, the overall poverty reduction strategy currently being implemented is still missing the ability to address specific risks experienced by children living in poverty as well as to address vulnerabilities that would otherwise enables children to escape poverty in the future (Patunru, 2012). PPA-PKH, as well as other related programs, lacks durable mechanism in identifying and minimizing risk of labour especially for children living in poverty and it has fragmented response to tackle the negative impact of child labour.

PPLS 2011 (Social Protection Program Unified Database) recorded that nearly 25 million children live in the bottom 40% households in Indonesia -based on family income level. This excludes children who are outside of household settings such as migrant, street and trafficked children. Among these 25 million, around 1.5 million are currently working, a number still far from reach by PPA-PKH, considering the target of the program.

\(^{12}\) According to the latest population estimates, Indonesia will reach the lowest dependency ratio with its productive age population increasing significantly starting 2020.
Table 5. Existing Social Assistance Programs in Indonesia

<table>
<thead>
<tr>
<th>Program</th>
<th>Target group</th>
<th>Coverage</th>
<th>Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unconditional Cash Transfers (BLT)</td>
<td>Poor &amp; near poor households</td>
<td>18.7 million households</td>
<td>Rp. 100,000/month</td>
</tr>
<tr>
<td>Rice for the Poor (RASKIN)</td>
<td>Poor &amp; near poor households</td>
<td>17.5 million households</td>
<td>15 kg rice/month (appr. IDR 1.1 million per year)</td>
</tr>
<tr>
<td>Health Assistance (JAMKESMAS)</td>
<td>Poor &amp; near poor households</td>
<td>76.4 million people</td>
<td>Unlimited subject to conditions</td>
</tr>
<tr>
<td>Scholarships for the Poor (BSM)</td>
<td>Poor students</td>
<td>4.6 million students</td>
<td>IDR 360,000-1.2 million (based on level of school)</td>
</tr>
<tr>
<td>Conditional Cash Transfer (PKH)</td>
<td>Very poor households</td>
<td>810,000 households</td>
<td>IDR 1.3 million per year</td>
</tr>
<tr>
<td>Program to Withdraw Children from Child Labour (PPA-PKH)</td>
<td>School-aged children from PKH families who are not covered by PKH grant</td>
<td>11,000 children (an accumulation since 2008)</td>
<td>One month rehabilitation program; assistance for school/vocational training registration, IDR 1 million lump sum and in some cases school uniform/supplies</td>
</tr>
<tr>
<td>Social Assistance for Vulnerable Children (PKSA)</td>
<td>Neglected under-5, neglected children, street children, children in contact with the law, children with disability, children in need of special protection</td>
<td>4,187 children</td>
<td>IDR 1.3 to 1.5 million per year</td>
</tr>
<tr>
<td>Social Assistance for People with Disability (JSPACA)</td>
<td>Adults with severe disability</td>
<td>17,000 people</td>
<td>IDR 3.6 million per year</td>
</tr>
<tr>
<td>Social Assistance for Vulnerable Elderly (JSLU)</td>
<td>Vulnerable elderly</td>
<td>10,000 elderly</td>
<td>IDR 3.6 million per year</td>
</tr>
</tbody>
</table>

Source: BAPPENAS 2011. Line on PPA-PKH was added by the study and the information was obtained from different sources.

In 2012, PPA-PKH was being implemented in 21 provinces namely: Sulawesi Selatan, Nusa Tenggara Timur, DKI Jakarta, Gorontalo, Sulawesi Utara, Jawa Barat, Jawa Timur, Bali, Jawa Tengah, DI Yogyakarta, Banten, Nusa Tenggara Barat, Kalimantan Selatan, Kalimantan Tengah, Kalimantan Barat, Bengkulu, Sumatera Barat, Lampung, Sumatera

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14 Excerpted from http://menteri.depnakertrans.go.id/?show=news&news_id=812
Utara, Sulawesi Tengah and Aceh. MoLT targeted to withdraw approximately 11,000 children from child labour in 2012, an optimistic 300% increase from 2011 realization. Even with this number realized at 100%, with the current level of budget allocation (Table 7), it will take several centuries to withdraw an estimate of 3 million child labourers in the country.

Table 6. Children in the Bottom 40% Based on Their Labour Status According to PPLS 2011

<table>
<thead>
<tr>
<th>Number of Children in the Bottom 40% Household</th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>by working status</td>
<td></td>
<td></td>
</tr>
<tr>
<td>not working</td>
<td>12,074,669</td>
<td>11,313,039</td>
</tr>
<tr>
<td>temporarily not working</td>
<td>76,461</td>
<td>65,285</td>
</tr>
<tr>
<td><strong>working</strong></td>
<td><strong>829,616</strong></td>
<td><strong>607,892</strong></td>
</tr>
<tr>
<td><strong>Total by Gender</strong></td>
<td><strong>12,980,746</strong></td>
<td><strong>11,986,216</strong></td>
</tr>
<tr>
<td><strong>Total Children</strong></td>
<td><strong>24,966,962</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Working Children in the Bottom 40% Household</th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>by age category</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt;10</td>
<td>36,212</td>
<td>33,118</td>
</tr>
<tr>
<td>10-14</td>
<td>234,232</td>
<td>191,437</td>
</tr>
<tr>
<td>15-17</td>
<td>559,172</td>
<td>383,337</td>
</tr>
<tr>
<td><strong>Total by Gender</strong></td>
<td><strong>829,616</strong></td>
<td><strong>607,892</strong></td>
</tr>
<tr>
<td><strong>Total Children</strong></td>
<td><strong>1,437,508</strong></td>
<td></td>
</tr>
</tbody>
</table>

Table 7. Social Assistance Programs Based on Budget Allocation

<table>
<thead>
<tr>
<th>Categories</th>
<th>2011 Annual Expenditure (IDR)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice for the Poor (RASKIN)</td>
<td>15.267.000.000.000</td>
<td>56,43%</td>
</tr>
<tr>
<td>Health Assistance (JAMKESMAS)</td>
<td>5.100.000.000.000</td>
<td>18,85%</td>
</tr>
<tr>
<td>Scholarship for the Poor (BSM)</td>
<td>3.900.000.000.000</td>
<td>14,42%</td>
</tr>
<tr>
<td>Conditional Cash Transfer (PKH)</td>
<td>1.610.000.000.000</td>
<td>5,95%</td>
</tr>
<tr>
<td>Disaster Assistance &amp; Relief</td>
<td>429.040.000.000</td>
<td>1,59%</td>
</tr>
<tr>
<td>Other Social Assistance (for disability JSPACA, for vulnerable elderly JSPLU)</td>
<td>358.890.800.000</td>
<td>1,33%</td>
</tr>
<tr>
<td>Social Assistance for Vulnerable Children (PKSA)</td>
<td>287.127.300.000</td>
<td>1,06%</td>
</tr>
<tr>
<td>Assistance for Elderly</td>
<td>101.114.400.000</td>
<td>0,37%</td>
</tr>
<tr>
<td>PPA-PKH</td>
<td>30.000.000.000(^{15})</td>
<td>0,11%</td>
</tr>
<tr>
<td>TOTAL Social Assistance</td>
<td>27.083.172.500.000</td>
<td>100%</td>
</tr>
<tr>
<td>Share to State Budget (APBN)</td>
<td>1.320.751.300.000.000</td>
<td>2,05%</td>
</tr>
<tr>
<td>Share to GDP</td>
<td>7.226.900.000.000.000</td>
<td>0,37%</td>
</tr>
</tbody>
</table>

Source: BAPPENAS. Figures added with PPA-PKH taken from RKP 2011.

\(^{15}\) Figure taken from RKP 2011.
Coverage aside, the efficacy of the approach is indefinite. Reportedly, in 2011 MoLT reached a 90.2% success of facilitating former child labourers back to education institutions. However, PPA-PKH does not include monitoring of these withdrawn children, so it is difficult to know whether they manage to stay in school, to strive structured education and academic challenges, or if they end up going back to the same, better or worse labour. PPA-PKH needs to take stock and situate itself among those different programs. In table 5 we can see the different programs and how PPA-PKH is and can be contributing to the common purpose; that is to reduce child poverty, to bring children out of poverty and to prevent children from falling into poverty.

8| Conclusions

Data

1. The complexity around counting the number of Child Domestic Workers reflects that of getting the accurate number of child workers in general. The government can undertake focused-purpose large-scale survey, like the one supported by ILO in 2009. However, it requires a lot of extra resources and specific expertise, making it only feasible to be conducted episodically. Policy makers and child protection workers still need to rely on sets of data that are being collected consistently to enable monitoring of trends of child labour, including child domestic workers. Despite a number of shortcomings, SAKERNAS and SUSENAS thus far remain two of the most reliable sources of information to count child domestic workers, provided through a large-scale multi-purpose household survey every one or two year. It is recognized that big national data do not representatively capture child labour phenomenon and they are not traditionally designed to get information on informal sectors workers including the ones in private dwellings. Meanwhile, most child domestic workers as also adult domestic workers in Indonesia are characterized by their “live-in” situation, which makes them part of their employer’s household. SAKERNAS and SUSENAS as household-based surveys are therefore potential to be used and further sensitized as source of data on the issue.

Demographics

2. Child Domestic Workers make up about 4 to 5% of Child Labour market in Indonesia and approximately 15% to 23% of Domestic Workers in Indonesia. This study, however, was not designed to draw analysis on how it makes the overall economy.

3. This study finds that SAKERNAS estimation shows decreasing trend of Child Domestic Workers from 131,215 to 108,381 to 77,339 respectively in 2009, 2010 and 2011. Meanwhile SUSENAS shows an increase from 2009 to 2010 but it decreases in 2011. SUSENAS records an estimate of 121,486 to 145,735 to 108,785 in 2009, 2010 and 2011. It is important to note that SAKERNAS 2011 does not show any information on individuals below 15 years old.

4. In general, more than 84% of Child Domestic Workers are girls and the percentage is higher in the older children of 15 to 17 year-olds. Nevertheless, this study notifies that even though the numbers are much less, both SAKERNAS and SUSENAS still capture child domestic workers in the age group of 10-14 years old, with over 10,000 children in Indonesia in domestic work, i.e. in a child labour
situation below the minimum age for work of employment.

5. Most all of the Child Domestic Workers can read and write, but only over half of them enjoy primary education, and much less attended junior secondary school. Therefore, being in domestic work tend to put them out of school.

6. From the interviews, the study finds that child domestic workers come from Banten, Gabus, Lampung, Tasikmalaya, Indramayu, Kerawang, Bekasi, Banjaran, Cianjur, Wates, Cirebon, Purworejo, Pekalongan, Brebes, Pandeglang, Pasuruan. That some of them would refer to fellow child domestic workers from the same hometown indicates that they are maintaining communications. The interviews could not confirm the assumptions that Child Domestic Workers from nearby origin would mostly be found in the scheduled visits or non-live-in type of employment.

Push and Pull Factors

7. Poverty and Parents’ Education. 86% of Child Workers come from low-income families who earn less than 1 million rupiah per month (around $100). Parents of 68% of them attended primary school (51%) and junior secondary school (17%) as their highest education. Interviews find that more than 20% of the Child Domestic Workers have at least one parent who works as domestic worker.

8. Recruitment. Most Child Domestic Workers interviewed said that they got connected to their current employer by their friends, relatives, neighbours and their own parents; including the ones who are not in their first job. From the interviews, none of the employers used agency service for getting the Child Domestic Workers. The reason being that it is too expensive.

9. Motivation. Most of the Child Domestic Workers interviewed claimed that they were self-motivated to work. 65.71% and did it to help their parents financially and the rest did it because it interests them. When asked about what they want to do if they stop working as domestic worker, fewer answered “to continue education”. The ones who said that, were in doubt, i.e. considering the costs they did not see this option as being “realistic”. Most said they would want to work elsewhere or try new things ranging from busking to work in “an office”. However, the same Child Domestic Workers said they are not looking for another job, most reasons being “it’s the only available job” and “it’s not bad”.

Working Conditions

10. In general, Child Domestic Workers work long hours and are being paid very little
in exchange. SAKERNAS and SUSENAS 2010 show that they work in average 55 to 70 hours per week and are paid in average 120,000 rupiah per month (around $12). Although vanishing, the risk of not being paid is higher in younger Child Domestic Workers (10-14 year-olds).

11. The average total wages (i.e. cash plus in-kind wages) of the Child Domestic Workers are above that of the aggregate adult Domestic Workers. Within Child Domestic Workers, the wage increases with age, however, the real wage actually decreases over time. The ratio of non-money to money wage is around 0.2-0.4, that is, compensations to the Child Domestic Workers are dominated by money payment as opposed to in-kind.

12. The Child Domestic Workers interviewed received monthly salary of: 200, 250, 350, 400, 450, 600, 650, 700 thousand per month and in one case of 1,5 million per month. Some receive allowance and tips for extra work. Some receive in-kind benefits mostly meals, lodge and toiletries. All this cannot be conclusively associated with the amount of salary. Most receive holiday allowance (THR). Child Domestic Workers with scheduled visits (non-live-in) tends to belong to the lower salary group.

13. None of the Child Domestic Workers interviewed has a written working agreement, and none of them negotiated their salary. All confirmed that they received what was promised. Most mode of payment is that Child Domestic Workers receive full salary each month. Some receive the salary weekly, and some receive extra allowance daily or weekly. Few cases were found where the employer keeps the salary. Child Domestic Workers can prompt for lump sum as they need it. Interestingly, neither the Child Domestic Workers nor the employer keep written record while both refer the arrangement as “savings”. The interviewed employers said they “remember them exactly”. Interviews could not confirm if actual bank accounts are opened for this “savings”.

14. Salaries are mostly sent to families. Child Domestic Workers keep “enough” amount for themselves mostly for refreshments, recreation, and make up. Most of Child Domestic Workers who receive daily/weekly allowance said that they send 100% of their salaries home.

15. When asked about the possibility of minimum wage regulation for Domestic Workers, employers said they would comply but they note that the minimum wage should factor in meals and lodge they provide. They would not give extra allowance or in kind when the regulation is applied. Employers paid for their
medical needs. When interviewed, employers hope that the government can provide health coverage for them in the future. Employers claim that they would support and even pay for Child Domestic Workers to continue their education or vocational training, as long as the housework is met.

16. The interview found two cases of Child Domestic Workers who experienced sexual harassment from their previous male employer. One of them defined it as “attempted rape”. One immediately resigned after the first incident, and the other one was kicked out of the house when other members of the household caught the incident. Two Child Domestic Workers experienced physical abuse due to being accused of theft and of recklessness. Some noted being “yelled at” as bad experience. These experiences did not prevent them from re-entering domestic work. “There are no other options” and “this employer is different” were used to explain.

Impact

17. In addition to national data showing that most Child Domestic Workers dropped out of school, the aspiration, among the Child Domestic Workers interviewed, to continue education is lower than the aspiration to look for a better job. From the fewer who want to go back to school, even fewer want to reach higher education. Interestingly all specifically mentioned that they want it to attend “the regular school”. Figures of child workers who are not in school anymore are lesser when compared to that of child domestic workers and this might suggests that the risk of school dropouts amongst children who work in domestic labour might be higher than in other type of activities.

18. There is a tendency to stay in domestic work. All Child Domestic Workers interviewed whose first working experience was domestic work stay in the same type of work even after working in more than two places. SAKERNAS data shows that 75% to 86% of children providing services to household who are not in their first employment said that their previous job was also domestic as “personal services for household”.

19. SAKERNAS shows that more than 60% of Child Domestic Workers do not desire another job. 40% of the child domestic workers interviewed perceive their current work as negative, 42.86% perceive it as positive and the rest remain neutral. From the interviews, the study finds that most of Child Domestic Workers perceive domestic work as “sufficient” or “not bad”. Some of them were able to name advantages of domestic work (mostly financial and learning how to perform house chores), but some of them could not. Those who identified advantages also note
that their employers are kind, for example taking them along when they go out to
malls and recreational places. Interestingly, all of those who said that their
domestic work is sufficient do not want their siblings to work as domestic workers,
some of the reason being that “the work is too much”.

Employers
20. More than 50% of Child Domestic Workers’ employers finished their higher
education with bachelor degree of diploma. The salary of the head of households
who employ Child Domestic Workers is in average 7.5 million rupiah per month.
60.2% of them work as employee (“pegawai”).

21. Most employers are concentrated in DKI Jakarta province followed by East Java,
West Java, Central Java and Banten. DKI Jakarta employs the most Child Domestic
Workers in all age group categories, except in 2007 where West Java employs
younger Child Domestic Workers aged between 10-14 years old. While
employment of younger Child Domestic Workers decreased in other four top-5
provinces, it increased from 7.1% in 2009 to 17.1% in 2011 in Central Java. In 2009
and 2011, Bali and East Nusa Tenggara increasingly became the destination
provinces for Child Domestic Workers.

22. Most Child Domestic Workers interviewed ranked their current employers 8 to 10
on the scale of 1-10 (10 being the most positive). Those who ranked them 5 or 6
defined their employers as “demanding” or it is more due to “the employer’s
unruly child”. Those who identified advantages of domestic work also note that
their employers are kind, for example taking them along when they go out to
malls and recreational places.

Likelihood of a Child to Work
23. Age gives the highest effect on the odds of working. For children 10-17 years old,
every one year increase in age increases the odds by around 80%. Being male
increases the odds of working. For boys age 10-14 years old this increases the
odds by more than 50% in 2007 and down to 45% in 2011. The odds of a child
working decrease by 50% if the child’s household is located in urban areas.

Likelihood for a Family to Employ a Child Domestic Worker
24. The odds increase when the main income of the family comes from being an
employer. This might suggest that many child workers work in a family business.
The odds decrease in household with higher income and higher level of education
of household head; and increase with the size of the family. The biggest effect on
the odds of a household employing a Child Domestic Workers comes from head
of household’s income. However, it is not significant in the case of younger Child Domestic Workers aged 10-14. In fact, none of the independent variables used is significant in explaining the odds for under-age Child Domestic Workers. The odds of having a 15 to 17 year-old Child Domestic Worker in the house increase with the level of education of the household head and income, and decrease with head of household’s age.

Regulations, Policies and Programs
25. One of the main focuses of existing regulations, program and policies on child domestic workers as those on child labour is withdrawal, mainly based on the premise that all children do not belong in labour. Protection effort, when exists, focuses more on sanctioning domestic work instead of regulating ways to minimize risks and on provision of services that ensure child labour’s rights.

26. On the other side of the spectrum are the ones focusing on “normative” prevention, anchoring most of activities, meaning human and financial resources, on developing and disseminating laws and regulations (known as “sosialisasi”), setting up ad-hoc structures (for example task forces or inter-sectoral working groups).

27. Efficacy of those approaches is still difficult to measure due to the complexity of the problem as well as the availability of reliable data. Moreover at the impact level, not only that withdrawing effort needs huge investment, it also needs to ensure provision of durable alternatives, supporting reintegration mechanism, close tracking and monitoring to prevent setbacks. Formal education as a strategy should be accompanied by other options, acknowledging current challenges of supply side, infrastructure and quality of education, as well as different interests and academic ability of young people. In addition, most children enter the job market due to economic reasons, while current programs -including vocational training- have yet to incorporate sustainable economic and youth employment approaches.
9| Recommendations

1. **To immediately address the absence of accurate and comparable data on child domestic workers.** Despite common understanding that being in a child labour situation in domestic work is not of children’s best interests, there is limited evidence exists on the condition of Child Domestic Workers as well as the factors influencing its supply and demand. To help provide inputs to policy making, therefore, it is recommended to improve ways to generate evidence and develop a mechanism to monitor and to gather information about child domestic workers. One possible way is to cooperate with the national statistics body (BPS) in improving its regular surveys as to capture key information regarding Child Domestic Workers.

2. Acknowledging that Indonesia has taken steps towards considering domestic work a worst form of child labour despite showing slow progress in clear policy directions, actions and programs to combat child labour in general and child labour in domestic work in particular should encompass at least four main goals, which are:

   a. **No child below 15 years old should be in domestic work;**

   b. **No child, irrespective of his/her age, should be in a labour situation in domestic work,** where by its nature or the conditions in which it is carried out is likely to harm his/her health, safety or morals;

   c. **No child, irrespective of his/her age, should be in a slavery alike domestic work situations,** i.e. trafficking, forced labour, or debt bondage; and

   d. **All young employees (15 to 17 year olds) in domestic work should be protected,** while continue working towards elimination of domestic work which employs children or anyone under 18.

Therefore, continuous policy dialogue towards building a comprehensive legislative and policy action to end child labour and to protect young workers in domestic work should carry with it elements of:

- Revisiting the national hazardous child labour list and contemplate domestic work, to explore how to regulate, with special attention to the specific needs of children in domestic work, including regulating the minimum standards on the working and living conditions of those who are in youth employment in
domestic work situation. This should include strict limits on hours of work, the prohibition of night work, restrictions on work that is excessively demanding, and monitoring mechanisms on working and living conditions.

- Developing employer incentive system where it rewards ideal domestic work situation and establishing a proper monitoring mechanism that are in line with the Child Labour Conventions No.138, No.182 and the Convention No.189 concerning decent work for domestic workers, which includes formalization of the employment relationship in domestic work through the promotion of written contracts or model employment contracts.

- Developing a prevention-focus effort to avoid any below-15 year olds to enter domestic employment regardless of the working condition, by continue working on the access to education. It is worldly recognized that the longer a child is kept in education, the lesser her chance to be exploited in addition to the bigger his/her chance for future earnings.

- Enforcement of the general minimum age for admission to work or employment, where no child in Indonesia should be in domestic work, or any work for that matter, below the age of 15, and working hand-in-hand within the framework of the national policy on the 9 years compulsory education.

- Identification, prohibition and elimination of the types of domestic work that by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children. This would entail adoption of appropriate penalties and provision for adequate complaint mechanisms as well as its handling, which guarantees access to justice and legal redress; an effective monitoring mechanism, including effective labour inspection that is authorized by law to enter premises in order to enforce provisions applicable to domestic work; and special attention to child migrants vulnerability to abusive working conditions in domestic work.

3. Although the study could not draw strong associations between child domestic work and cultural patterns, it found in its literature review and anecdotal information from the interviews that there are perceptions of domestic work as a “safer” form of work, which would explain the majority of girls involved in this type of work as well as the low aspiration of seeking other alternatives including education. The forms of work in domestic area are also perceived as, in addition to being “safe”, also being very feminine.
More in-depth study on knowledge, attitude and practices around these perceptions would be necessary in order to gain better understanding about the situation and the complex dynamic that are pushing and pulling it.

4. Recognizing its interlinked nature, child labour (and in this case child domestic work) program should cover at least three main components, which are:

   i) **Child labour’s basic rights to survive**; which include food, nutrition, shelter, clothing, water, sanitation, and healthcare;

   ii) **Child labour’s developmental rights**; which include education and psychosocial support; and

   iii) **Child labour’s protection rights**; which include access to legal identity (birth certificate), and protection from as well as reporting mechanism of abuse and violence (either physical or psychological) and from exploitation.

The three components can be strengthened with enablers such as cash assistance utilized to access such services if needed and PPA-PKH facilitators offering family support that provides range of psychosocial care typically offered by caregivers, family members, neighbours, teachers, health workers, and community members on a daily basis and in some cases might require specialized social workers. Cash assistance should be seen as temporary while the more sustainable mechanism is to develop mechanism for the identified children to be able to access services for free.
This goes beyond the scope of work and responsibilities of the Ministry of Labour and Transmigration in the country. Looking at the existing programs, in addition to PKH, PPA-PKH can be combined with at least JAMKESMAS, BSM and PKSA, each with its own strength and weaknesses. It is important to note that to have an effective approach to eliminate child labour in general and child labour in domestic work in particular, all of those programs not only need to be integrated but also need to be improved and a comprehensive approach to prevent and respond to children’s vulnerability needs to be developed.

Social Assistance Programs Description and Specific Challenges:
(Excerpted from Patunru and Kusumaningrum, 2012)

JAMKESMAS\(^{17}\) is a tax-financed health insurance for the poor. So far it has reached the biggest number of beneficiaries compared to other social assistance scheme. Poor-targeting and leakage are two most common problems faced by these interventions, and JAMKESMAS is no exception. Under-utilization of benefits due to beneficiaries’ lack of knowledge of the program as well as unavailability of adequate health services are two of the most highlighted unique challenges in the implementation of this program.

BSM is a school-based scholarship scheme for poor students, providing cash assistance to students from primary level up until university level. BSM is disbursed to students identified by school principals or the authority of education institutions. Due to this school-based ‘targeting’ mechanism, BSM is known as the least pro-poor assistance program. Despite its good intentions, BSM has not been successful in reaching children from poor families, is not able to prevent drop-outs and to bring out-of-school children back to school. Also, BSM was not designed to accommodate the needs regarding early-childhood education.

PKSA is a smaller-scaled gradual conditional cash transfer program that combines a model of youth savings accounts with assistance to children to access basic care and welfare services. PKSA was launched with the hope of reaching the hard-to-reach population of neglected children, street children, children in contact of the law, children with disability and children in need of special protection (including victims of abuse, exploitation and emergencies); and addressing specific vulnerabilities faced by them and their families. The cash assistance is given to enable families to access basic needs for their children such as birth certificate, transportation to school and some basic health care. The program also theoretically provides support from professional social workers such as guidance and counselling services. However, the shortage in the number of social workers and poor capacity of the existing ones make PKSA far from fulfilling its ideal design. Unavailability of baseline and standardized methods of beneficiaries’ identification contribute to the program’s mistargeting. In addition, program sustainability may suffer from the absence of local government commitment and involvement.

\(^{17}\) Will transform into JKN/Jaminan Kesehatan Nasional in 2014.
In addition to still being limited in coverage, each has different impact to its beneficiaries and each is still lacking efficacy. The 2012 World Bank report concludes that the programs are fragmented and poorly coordinated. Their effectiveness are vary due to the insufficient targeting and the limited ability to identify both poor and vulnerable households; the adequacy of the benefit package to address the needs risk of particular households; the quality of delivery and timing of the benefit disbursement; the poor capacity of local implementation agencies; lack of sufficient financial and/or technical support to overcome those; and weak monitoring.
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