

Terms of Reference

REGIONAL WORKSHOP

***on Exchange Policy Information of Mechanisms and Regulations
of the Foreign Workers' Arrangement in the Asia Pacific
and South East Asia***

1. Title of proposed project/ programme/ initiative

Regional workshop on Exchange Policy Information of Mechanisms and Regulations of the Foreign Workers' Arrangement in the Asia Pacific and South East Asia.

2. Name of implementing organization and country

Ministry of Manpower of the Republic of Indonesia.

3. Background

Along with efforts to increase national development, investment is one of the main strategies in order to increase national economic growth to be able to create the expansion of employment opportunities for workers. Labour has a very important role and position as an actor and as a goal for development. Every development activity required workers to fill the position that would contribute to development in various areas. In the development goals of a nation, the government's role is needed to assure the quality and participation of the workforce in national development that respect human dignity. Therefore, if the investment requires the employment of foreign workers, the policy of utilisation of foreign workers is directed to accelerate the national development process through technology and expertise transfer from foreign workers to the national workers.

The utilisation of foreign workers would be different in respect to the national policies and development strategies in the Asia Pacific and South East Asia. The common agenda would be on the protection of national workers and to assure them to be absorbed in the labour market. So that, it becomes important for the Asia Pacific and South East Asia to share the information on the mechanisms and regulations of the foreign workers' utilisation in the Asia Pacific and South East Asia. This knowledge would improve the policy of the licensing service in the effort to improve the investment and industrial climate that would be followed by the utilisation of foreign workers, and to build networking of Foreign Workers' Licencing Officers for mutual relationships between institutions of Asia Pacific and South East Asia's Labour Ministries or relevant authorities to transfer knowledge on economic need test and so forth.

The workshop is intended to share information on the mechanisms and regulations for skilled foreign workers licensing and also to identify which department or Ministry is in charge of the foreign workers' working permit approval in the Asia Pacific and South East Asia.

4. Project summary

4.1 Objectives

The workshop is aimed to

- a. Share information and best practices in the Asia Pacific and South East Asia regarding foreign worker utilisation;
- b. Promote and oversee the best practice of work permit procedures in the Asia Pacific and South East Asia;
- c. Share information and data on existing foreign workers to create a greater understanding of recent legislation, mechanism, and challenges at the respective Asia Pacific and South East Asia;
- d. Increase awareness about the current regulation and policies on foreign workers utilisation post the Covid-19 pandemic;
- e. Strengthen cooperation between the Asia Pacific and South East Asia to increase the capacity of the Work Permit Officer,
- f. Promote the possibility to establish a communication network and a forum for discussion and updating the development of mechanisms and regulations of foreign workers' utilisation in the Asia Pacific and South East Asia.

4.2 Expected outputs and outcomes

a. Output:

- Ease of exchanging information or the latest news that can be used as a reference and be applied by the Asia Pacific and South East Asia countries to increase the sovereignty protection.
- Contact persons for the network of the Asia Pacific and South East Asia Work Permit Officers.

b. Outcome:

- The information of the development of mechanisms and regulations of foreign workers' utilisation in the Asia Pacific and South East Asia is well circulated and coordinated to stakeholders.

4.3 Panellist and Participant

The key partners will be invited to the regional workshop is the competent authority of the Asia Pacific and South East Asia, as follows:

- Ministry of Law and Human Rights, Indonesia.
- The function of the Labour Attaché of the South East Asia States in Jakarta;
- The South East Asia States' Work Permit Officer;
- Foreign Representative Office/Embassy in Jakarta;
- Foreign Chamber of Commerce: *American Chamber of Commerce (AmCham), US-ASEAN Business Council (USABC), European Business Chamber of Commerce (EuroCham), Indonesia Canada Chamber of Commerce, British Chamber of Commerce Indonesia (BritCham), Philippine Business Club Indonesia, German-Indonesian Chamber of Industry and Commerce, The Jakarta Japan Club (JJC), Dutch Business Network, Italian Business Association, Swedish Chamber of Commerce (SwedCham), Danish-Indonesia Business Chamber, Indonesia Norway Business Council, Indonesia Australia Business Council (IABC)*;
- Multinational companies, including Toyota Indonesia, Mitsui Indonesia, Hitachi Asia Indonesia, J Trust Bank, Indonesia Epson Industry, Kikkoman, Coca-Cola, Ernst&Young Indonesia, HSBC Indonesia, Mastercard Indonesia, Price Water House Cooper Indonesia, Freeport Indonesia, ExxonMobil Indonesia, JP Morgan Indonesia, PepsiCo Indonesia, Siemens Indonesia, Kohler, Boeing, Microsoft, Chevron, Hyundai Motors Indonesia, Samsung Electronics Indonesia, LG Electronics Indonesia, and more.

4.4 Timeline

The workshop will be conducted on 27 May 2024 at the Pullman Jakarta Central Park hotel.

4.5 Indicative Budgets

The source of budgets for the proposed project is the Indonesian Government budget.

Jakarta, 6 May 2024

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AGENDA

Monday, 27 May	Activities
08.00 – 09.30	Registration
09.30 – 10.20	<p><u>Session I: Opening</u></p> <p>MC: Brief Information related to Technical Arrangement of the meeting</p> <p>Organizing Report a.i. Director General of Manpower Placement Development and Job Opportunities Expansion, Mrs. Estiarty Haryani</p> <p>Opening Remarks Minister of Manpower of the Republic of Indonesia, H.E. Dr. Ida Fauziyah</p>
10.20 – 10.30	Coffee Break
10.30 – 12.30	<p><u>Session II: Panel Discussion 1</u></p> <p>Foreign Workers Utilization in Indonesia Speaker: Director of Foreign Worker Utilization Control, Ministry of Manpower of the Republic of Indonesia</p> <p>Golden Visa Speaker: Director of Immigration Stay Permit, Ministry of Law and Human Rights of the Republic of Indonesia</p> <p>Q&A</p> <p>Moderated by American Chamber of Commerce, Stephen Igor Warokka</p>
12.30 – 13.30	Lunch Break

13.30 – 15.30	<p><u>Session III: Panel Discussion 2</u></p> <p>Best Practices, Initiatives and Challenges of Asia Pacific and South East Asia on Foreign Worker Utilization.</p> <ul style="list-style-type: none"> - Japan: Kakeru Fujiyama, Attache Justice, Embassy of Japan - Malaysia: Thomas Matthew, TalentCorp Berhad, Ministry of Human Resources <p>Q&A</p> <p>Moderated by Legislation & Cooperation Bureau, Ministry of Manpower</p>
15.30 – 17.30	<p><u>Session IV: Panel Discussion 3</u></p> <p>Best Practices, Initiatives and Challenges of South East Asia on Foreign Worker Utilization.</p> <ul style="list-style-type: none"> - Philippines: <i>tbc</i>, Division of Foreign Workers - Viet Nam: H.E. Ta Van Thong, Ambassador Extraordinary and Plenipotentiary of Viet Nam to Indonesia <p>Q&A</p> <p>Moderated by Cooperation Bureau, Ministry of Manpower</p>
17.30 – 19:00	Dinner Break
19.00 – 20.00	<p><u>Session V: Closing</u></p> <p>Remarks</p> <p>Secretary General, Ministry of Manpower H.E. Anwar Sanusi, Ph.D</p>
Tuesday, 28 May	
08.00 – 10.00	Administrative Settlement