



Ministry of Manpower  
and Transmigration



International  
Labour  
Organization

# Guidelines on **Sexual Harassment Prevention at the Workplace**





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Guidelines on

# **Sexual Harassment Prevention at the Workplace**

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# CHAPTER I

# INTRODUCTION

## A. INTRODUCTION

The principles of equal opportunity for men and women in acquiring rights to live without fear of abuse and harassment are recognized, as stipulated in the Constitution of the Republic of Indonesia, Article 27 paragraph (2) each citizen shall be entitled to an occupation and an existence proper for a human being and Article 28I paragraph (2) where each person has the right to be free from acts of discrimination based on what ever grounds and shall be entitled to protection against such discriminative treatment. In line with these articles, the decent work for all is based on 4 (four) pillars, namely: prioritizing the fundamental principles and rights at work (free from forced labor, freedom of association, non-discrimination and free from child labour), providing social protection from the risks in performing tasks, without reducing the opportunity to work as well as providing the opportunity for social dialogue.

The principle of non-discrimination as the basic right of workers at work in industrial relation is aimed to provide a conducive environment to work is stipulated in ILO Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value and ILO Convention no. 111 concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Based on both ILO Conventions, workers/labours have the right to receive equal treatment with no differences, exceptions or other choices based on race, ethnicity, skill, colour, sex religion, political beliefs, and national extraction which resulted to the diminishing of equal opportunities in employment, occupation or wages.

Comfortable working environment is very influential in achieving a conducive industrial relation. One of the things to be paid attention to in creating comfortable working environment is a working condition free of discrimination, including free of sexual harassment at the workplace. This is inline with the pillars in decent work as mentioned above.

There has been no specific record on sexual harassment at work. Several factors influencing the availability of such record among others are: the feeling of fear, ashamed, do not know where to register complaint, and others. In regards to this, the state has a function in promoting the fulfilment of comfortable working environment to all citizens, especially workers, and to those who are vulnerable to sexual harassment.

Sexual harassment at work could happen to anyone and disadvantages all parties. For workers, this could result to poor performance, which subsequently reducing the work productivity and affecting the level of welfare of the workers and their families. Therefore, it is our common concern to create a comfortable working environment through the prevention of sexual harassment at work.

Considering such condition, concrete measures are needed to increase the protection for women workers from sexual harassment. Henceforth, the Government has developed this Guideline on the Prevention of Sexual Harassment in the Workplace.

## **B. OBJECTIVE**

This Guideline is not legally binding nevertheless, it is expected to be able to provide guidance or as reference to employers, workers and responsible institutions in employment issues on preventing and effectively responding to sexual harassment. Moreover, this guideline could be used by employers of all forms of enterprises in the public and private sectors that employ workers, including ministries, central and local government departments, government agencies, state enterprises, NGOs, non-profit organizations, voluntary bodies, trade unions, employers' organizations, academic institutions, public and private employment agencies and professional training institutions.

Furthermore, this Guideline could be used as an instrument to raise our awareness and education in preventing sexual harassment in the workplace.

## **C. LEGAL BASIS**

The drafting of this Guideline is based on national and international labour standards and relevant legislation, including, among others:

1. Constitution of the Republic of Indonesia
2. Law Number: 39, 1999 on Human Rights;
3. Law Number: 13, 2004 on Manpower;
4. Law Number: 2, 2004 on Settlement of Industrial Relations Dispute;
5. Criminal Code (KUHP);
6. ILO Convention 100, 1951 on Equal Remuneration for Men and Women Workers for Work of Equal value, ratified by Law Number 80, 1957;
7. ILO Convention 111, 1958 on Discrimination in Respect of Employment and Occupation, ratified by Law Number 21, 1999;
8. Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), ratified by Law Number 7, 1984;
9. Circular Letter No.SE.60/MEN/SJ-HK/II/2006 on The Guidelines on Equal Employment Opportunity in Indonesia.

## D. DEFINITIONS

To further understand sexual harassment and its prevention and necessary responses, the following definitions relate to sexual harassment at the workplace.

### 1. Harassment

Harassment frequently involves an abuse of power where the targets can experience difficulties in defending themselves. Harassment at the workplace is any unwelcomed and offensive action, repeated and unreasonable act, addressed to a worker or a group of workers that causes difficulty in the performance of an assigned job or causes a worker to feel that he/she is working in a hostile working environment. This can also cause risk to the health and safety of the worker.

### 2. Workplace

Based on Law no.1 of 1970, workplace means a physical place where every room or field, close or open, movable or stationary, where workers work, or is frequently entered by a worker for business and where there is a sources of danger, including all rooms, fields, lawns and surrounding areas that constitutes parts of, or are connected with the place of work.

From the above definition, a workplace does not only include physical places where work is performed during the eight working hours per day, such as office or factory. Workplace also includes all locations where employment-related business is conducted as a result of employment responsibilities or employment relationship, in locations such as work-related social functions, conference and training sessions, official business travel and lunches, dinner, or promotional campaigns organised for client or partners, telephone conversations, and communications through electronic media. Therefore, workplace includes not only the physical room where work is performed for eight hours per day, but also all working hours outside of the eight-working hours in the locations outside of an office-physical-room.

### 3. Sexual harassment

#### a Sexual harassment

Sexual harassment is any **unwanted** conduct of a sexual nature, request for sexual favours, verbal or physical conduct or gesture of a sexual nature; or other behaviour of a sexual nature that makes the recipient feels humiliated, offended and/or intimidated, where such reaction is reasonable in the situation and condition; or made into working requirement or create an intimidating, hostile or inappropriate working environment.

In other words, sexual harassment is:

1. misuse of sexual behaviour
2. request for sexual favour, and
3. verbal statement or physical action or gestures that describe a sexual act, or
4. unwanted action of a sexual nature
  - a. the recipient has made it clear that the behaviour is unwanted;
  - b. the recipient feels humiliated, offended and/or intimidated by the conduct; or
  - c. the perpetrator should have reasonably anticipated that the other person would be offended, humiliated and/or intimidated by the conduct.

*b. Unwanted conduct*

Unwanted conduct is any conduct that is not requested or invited by the recipient, and the recipient of the conduct considers such conduct to be undesirable or disrespectful. Whether the behaviour was unwelcome is a subjective question from the perspective of the particular person alleging sexual harassment. In this regard, how the conduct is perceived and experienced by the recipient is important, not the intention behind the conduct.

Unwanted conduct can be identified with the following characters:

1. The victim has explained that the conduct is unwanted,
2. The victim feels humiliated, offended and/or intimidated by the conduct, or
3. The perpetrator has anticipated that the other person would be offended, humiliated and/or intimidated by the conduct.

Unwanted conduct is any behaviour that is not requested/ wanted by the victim, and by worker/ labour is considered as inappropriate behaviour.

*c. Reasonableness of conduct*

Measuring reasonableness in sexual harassment can be done by identifying whether the behaviour leading to a sexual harassment conduct is making the victim feel offended, ashamed or afraid. An objective test can be taken based on the condition that a person could have anticipated such conduct to cause a humiliating and intimidating effect.

Further, the conduct must be considered within the context in which 'it occurs'. Certain conduct does not only refer to the frequency of occurrence, intimidated condition, but also refer to different situation.

## **E. SCOPE/ COVERAGE**

Sexual harassment can occur to everyone. Both men and women can be victims or perpetrators of behaviour that is considered rude, humiliating or intimidating. Whether a behaviour is impolite, humiliating or intimidating is an objective test, based on whether a reasonable person would have anticipated that the behaviour would have this effect.

This action can take place between the employer / supervisor and an employee (vertical relationship) or between employee and employee (horizontal relationship), between an employer and contract or outsourced worker and between employees and service providers, clients or third parties. Unwanted behaviour that is done repeatedly or continuously or a single incident may be identified as a sexual harassment.

## CHAPTER II

# FORMS OF SEXUAL HARASSMENT

### A. FORMS OF SEXUAL HARASSMENT

1. Sexual harassment can take various forms. Broadly, there are five forms of sexual harassment.
  - i. **Physical harassment** includes unwelcome touching in a sexual manner such as kissing, patting, pinching, glancing or staring full of lust
  - ii. **Verbal harassment** includes unwelcome comments about private life or body part or person's appearance, sexually suggestive jokes and comments
  - iii. **Gestural harassment** includes sexually suggestive body language and or gestures, , repeated winks, gestures with fingers, and licking lips
  - iv. **Written or graphic harassment** includes display of pornographic materials, sexually explicit pictures, screen savers or posters, or harassment via emails and other modes of electronic communication
  - v. **Psychological/emotional harassment** consists of persistent proposals and unwelcome requests, unwanted invitations to go out on dates, insults, taunts or innuendo of a sexual nature.
2. Sexual harassment can occur
  - i. when the conduct has the effect of creating an intimidating, hostile or offensive work environment.
  - ii. in a quid-pro-quo or 'this for that' situation when an owner, employer, supervisor, member of management or co-employee undertakes or attempts to influence the process of employment, terms or conditions of employment or other benefit of an employee or job applicant in exchange for sexual favours.
  - iii when such conduct is unacceptable for the victim and offensive, thus it is subjective from the perspective of the recipient



## B. WHAT IS NOT SEXUAL HARASSMENT

The key aspect of behaviour that constitutes sexual harassment is the unwelcome nature of it. Besides “the unwanted” element, offensive behaviour can lead to sexual harassment. Interaction which is based on mutual consent is not sexual harassment. Sexual harassment does not refer to occasional compliments that are socially and culturally acceptable and appropriate.

## C. CRIMINAL ACT

Conducive conditions in industrial relations should be maintained primarily by the workers and management, therefore, the smooth atmosphere and communication based on good faith from both workers and employer is absolutely necessary. Work convenience for workers in carrying out the work will be achieved if conducive, effective and productive atmosphere is maintained. To maintain such condition, it needs to be ensured that indecent conduct including sexual harassment conduct does not happen in the workplace.

Sexual harassment is a crime upon formal complain or charge (*delik aduan*) under the Criminal Code. Therefore, there has to be a complain from the victim or party aware of the incident. The forms of sexual harassment referring to *delik aduan* as stipulated in the Criminal Code are:

1. Violence or threat of violence to have sexual intercourse (Article 285)
2. Unpleasant conduct which violates the decency norm, such as molestation, kissing, groping genital parts or to breast area

Meanwhile, the act of decency regulated in KUHP (Penal Code) is based on the morality sense of community on whether an act is deemed as an offense to moral or not, such as people having a bath naked in a public bathroom.

A victim of a immoral act has the right to press separate criminal and/or civil charges against an alleged perpetrator.

## CHAPTER III

# PREVENTION OF SEXUAL HARASSMENT

### A. MINIMAL REQUIREMENTS FOR PREVENTING SEXUAL HARASSMENT

#### 1. Workers:

In relation to the sexual harassment issue, workers have to do prevention by communicating to all workers all company policies on sexual harassment in the workplace and pursuing effective remedial measures.

#### 2. Employers:

As a minimum, there are two main actions that all employers should take to prevent and settle the case of sexual harassment:

1. Develop, endorse and communicate to all employees a sexual harassment policy within the working environment. This should be disseminated to all employees during recruitment and induction; and
2. Take effective and appropriate remedial action if sexual harassment occurs.

Employers/management are required to refrain from committing acts of sexual harassment. Employers/management should contribute towards creating and maintaining a work environment free from sexual harassment by regulating standards to eliminate all forms of unwanted harassment that leads to sexual harassment.

Employers/management should attempt to ensure that all third parties dealing with the enterprise, such as customers, job applicants or suppliers, are not subjected to sexual harassment by the employer or employees and vice versa.

All employers, regardless of the size of the enterprise or organisation, should take proper steps to prevent sexual harassment in the workplace. This means that employers must actively implement preventative measures to minimize the occurrence of sexual harassment and to respond appropriately when harassment occurs.

Large enterprises or organizations may need to disseminate information and conduct formal training to ensure that all employees are aware of and understand the company policy regarding sexual harassment. In small companies, the most appropriate strategy might be to provide a copy of a sexual harassment policy to employees and hold informal discussions with employees to ensure they understand the policy.

Due to these reasons, all employers are required to establish a mechanism within the company (in-house mechanism), enterprise, organization or institution to prevent and respond to cases of sexual harassment in the workplace. The mechanism must include the following elements:

- a. A policy statement prohibiting sexual harassment;
- b. A clear definition of what constitutes sexual harassment;
- c. A complaints/grievance procedure;
- d. Disciplinary rules and penalties against the harasser and against those who make false accusations;
- e. Protective and remedial measures for the victim;
- f. Promotional and education programs to explain the company policy regarding sexual harassment and to raise awareness of sexual harassment and adverse consequences for breach of the policy should be provided to all employees, supervisors and managers of the company.
- g. Monitoring

## **B. POLICY STATEMENT**

A key element in the successful implementation of prevention of sexual harassment in the workplace is a strong commitment from all levels within the enterprise or organization, starting from level executives, managers, supervisors until the executor. A policy statement on sexual harassment is a message from management to employees which states the policies, philosophy and the company's commitment to prevent and manage sexual harassment in order to create a positive working environment that is conducive to the enterprise or organization. The policy statement should come from upper management to ensure the policy is accepted and observed by the employees, supervisors and managers throughout the workplace.

The policy statement shall contain at least the following:

1. The assertion that all workers, job applicants, and any third party associated with the company reserves the right to be treated with dignity and without distinction;
2. A full explanation of forms of conduct that constitute sexual harassment;
3. A declaration that sexual harassment is not permitted or condoned in the enterprise on the principle of zero tolerance;
4. An assurance that all persons who have been subjected to sexual harassment at the workplace have a right to raise their grievance and appropriate action shall be taken in accordance to the stipulation in the company ;
5. An explanation of the procedure which should be followed by employees who are victims of sexual harassment, management and employees who are tasked to managed complaints;
6. An affirmation stating that sexual harassment constitutes a breach of the enterprise's policy and will incur disciplinary actions in accordance to the agreement in the company; and
7. A directive stating that supervisors and managers have a positive duty to implement the policy and to demonstrate leadership by example.

For the effectiveness of implementing sexual harassment policy in the workplace, it could be regulated in company regulations or collective labour agreements as a condition of employment that must be met and includes sanctions and disciplinary measures for non-compliance.

## **C. PREVENTION**

Prevention is the most effective way for employers to address sexual harassment in the workplace. Preventive measures include:

1. Communication: done with the socialization of the Guidelines through, for example, a Bipartite Cooperation Forum (LKS Bipartite), Tripartite Cooperation forum (LKS Tripartite) and various print and electronic media.
2. Education: done through orientation and staff induction programmes, religious lectures, or specific events such as programmed event.
3. Training: provide specialized training for supervisors and managers to identify problems in the workplace and to develop strategies for prevention; training for Sexual Harassment Response Team.
4. Encouraging workplaces to build commitment for the implementation of prevention of sexual harassment in the workplace including the sanction and disciplinary action, in the form of:
  - a. Company Policy
  - b. Working Agreement / Company regulations/ Collective Labour Agreement

Dissemination of policies and mechanisms for prevention of sexual harassment to all employees and supervisors are equally important. Also, additional to meet the communication needs, employers must provide a program whereby employees and supervisors can be given education about sexual harassment. To that end, all parties must have a high awareness of ways to create a productive work environment free from sexual harassment.

Central and local governments should ensure the existence of guidelines concerning implementation of this provision and examples of sexual harassment policies for large, medium and small companies are accessible and available to employers. Meanwhile, employers have to provide information on sexual harassment in the induction programs, education and training to workers/labours. Whereas, trade unions should also include information about sexual harassment in their education and training programs for their members.



## CHAPTER IV

# MECHANISMS TO RESPOND TO CASES OF SEXUAL HARASSMENT

The principles of justice should be followed in all procedures of sexual harassment case settlement in the workplace. Furthermore, a balance of information from both sides the victim and alleged perpetrator of sexual harassment needs to be achieved. The perpetrator should be fully informed about the complaints lodged against him/her and be given an opportunity to respond. Similarly, workers who are victims of sexual harassment should fully know the response of the perpetrator to the charges filed by her/him and have the opportunity to respond. Justice and equality may be distinguished in different conditions with three basic requirements:

1. The parties shall be given notice of complaints or accusations against them, and the process for solving these problems.
2. The parties should be given the opportunity to be heard and provide feedback regarding the complaint or accusation.
3. Decision makers must act honestly, impartially and without bias.

## A. GRIEVANCE PROCEDURES

### 1. Grievance Procedure

As part of the responsibility to handle sexual harassment, employers should implement effective and accessible complaint procedures for employees and other workplace participants. Complaints procedures may differ according to the size and available resources of the enterprises.

A good complaint procedure conveys the message that the enterprise takes sexual harassment seriously; can prevent harassment and maintain positive workplace relationships; ensures that complaints are dealt with consistently and within a specified timeframe; alerts an enterprise to patterns of unacceptable conduct and highlights the need for prevention strategies in particular areas.

Employers must develop complaints procedures to suit their particular workplace.

Effective complaint procedure provides various choices for addressing sexual harassment. For example, victim can report to their supervisors, other managers and staff assigned to handle the complaint. The victim can choose the option which is most suitable with his/her conditions.

In offering choices, it has to be ensured that the manager possesses the knowledge and receive training to handle complaints of sexual harassment and staff should also be informed that the complaint can be forwarded to Commission/ Division in the company

A grievance procedure can be done through:

1. formal and informal complaint which emphasize on resolution or solution of problem instead of factual evidence or verification of a complaint, whereas
2. formal procedure focus on whether verification of complaint to be proven.

A grievance procedure must at least contain the following elements:

- a. The step by step procedure in reporting and processing of complaints with the appropriate timeframe for each step;
- b. Investigation procedures; and
- c. An appeal procedure that allows parties who are not satisfied to appeal against the results of investigations into the higher authorities.

## **2. Procedure to resolve complaints**

Employees should have the option to resolve their sexual harassment grievance through a formal or informal procedure:

### **a. Informal Complaints Procedure**

Informal procedures emphasize a forward-looking settlement of the conflict, confidentiality and conciliation, while avoiding questions of liability and compensation.

Most people who are subjected to sexual harassment simply want the offensive behaviour to stop. Informal procedure must be settled within 30 days with the aims to resolve the case through deliberation ("*kekeluargaan*"). Informal ways of dealing with sexual harassment can include the following actions:

- i. It may be sufficient for the employee concerned to have an opportunity to explain to the offender that their conduct is not welcomed.
- ii. The employee concerned may seek confidential advice on possible solutions from a supervisor, trusted colleague or an officer trained to deal with sexual harassment issues.
- iii. The employee concerned may request a supervisor or relevant officer to privately and informally speak with the offender on their behalf.

Employers may also consider creating an alternative informal mechanism for complaints or suggestions as follows:

- 1) Telephone information line that can be used by employees to discuss questions or concerns about the harassment without having to express an identity, who became the task of an officer trained to deal with sexual harassment issues to explain what action can be taken by employees; and

- 2) The system of mediation between co-workers where the mediators try to find a solution to sexual harassment complaints that can be received by the individual who filed complaints and suspected perpetrators of sexual harassment. Mediation can be a good choice when the related party is a colleague in the enterprise
- 3) Formal procedures that focus on the broader impact and require a sense of responsibility

#### **b. Formal Complaints Procedure**

An employee should not be required to exhaust informal attempts at resolution before choosing to lodge a formal complaint. Employers should ensure that a formal procedure to respond to complaints is established and communicated to all employees.

Guided by principles of procedural fairness, the formal procedure should include the following steps:

- i. private interview with the complainant and articulate the allegations in writing;
- ii. convey the allegations to the alleged harasser in full;
- iii. provide an opportunity for the alleged harasser to respond and defend themselves against the allegations;
- iv. if there is a dispute over facts, the claim is investigated and statements from witnesses and other evidence is collected;
- v. a finding is made as whether the complaint is substantiated;
- vi. a written report documenting the investigation process, evidence, findings and recommended outcome(s) is submitted to senior management/employer
- vii. the employer/senior management implements the recommended outcome(s) or decides on an alternative course of action

Investigation can be done by the committee for the prevention of sexual harassment. A small committee for dispute settlement should be gender balanced and could include a member of senior management, and trained sexual harassment staff member.

In handling the complaints, the tasks of small committee are:

- i. Notify employees of their right, depending on the nature of the sexual harassment, to press separate charges against the alleged harasser.
- ii. Take care to not disadvantage the complainant or to prejudice the alleged harasser if the claim is found to be unwarranted.
- iii. Provide the alleged harasser an opportunity to tell their version of the story and to identify all supporting witnesses.
- iv. Ensure the investigation and grievances are handled in a manner that ensures the identities of the persons involved and all records relating to the harassment complaint are kept confidential.
- v. Ensure provisional working arrangements are made if necessary to ensure the alleged victim and perpetrator may continue working in a safe environment while the case is being investigated. This could include a temporary relocation of the accused to a different workspace.



### **c. Disciplinary and Sanction**

To give a deterrent effect, it is necessary to determine the forms of disciplinary action and sanction. Disciplinary and sanction should be included in the company regulations and/or collective labour agreement. The form of disciplinary action or penalty should depend on factors such as:

- i. the severity or frequency of the harassment;
- ii. the wishes of the person who was harassed;
- iii. the extent to which the harasser should have anticipated that such behaviour was unacceptable or unwanted;
- iv. the level of contrition; and/or
- v. whether there have been any prior incidents or warnings.

Disciplinary action should be taken in response to:

- i. any employee who has retaliated against or victimized another employee who has made a sexual harassment allegation or who has served as a witness in a sexual harassment investigation; and
- ii. any employee who makes malicious or vexatious false accusations.

The penalty recommended should be proportional to the seriousness of the sexual harassment and consistent within the enterprise. The range of penalties for sexual harassment include:

- i. issuing a written warning or reprimand;
- ii. issuing a transfer or reassignment of duties to the perpetrator;
- iii. removal of management authority or duties;
- iv. reduction in wages; and/or
- v. in serious cases, suspending or terminating their employment.
- vi. Training or counselling of the harasser may be necessary to ensure that the harasser understands why his or her conduct violated the enterprise's sexual-harassment policy. Continued monitoring of their conduct is also needed to ensure behavioural change;

If there is insufficient proof to determine the validity of a sexual harassment claim, employers should ensure the person who made the complaint does not get any sanction. However, if there is insufficient evidence, the employers should:

- (1) disseminate information on the possibility of sanction in accordance to the stipulation;
- (2) conduct training and awareness raising activities for staff; and
- (3) monitor the situation carefully.

### **d. Protective & Remedial Action**

Retaliation is a matter of serious concern particularly in cases where the alleged harasser is of superior rank. Employers should make an effort to ensure confidentiality during the process of the investigation and safeguard the complainant. As part of the follow up measure, the official responsible for overseeing

sexual harassment within the office should check from time to time with the complainant to ensure that no such adverse actions have been taken.

In a case where the victim of sexual harassment has suffered a loss as a result of the sexual harassment, such as a demotion, a denial of a promotion or monetary loss arising out of a denial of employment-related benefits, it is appropriate to restore such person to the position she or he would have been in had the harassment not taken place.

Additional remedial measures might include:

- i. Requesting an apology from the harasser;
- ii. Restoration of sick or annual leave taken because of the harassment,
- iii. The management of the enterprise should consider granting additional sick leave in cases of sexual harassment where the employee on medical advice requires trauma counselling.
- iv. Removal of negative evaluations from the personnel file of the harassment victim that arose from the harassment;
- v. Reinstating the victim if his/her employment was wrongfully terminated;
- vi. Review of treatment of and employment decisions affecting the complainant and witnesses to ensure that such treatment or decisions are not retaliatory in nature;
- vii. Compensation for losses such as medical expenses.

Where the complaint is found to be unjustified, an appropriate remedy should be granted to the accused person if there has been any loss suffered by such person.

## **B. MONITORING AND EVALUATION**

1. The enterprise should instruct supervisors and managers to take all complaints of sexual harassment seriously whether or not they conform to the enterprise's complaint procedures.
2. The enterprise should monitor the compliance of supervisors and managers regarding this sexual harassment treatment.
3. Responsible officers should develop annual reports on for employers/management on the number and type of complaints that were raised, the manner in which they have been dealt with and recommendations flowing from this data for policy revisions and training.
4. The enterprise should regularly evaluate the effectiveness of the existing mechanism for preventing and handling sexual harassment at the workplace.

The result of settlement of such sexual harassment case can be used as the basis for workers who want to pursue termination of work to the institution authorized in handling industrial relation dispute settlement.



## CHAPTER V

# CLOSING

Tripartite collaboration between government, employers and trade unions is absolutely necessary at the national, provincial and district level. A trade union should cooperate with employers at the enterprise level, to streamline and educate workers and management on sexual harassment. The government should enforce the laws and regulations. The successful prevention of sexual harassment in the workplace can be achieved if the industrial relations actors have the same commitment and perceptions.

Preventing harassment in the workplace is required to create harmonious, dynamic and equitable industrial relations. Effective prevention of sexual can create convenience at work which in turn can increase labour productivity and profit for the company.

These guidelines are not legally binding, but are to be used as a means to encourage the realization of the non-discrimination at work and the prevention of sexual harassment in the workplace. These guidelines also act as an educational tool for workers, employers and other stakeholders. To ensure a comfortable working environment and increase protection, enterprises can develop this guideline in accordance to the need, condition, and situation of the relevant work place, based on consultation between the management/ employer and workers/union. Thus, this Guideline for the prevention of sexual harassment is made for appropriate use.



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