

EMPLOYMENT POLICIES FOR PEOPLE WITH DISABILITIES IN  
JAKARTA: THE STUDY OF PEOPLE IN WISMA CHESHIRE  
ORGANISATION

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for the Degree of Master of Arts Program in International Development Studies  
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มาห์มูดี ยูสบี: นโยบายการจ้างงานสำหรับผู้พิการ ที่เมืองจาการ์ตา อินโดนีเซีย: การมีส่วนร่วมของประชาชนในเครือข่าย วิสมา เชเชอร์ ในการนำนโยบายไปปฏิบัติ (EMPLOYMENT POLICIES FOR PEOPLE WITH DISABILITIES IN JAKARTA: THE STUDY OF PEOPLE IN WISMA CHESHIRE ORGANISATION) อ.ที่ปรึกษาวิทยานิพนธ์หลัก: รศ.ดร. ฉันทนา บรรพศิริโชติ หวันแก้ว, 104 หน้า.

งานวิจัยชิ้นนี้มีจุดประสงค์เพื่อศึกษาสภาพการจ้างงานของผู้พิการในกรุงจาการ์ตา วัตถุประสงค์ของงานวิจัยมีสามประการคือ เพื่ออธิบายการนำนโยบายการจ้างงานคนพิการไปปฏิบัติ เพื่อประเมินโอกาสในการมีงานทำ และสภาพการจ้างงานของผู้พิการ และเพื่อระบุปัญหาที่คนพิการประสบ รวมไปถึงประโยชน์ของนโยบายการจ้างงานที่คนพิการได้รับ งานวิจัยนี้เน้นเฉพาะคนพิการที่เป็นสมาชิกของมูลนิธิวิสมา เชเชอร์ (Wisma Cheshire) ในจาการ์ตา โดยใช้วิธีวิจัยเชิงคุณภาพในการเก็บข้อมูลจากผู้ให้ข้อมูลสำคัญ โดยวิธีสัมภาษณ์กึ่งโครงสร้าง และสัมภาษณ์เชิงลึก การสนทนากลุ่ม ผลการวิจัยพบว่านโยบายการจ้างงานสำหรับคนพิการยังไม่ส่งผลตามที่คาดหวังไว้ คนพิการได้ประโยชน์จากนโยบายเพียงไม่มากนัก ปัญหาส่วนใหญ่มาจากการนำนโยบายไปปฏิบัติ และยังมีเหตุผลอื่นๆ ประกอบ ได้แก่ การที่ผู้พิการขาดความมั่นใจในตัวเอง ขุมชนมีอคติ และอุปสรรคจากการเดินทางในเมือง เช่น การใช้บริการขนส่งมวลชน งานวิจัยนี้พบว่าเหตุผลเบื้องหลังของการนำนโยบายไปปฏิบัติอยู่ที่แนวทางกำหนดนโยบายสำหรับคนพิการอยู่บนฐานความคิดแบบการให้การสงเคราะห์คนพิการมากกว่า ฐานความคิดเรื่องสิทธิของคนพิการ นอกจากนี้ ประเด็นสำคัญยังอยู่ที่การขาดการมีส่วนร่วมของคนพิการในกระบวนการนำนโยบายไปปฏิบัติ ทำให้นโยบายการจ้างงานเพื่อคนพิการไม่มีประสิทธิผลอย่างที่ควรจะเป็น

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This research intends to find out the employment situation of people with disabilities in Jakarta, the objectives of the research are to describe policy implementation on employment for people with disabilities (PWD), to assess the opportunity and condition of the employment for PWDs, to find out the problems faced by PWDs, and the participation and the benefits of the policy to PWDs in Jakarta. It was designed to focus only on a specific target group of PWD in the Wisma Cheshire Foundation in Jakarta. This research uses qualitative method to gather information from key informants with semi-structure and in-depth interview. Focus group discussion was applied with a number of people with physical disabilities in Wisma Cheshire Foundation. The findings reveal that the employment policy for PWDs does not yield expected results. PWDs only have benefited a little from the policy rhetoric. This is basically the problem of implementation. There are a number of reasons as including, lack of confidence in PWDs and prejudices in community, limited public accessibility i.e. infrastructure. The study finds that the logic behind the overall the implementation shortfall is that the approach to disability policy is more on charity rather than rights based approach. It is also recognized that the lack of participation and involving of PWDs in planning and implementing of the employment policies has led to ineffectiveness.

Field of study: International Development Studies      Student's Signature.....  
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## LIST OF ABBREVIATIONS

APCD	Asia - Pacific Development Centre on Disability
APINDO	Indonesian Employers Association
UNCRP	United Nation Convention on Right for People with Disabilities
BPS	National Survey of Population
BP	British Petroleum
CSO	Civil Society Organization
CBR	Community Based Rehabilitation
CSR	Cooperate Social Responsibility
DPO	Disabled People Organization
DINF	Disability information resources
HWPCI	Women Indonesian Association of Persons with Disabilities
HSBC	Hongkong Shanghai Bank
ILO	International Labor Organization
ICF	International Classification of Functioning
ICT	Information Communication and Technology
OECD	Organization for Economic Co-operation and Development
JSPC	Social Assistance or Social Security for People with Disability
JICA	Japan International Cooperation Agency
LBK	Sheltered workshop
NGO	Non Government Organization
MRU	Mobile Rehabilitation Unit
PWDs	People with Disabilities
PPCI	Indonesian Association of Persons with Disabilities
SUSENAS	National Survey of economic social
UNESCAP	United Nation Economic and Social Commission for Asia and the Pacific
KUBE	The productive peer groups of persons with disabilities
SPSI	Indonesia Labor Union Association

SEL	Support Everyday Living
PERDA	Local regulation
WHO	World Health Organization

# CHAPTER I

## INTRODUCTION

People with disabilities are among the most marginalized groups in society, particularly in developing countries. The World Bank estimates that 20 per cent of the world's poorest people are disabled and their situation is further exacerbated by the social exclusion they often face. (United Nation, 2006: 1). The Economic and Social Commission for Asia and the Pacific (ESCAP) reports that, "Despite recent achievements, people with disabilities remain the single largest sector of the least-served and most discriminated against in almost all societies in the Asia Pacific region." (UNESCAP, 2006: online)

Indonesia has become an upper-middle income country within the Asia Pacific region, displaying robust economic growth among its population of 237 million people. (BPS Statistic, 2010: 1) The country continues to pursue poverty reduction efforts and has for the most part already achieved the targets established for the nation under the Millennium Development Goals (MDGs). However, progress on poverty reduction among people with disabilities has been more difficult to determine due to their marginalization within Indonesian society. Recent statistics gathered by the Asia-Pacific Development Centre on Disability (APCD) show that there are approximately 3,063,000 people with disabilities in Indonesia. (APCD, 2006: 1) Due to the stigmatization and prejudices faced by people with disabilities however, it is possible that the number of people living with disabilities in the country is in fact much higher.

One of the most critical issues that remain to be addressed, identified by people with disabilities in Jakarta, Indonesia, is their ongoing struggles with employment. Although work is central to the well-being of people with disabilities, they often face significant obstacles in finding gainful employment. While some of these barriers are linked to their disability, others are simply the result of social prejudices. (Hero et al, 2003: 5) In Jakarta, for example, many employers consider people with disabilities to be in ill health. As a consequence, disabled people may not

be offered employment because the company requires a definition of spiritual and physical health of its personnel that excludes them. Based upon the statistics available, it is clear that both individual communities as well as society as a whole have hindered the employment and livelihood of people with disabilities in Indonesia. According to Pdpersi, in 2009 the rate of employment for People with disabilities (PWDs) in Indonesia was only 0.5 per cent. (Pdpersi, 2009: online)

Key to addressing this marginalization of PWDs is supporting their employment opportunities. According to Bev Moodie (2010), employment for PWDs often helps them to move out of the cycle of poverty and dependence. In addition, Die Werkesel states that employment can bring greater levels of self-confidence, self-esteem and inclusion in the community for disabled people. (Cheshire, 2010: 262)

However, Jakarta remains an often unfriendly city for PWDs. Support for providing accessibility to PWDs to actively participate in the community is limited, and as a result, many public places are effectively off-limits. PWDs also face discrimination within their communities in terms of social functioning, recreation and religious activities. Additionally, women with disabilities are often even more marginalized within society because they face multiple forms of discrimination. (Ministry of women empowerment and child protection, 2010: 2)

Based on data from the Department of Social Affairs, it is estimated that in 2010 there were 35,000 PWDs in Jakarta. (Nurito, 2010: 1) The large number of PWDs in the city poses a serious concern for government service providers. As citizens of Indonesia, PWDs are entitled to the same rights, opportunities and treatment as other non-disabled people in the country. In response, the Indonesian Government has been making greater efforts to take disability issues into account in policymaking in order to protect the rights of PWDs.

The comprehensive Law No. 4, passed in 1997, has shown the government's commitment to protect and promote the rights of PWDs. However, implementation of

the policy has remained problematic. One of the barriers has been the perception of PWDs as being merely consumers of rehabilitation and vocational services rather than potential professionals. In order to overcome some of the gaps in access, the Ministry of Social Affairs has developed “Mobile Rehabilitation Units” (MRUs) which operate out of the existing vocational rehabilitation centers and are supported by medical, vocational and psycho-social professionals. Unfortunately, the budget for the program has been insufficient to operate the MRUs all year round, limiting the program to only three months per year. Due to these budgetary constraints, the MRUs have so far been under-utilized by potential beneficiaries. (Sudibyo, 2002: 44)

In addition, while various policies exist on paper to support PWDs, their realization in practice still lags considerably behind. For example, the quota of one per cent employment for PWDs that was mandated by Law No. 4 in 1997 has not been implemented fully as of yet. Minister of Social Affairs, Dr. H. Segal Salim Al-Jufri, has stated that the implementation of the Disabilities Law No. 4 which states that companies must reach a one percent quota of PWDs among their employees has not achieved optimal outcomes. As a result, many people with disabilities still do not have the opportunity to work in private firms. (Wibowo, 2010) The chairman of the Indonesian Association of Persons with Disabilities (PPCI), Mr. Siswadi, made a statement on Disability Day in 2007 that the quota of one per cent employment for PWDs, as mandated in government regulation No. 43 of Law No. 4, has not been achieved due to remaining stigmatization and prejudices against PWDs.

### **1.1 Research Question**

How and why does the employment policy benefit PWDs?

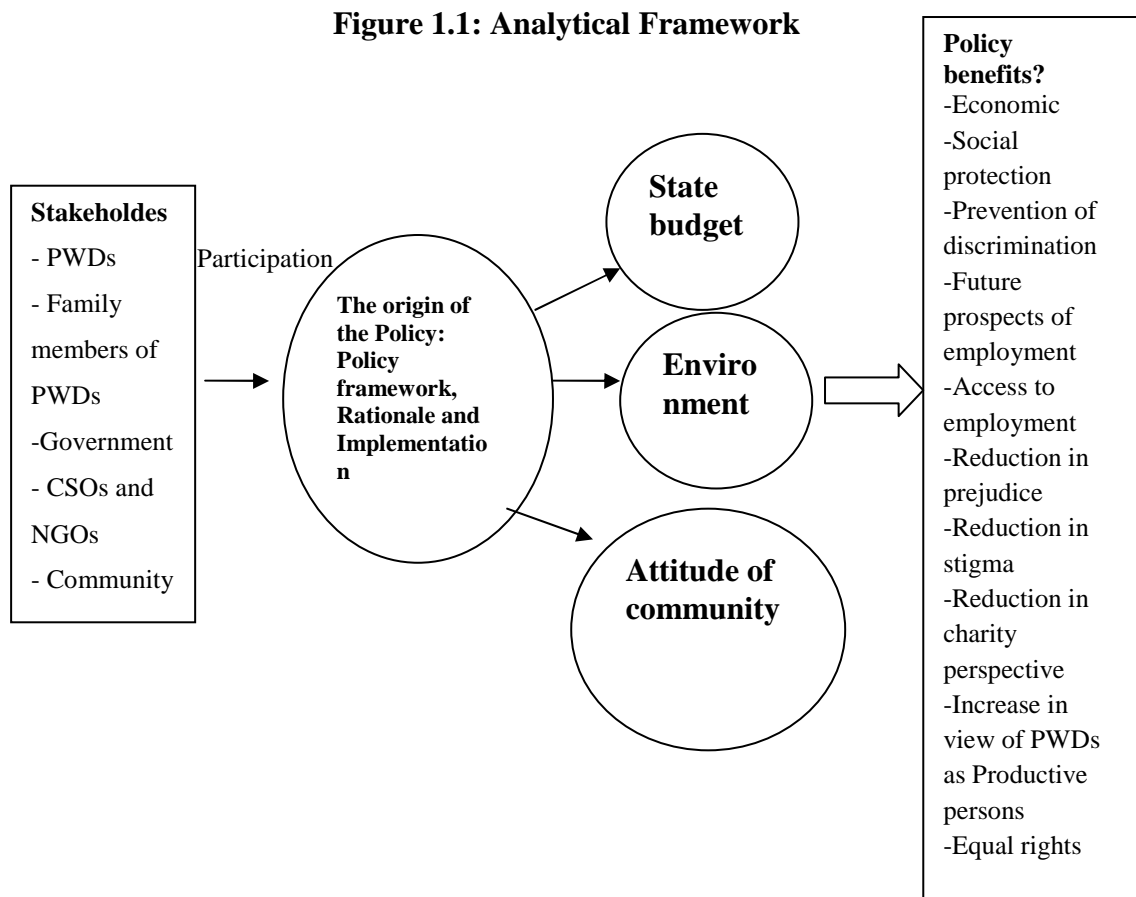
### **1.2. Research Objectives**

1. To describe the policy implementation process for employment of PWDs
2. To assess the employment opportunities and conditions for PWDs in Jakarta



3. To identify the problems faced by PWDs in finding an employment
4. To analyze the level of participation of PWDs in the Wisma Cheshire network

### 1.3. Analytical Framework



The diagram above displays the research framework for studying the participation of PWDs and other stakeholders in the employment policy for PWDs. The research covered the policy process from the policy framework and rationale through to the implementation stage. In addition, the research assessed the benefits of the policy implementation for PWDs and other stakeholders as follows:

- People with Disabilities: Identifying the barriers faced by PWDs in obtaining employment and assessing the participation of PWDs in the employment policy to find out what the benefits of the employment policy have been for PWDs.

- Family Members of People with Disabilities: Determining what the opinion of family members of PWDs is on their current situation as well as to reveal what they believe their family members' future needs are.
- Government: Assessing the policy implementation on employment for PWDs statistically by looking at employment data and reports. Analyzing the employment policy financially by researching the government's budget for program's aimed at PWDs as a critical factor in determining the success of the policy implementation.
- Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs): Assessing the perspective of CSOs and NGOs that work with PWDs on the government's employment policy.
- Community Representatives: Determining the communities' opinion on PWDs participation in the policy and the attitude of the community towards PWDs.

The basic framework of the research is an analysis of the benefits of the employment policy for PWDs. The research on the policy framework, the rationale of the policy and the policy's implementation as important aspects of assessing the employment opportunities for PWDs in Jakarta. In addition, the research assessed whether the government has accommodated the rights of PWDs in the framework of its policy.

Jeff Bishop (1981) revealed that in the implementation of the policy should consider financing, construction and the participation, In line with Jeff notes in the participation, the World Bank define Participation as the process through which stakeholder's influence and share control over priority setting, policy-making, resource allocations and access to public goods and services (S. Tikare et al, 2011). Furthermore, this study looks at the factors that affect the implementation of the policy, including the state's budget for disability programming, the community's prejudices, PWD's stigmatization, lack of PWD participation and the influence of PWDs in planning the program, were also analyzed as potentially important variables in researching the situation of employment of PWDs.

In conducting the research, a rights-based approach was applied to analyzing the policy process which included public participation, entitlements and stakeholder responsibilities. The policy analysis covers the policy framework, rationale, mechanisms and measures for implementation. The right based approach in disability is to enable people with disabilities to participate fully in the life of their community. The approach will look at societal factors i.e. design of the building and public transportation, the structure and operation of organizations as well as the attitude of the community towards people with disabilities which operate to exclude them (Lawson, 2006:5).

Utilizing this approach allowed an analysis of the root problems and barriers faced by PWDs in employment. This approach was also chosen in order to ensure that each person is seen as having an equal right to protection by the state against abuse together with fair access to economic, cultural and social rights.

In addition, the research approach focuses its attention on the participation of PWDs in the policy and at different stages of the policy process. The research also included an analysis of how the policy has been implemented and what factors have inhibited the success of the policy.

#### **1.4. Hypothesis**

The employment policy for People with disabilities in Jakarta does not work well. PWDs have not benefited practically from the policy despite the rhetoric. This is at base a problem of implementation. Some of the most important reasons for this include: lack of confidence in PWDs due to issues of prejudice within the community, lack of accessibility (i.e. public infrastructure), the government's approach to programs for PWDs which essentially views them as charity cases and most importantly the lack of participation and involvement of PWDs in the planning and implementation stages of the employment policy. Active participation for PWDs in the planning of the government's employment programs will be a fundamental change

for PWDs that will allow them to bring their issues directly to the government. Further involvement of people with disabilities will allow the government a greater understanding of the issues faced by PWDs and help them to formulate policies that address the root causes of their problems. This will result in greater benefits provided to PWDs from the government's policy on employment.

## **1.5. Research Methodology**

The research for this thesis emphasized the use of qualitative methods to achieve a deep understanding of the employment situation of people with disabilities as well as to reveal information about the participation and the benefits of the employment policy for PWDs in Jakarta. The following specific research techniques were utilized during the research:

### **1.5.1 Key Informant Interviews**

Key informants were engaged through semi-structured and in-depth interviews. These interviews helped to establish an understanding of the insider views of those involved with the policy as well as to clarify less well-documented matters relating to the subject. The interviews allowed the researcher to obtain vital information about the experiences of PWDs in applying for employment and to identify some of the critical obstacles faced. The key informant interviews also provided useful information on the levels of PWDs participation in employment and allowed the researcher to develop strong relationships with main stakeholders who were central contributors during the policy formulation process.

#### **Semi-Structured Interviews**

The semi-structured interviews were conducted to gather information from stakeholders including government officials, CSOs and family members of PWDs.

The semi-structured interview aided the analysis of the type and level of participation of PWDs in formulation of the policy as well as during its implementation. Key government officers interviewed included the Director of the Department of Social Affairs in Jakarta and of the the government's Knowledge and Research Centre on Disability Studies. Additionally, interviews were conducted with members of the Disabled People's Organization of Indonesia (PPCI), which is the central organization in the Wisma Chehsire network, as well as with the Director of the Mimi Institute Foundation.

### **In-Depth Interviews with People with Disabilities**

In-depth interviews were conducted with PWDs, who are the main subject for this research, and who were able to provide first-hand information on the participation of PWDs in the implementation of the employment policy.

### **Focus Group Discussions**

Focus group discussions were carried out with stakeholder groups for the employment policy including people with disabilities with and without a job, community representatives and the family members of PWDs. The number of subjects in each group was 6 to 10 people and each group was brought together to discuss a specific topic under the guidance of the researcher. The technique provided participants with the opportunity to have a dialogue on the research topics and also allowed the researcher to probe to obtain information and further clarity on pertinent issues.

Prior to commencing each focus group, the researcher chose a quiet and comfortable environment in Wisma Chehsire Home which was accessible to all participants. The researcher introduced himself and explained the aim of the study to the participants, assured them of the confidentiality of the information provided and

informed them that they had the right to withdraw from the study at any time if they felt uncomfortable.

### **1.5.2 Data Collection**

The research utilized both primary and secondary sources of information during data collection. Primary sources of data included the following steps of interviews:

At the first step, the responsible officers of the concerned departments which work with PWDs were interviewed so as to gather information and records related to the government funds provided for their programs, if any. The details of the grant funding utilized were also gathered in order to assess how the policy on employment of PWDs has been implemented. Some semi-structured interviews with civil society organizations such as disabled people organization (DPO) representatives were also conducted at this level in order to attain their perspective on the employment situation for disabled people.

At the second step, the study collected data from PWDs through conducting focus group discussions with the goal of learning what the impacts of the policy have been and specifically, what impact it has had on their employment situation. The discussions included dialogue on what factors support or inhibit PWDs to obtain employment. The focus group discussions and interviews were conducted in South Jakarta in a home for PWDs called Wisma Cheshire. The reason for choosing the study site was that the home for PWDs provides livelihood training in addition to housing. Some of the PWDs who live in Wisma Cheshire are currently employed, although others have not yet found employment due to lack of opportunities and other barriers.

Secondary data for the study was obtained through conducting a literature review on the relevant legislative documents, literature related to PWDs, statistical

data for Jakarta (BPS) and other documents related to the subject of the research. Key informants interviewed are presented in table 1.6.

**Table 1.1: Key Informant Interviews**

Government Officials	PWDs, Disabled People Organizations and Non-Governmental Organizations
<ol style="list-style-type: none"> <li>1. Department of Social Affairs</li> <li>2. Department of Labor</li> <li>3. Research Center of Indonesia in Jakarta (LIPI)</li> </ol>	<ol style="list-style-type: none"> <li>1. CSOs and NGOs i.e. PPCI, HWPCI, Mimi Institute</li> <li>2. People with disabilities</li> <li>3. Family members of PWDs</li> <li>4. Community representatives</li> <li>5. Private company representatives</li> </ol>

#### **1.6. Scope of the Research and Limitations**

The field research was conducted in the Wisma Cheshire Foundation home for PWDs located in South Jakarta, as well as with their network the Jakarta area. The target group for this research was limited to people with physical disabilities who are living in the Wisma Cheshire home.

Most of the PWDs who are living in Wisma Cheshire with a physical disability are confined to wheelchairs and have families who cannot afford or do not have the facilities to house them. Ninety percent of these PWDs are paraplegic and have disabilities caused by road or industrial accidents. The remainder have suffered from polio or from birth defects. Residents are usually referred to Wisma Cheshire from the Fatmawati government hospital after the hospital has provided as much treatment is possible as an in-patient after their accident.

The goal of Wisma Cheshire is to enable all residents to learn a skill that can be utilized in or outside the home, with the ultimate objective of being able to find employment and attain financial independence. Most of the residents are encouraged to learn skills that can help to support the Red Feather Shop, which is situated at the

home. The red feather is a symbol of prosperity, security and happiness, and was first used to raise funds for the Leonard Cheshire Foundation over fifty years ago.

The reason Wisma Cheshire was chosen for the research instead other foundations in Jakarta as a case study is that Wisma Cheshire is constituted as an independent foundation working with PWDs. There are not many organizations like Wisma Cheshire in Jakarta which work to empower PWDs. Instead, most of the foundations in Jakarta are only providing homes for PWDs and do not have many productive activities taking place. Many of these homes only function as rehabilitation centers for PWDs. An example of this is the Panti Husada Foundation in West Jakarta. Panti Husada functions only as a rehabilitation site for PWDs, both for the young and the old. The foundation also depends entirely on Government funding in order to provide services for PWDs and therefore food and health services are the only ones provided to the residents.

The main limitation experienced in this study was the time constraint of conducting the field research. While interviews were conducted with PWDs in Wisma Cheshire, some parents of PWDs, disabled people organizations (DPOs) and the Department of Social Affairs of Jakarta, it would have been useful to broaden the scope of the research to include other government departments. (i.e. Department of Labor in Jakarta) Access to official information was also a constraint faced during the research. The Department was not entirely available for interview although the proper procedures for requesting interviews within the government were followed. Thus, the bureaucratic system was an additional constraint to collecting the necessary information for the research and limited the extent of the field work that could be undertaken.

### **1.7. Significance of the Research**

There is currently a lack of available research analyzing the employment situation of PWDs in Jakarta. This study will be significant in highlighting the key



factors that impact the employment status of PWDs in Jakarta. The research will also provide a better understanding of the employment situation for PWDs to the relevant organizations, particularly those involved with employment policy.

Overall, the main contribution of this research will be to provide an understanding of the problems that are being faced by people with disabilities as well as to evaluate whether the government policy on employment benefits PWDs sufficiently or if it should be amended.

### **1.8. Ethical Issues**

Ethical issues were carefully considered before and during this research. As PWDs are exposed to stigmatization and prejudice within the community, the interviews with key informants were only conducted after their understanding and agreement to participate were attained. They also were given the freedom to withdraw from the interview at any time.

## **CHAPTER II**

### **LITERATURE REVIEW**

This chapter discusses the situation of PWDs in Indonesia by presenting meaningful aspects of the demographic characteristics of PWDs, addressing the intersection between disability and poverty, and addressing the policy framework for PWDs in Indonesia relevant to employment.

#### **2.1 The General Characteristics of Person with Disabilities**

It is estimated that more than 600 million people in the world today live with some form of disability, and that more than 400 million of these live within developing countries. (Amartya and Wolfensohn, 2004: online) In the developing world, Sen and Wolfensohn argue that between ten and twenty per cent of the population can be categorized as PWDs in some form.

In developing countries, reliable data on PWDs does not generally exist. This is partly explained by the variable classification of the nature and extent of disabilities between countries, making rates of disability in many developing countries appear unbelievably low. (Mont, 2005: 9) In addition, countries such as Indonesia do not conduct regular or ad-hoc national surveys in sufficient to generate even a rough estimate of how many citizens are disabled. Further, the national surveys conducted on employment of disabled people occur even more infrequently.

Locating demographic reports and other data on PWDs in Indonesia, and particularly in Jakarta, is not an easy task due to poor record keeping and inadequate population census data. To obtain a reasonably complete picture, research reports from 1976–1978 of the Kartari National Institute of Health Research and Development were collected. The reports, which were completed with the assistance of the WHO, contain the results of a random survey conducted in 14 provinces with a sample of 22,568 people from 4323 households. 18% of the sample came from urban areas and 82% came from rural areas. Indonesia's population at that time was

estimated at 114.8 million people. (WHO, 1998; Kartari, 1991: 51) In the survey, Kartari found the prevalence of functional impairment and disability to be 15.5% and 14.1% respectively. (Kartari, 1991: 52) The most common disabilities found were as follows:

**Table 2.1: Nature of Disabilities 1979.**

Type of Disability	Male (%)	Female (%)
Inability to do social activities	9.3	5.2
Inability to do household activities	6.4	8.1
Inability to do work activities	3.8	1.9
Inability to do daily activities	2.7	2.1

Source: DS Kartari, 1979, *Disability study: a preliminary report*, National Institute of Health and Development, Department Kesehatan RI.

In order to get a more complete picture of disability statistics for Indonesia, a report by Agustina published in 1998 on disability noted that there were more surveys conducted by the Department of Social Affairs in collaboration with the Population Department in 1995 which reported health statistics relevant to disability. The results presented were as follows:

**Table 2.2: The Number of PWDs by Type of Disability and Province in 1995**

Province	Visual Disability	Physical Disability	Chronic Disease	Mental Disability	Hearing or Mute Disability	Total
D.I. Aceh	34,628	32,704	25,009	15,390	11,928	119,660
North Sumatra	100,032	94,475	72,245	44,459	34,455	345,666
West Sumatra	38,909	36,747	28,101	17,293	13,402	134,451
Riau	35,105	33,155	25,353	15,602	12,092	121,307
Jambi	21,330	20,145	15,405	9,480	7,347	73,706
South Sumatra	64,868	61,264	46,849	28,830	22,343	224,155
Bengkulu	12,682	11,977	9,159	5,636	4,368	43,824
Lampung	59,920	56,591	43,275	26,631	20,639	207,056
DKI Jakarta	82,014	77,458	59,232	36,451	28,249	283,403
West Java	352,861	333,258	254,844	156,827	121,541	1,219,331
Central Java	266,879	252,053	192,746	118,613	91,925	922,217
D.I. Yogyakarta	26,251	24,793	18,959	11,667	9,042	90,712
East Java	304,596	287,674	219,986	135,376	104,916	1,052,548
Bali	26,061	24,613	18,822	11,583	8,977	90,055
North Nusa	32,811	30,989	23,697	14,583	11,302	113,382

Tenggara							
East Nusa Tenggara	32,197	30,409	23,254	14,310	11,090	111,259	
East Timor	7,557	7,138	5,458	3,359	2,603	26,115	
West Kalimantan	32,722	30,904	23,632	14,543	11,271	113,071	
Central Kalimantan	14,647	13,833	10,578	6,510	5,045	50,614	
South Kalimantan	26,041	24,595	18,808	11,574	8,970	89,987	
East Kalimantan	20,828	19,671	15,042	9,257	7,174	71,971	
North Sulawesi	23,842	22,517	17,219	10,596	8,212	82,387	
Central Sulawesi	17,443	16,474	12,597	7,752	6,008	60,274	
South Sulawesi	68,025	64,246	49,129	30,233	23,431	235,065	
South-East Sulawesi	14,282	13,489	10,315	6,348	4,919	49,353	
Maluku	18,779	17,735	13,562	8,346	6,468	64,891	
Irian Jaya	17,484	16,512	12,627	7,771	6,022	60,416	
Indonesia	1,752,793	1,655,416	1,265,906	779,019	603,740	6,056,875	

Sources: National Survey of Population (BPS), National Survey of economic social (SUSENAS) 1995 (In Health Statistic)

The number of people with disabilities was estimated to be more than 6 million, or approximately 3.2% of the total population of Indonesia, which was 194.8 million at that time. Furthermore, it was shown that Jakarta had 283,403 PWDs at the time of the survey. Subsequently, in 1998, BPS reported on the same types of disabilities but found a much lower prevalence than SUSENAS, as shown in Table 2.3.

**Table 2.3: Number of People with Disability by Cause, Province and Locale (Urban/Rural) in 1998**

Province	Congenital			Accident			Disease			Total
	Urban	Rural	U+R	Urban	Rural	U+R	Urban	Rural	U+R	
DI Aceh	2352	13471	15823	571	3254	3825	2077	10981	13058	32706
Sumatra Utara	10996	14430	25426	3236	3481	6717	11707	13469	25176	57319
Sumatra Barat	2440	13869	16309	1679	7030	8709	3548	17815	21363	46381
Riau	1717	5006	6723	830	2089	2919	1804	4204	6008	15650
Jambi	2466	5010	7476	166	1485	1651	1056	5754	6810	15937
Sumatra Sel.	6250	12039	18289	3905	7011	10916	13637	19195	32832	62037
Bengkulu	962	3472	4434	139	1075	1214	848	4416	5264	10912
Lampung	3905	22384	26289	2357	9125	11482	8478	33140	41618	79389

DKI Jakarta	10934		10934	5398		5398	6940		6940	23.272
Jawa Barat	27614	52751	80365	11790	17266	29056	31677	71637	103314	212735
Jawa Tengah	25906	59798	85704	10592	23880	34472	32508	89456	121964	242140
DIY	4496	6538	11034	5044	3807	8851	10248	6359	16607	36492
Jawa Timur	29160	83225	112385	16739	38791	55530	58061	154987	213048	380963
Bali	2575	5432	8007	556	2233	2789	4265	14055	18320	29116
NTB	1138	7017	8155	1278	2632	3910	2130	10144	12274	24339
NTT	1118	25690	26808	442	11402	11844	2317	40522	42839	81491
East Timor*)	124	2247	2371		1091	1091		3841	3841	7303
West Kalimantan	1283	9633	10916	1280	1841	3121	1534	13273	14807	28844
Centre Kalimantan	765	2233	2998	201	706	907	782	1737	2519	6424
South Kalimantan	3077	7507	10584	463	2447	2910	8170	14923	23093	36587
East Kalimantan	3613	2704	6317	1849	2297	4146	2565	2559	5124	15587
North Sulawesi	1514	3003	4517	484	1624	2108	2337	4000	6337	12962
Centre of Sulawesi	603	6967	7570	538	4258	4796	2322	9993	12315	24681
South of Sulawesi	5262	17956	23218	2098	8491	10589	4609	27065	31674	65481
Southeast Sulawesi	753	2825	3578	529	1185	1714	310	3176	3486	8778
Maluku	2647	7244	9891	428	6180	6608	2115	7257	9372	25871
Irian Jaya	973	6407	7380	414	3198	3612	856	5760	6616	17608
<b>INDONESIA</b>	<b>154643</b>	<b>398858</b>	<b>553501</b>	<b>73006</b>	<b>167879</b>	<b>240885</b>	<b>216901</b>	<b>589718</b>	<b>806619</b>	<b>1.601005</b>

Source: BPS – Susenas 1998 (in ‘Demographic and Social Welfare Statistics’)

The number of PWDs in 1998 amounted to 1,601,005 persons, equal to 0.8% of the total population of Indonesia. Disability caused by disease and congenital traits were the largest contributors. It should be noted that as of 1998, and subsequently, SUSENAS no longer compiled disability related data in its health statistics and instead these were collected as part of social welfare statistics. (JICA, 2002; Department of Social, 2001: 4). This means that the questions related to disability on the survey were changed to address persons who experience barriers (or are disadvantaged) in their social welfare. Thus, data on persons with disabilities since 1998 has been biased to reflect a view of the disabled population as being a subgroup of the poor. The data gathered have been widely used as a reference in discussing the magnitude of the problem of disability in the results of SUSENAS 2003. According to this report, the number of PWDs in Indonesia was estimated to be 2,454,359 people, the details of which are presented in Table 1 (See appendix A).

This data can then be compared with the period after the Tsunami in Aceh on December 26, 2004 and the severe earthquake on May 27, 2006 in Yogyakarta. Assisted by UNESCAP, BPS experimented with a disability questionnaire module in 2006 to obtain health and disability data in Indonesia. The survey was based on the International Classification of Functioning, Disability and Health developed by the WHO. According to UNESCAP (2006), 1.38% of the population in Indonesia lives with a disability which amounts to about 3.063 million people. This figure likely comes from the Government of Indonesia and UNESCAP survey conducted in 2006, which was obtained through SUSENAS 2006. Nevertheless, it remains unclear whether the data obtained by UNESCAP is the result of the 2006 trial and so far this data has not been used in the preparation of policies or programs (UNESCAP 2005:4 2006: 1).

In 2009, the Central Bureau of Statistics reissued statistics on disability in the SUSENAS 2009. SUSENAS 2009 used a list of questions based upon the categorizations found in Law No. 4 on disability. Statistics presented in the form are divided into rural (1,198,185 inhabitants), urban (928,600 inhabitants), and total (2,126,785 inhabitants) respondents. The disability categories within the report are presented in Table 2 (See appendix B). It should be noted that this data set is rarely if ever referred to as a reference for policy development.

**Table 2.4: The Percentage of People with Disabilities based on Disability Types**

<b>Type of disability</b>	<b>Total (%)</b>
Visual disability	15.93
Hearing disability	10.52
Mute disability	7.12
Mute and hearing disability	3.46
Physical disability	33.75
Mental disability	13.68
Physically and mental disability/Multiple disabilities	7.03
Psychiatric disability	8.52
Total number	100.0

Sources: BPS, SUSENAS 2009

The data from the Centre of Data and Information (PUSDATIN) of the Social Affairs Ministry shows the number of PWDs that are eligible for services under government policies and program in Indonesia: in 2002 the number of PWDs was 1.673.119, the number of people with disabilities who are poor and eligible for service were slightly increase in 2004 and 2006 from to 1.847.692 to 2.364.000 while in 2008 the number dropped to 1.63.508, besides, in 2009 the number of people with disabilities who are poor and eligible for service are 1.541.942 as show in Table 5 below:

**Table 2.6: Number of People with Disabilities in Poor Households**

<b>Disability</b>	<b>2002</b>	<b>2004</b>	<b>2006</b>	<b>2008</b>	<b>2009</b>
Children with disabilities	367.520	365.868	295.763	-	
People with disabilities	1.673.119	1.847.692	2.364.000	1.163.508	1.541.942
People with chronic diseases	215.543	216.148	150.449	-	

Source: Pusdatin Data of Indonesian Minsitry of Social Affairs, Years 2002–2009

In 2010, Marzuki found that the Indonesian Ministry of Social Affairs undertook a disability survey on the basis of the ICF, as recommended by the WHO. Based on the data collected from the 14 provinces targeted in the survey, there are 1,167,111 people with disabilities in Indonesia. (Marzuki, 2010: 22). In addition, the data shows that in Jakarta, there are 51,381 PWDs out of a population of 9,588,198. This means that the proportion of PWDs in Jakarta is around 0.58% of the total population (See Appendix B in Table 2.7).

For the context of Indonesia, the definition used for PWDs can be found in the law No. 4 of 1997 on disability. Within the law, it is stipulated that: “A *disabled person is someone who has a physical and/or mental abnormality, which could disturb or be seen as obstacle and constraint in performing normal activities, and consists of a physical disability (a), a mental disability (c) or a Physical and mental disability.* (Law number 4 of 1997: 1)

Although the law provides definitions and classifications of disability, there is no clear national standard used to measure PWDs in surveys and censuses. As a result, there are a number of different types of statistical data concerning the number of PWDs in Indonesia. In defining disability, Carol Wudham and Susan Corby (2003) in their journal on disability in theory and practice defined the concept as “A person who has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day to day activities.” The internationally accepted definition from the United Nations Convention on the Rights of People with Disabilities (UNCRPD) states that “persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.” (UNCRPD – Leonard Cheshire Disability)

Published literature on the employment situation of PWDs is very rare in Jakarta. However, there are many significant pieces of literature on vocational rehabilitation and sheltered employment. While no research work has yet been carried out on the employment situation of PWDs in the capital city, the situation is almost entirely the reverse in developed countries. There have been a large number of research and evaluation studies published on disability and employment, reflecting the importance of this area of policy in recent years. These studies have mostly focused either on the general direction of policy, or on evaluation of several new employment activation policies and pilot schemes that have been introduced. Burkhauser et al (2001) found that in wealthy societies (e.g. the United States), extensive research work has been carried out on the issue of employment rights of PWDs. The common thread underlying such research is the trend of declining employment rates in the 1990s among persons with disabilities and some of the potential reasons for these changes. (Burkhauser et al, 2001: 8).

In summary, the statistic of disability in Indonesia was started in 1995; the report by Agustina in Disability Country Report mentioned that there were 6,056,875 PWDs with 283. 403 PWDs in Jakarta. The indicator used for PWDs survey was



based on survey. Subsequently, in 1998 another survey was conducted by SUSENAS and BPS which reported the numbers of total PWDs were 1.601005, with 23. 272 in Jakarta, besides, the number was declined because the indicator of PWDs was not based on health indicator anymore, and the indicator used was a social welfare indicator, the question to address the issues also based on the barrier the PWDs face. Furthermore, in 2009, the BPS or Central Bureau of Statistics reissued statistics on disability in the SUSENAS 2009. SUSENAS 2009 used a list of questions based upon the categorizations found in Law No. 4 on disability. Statistics presented in the form are divided into rural (1,198,185 inhabitants), urban (928,600 inhabitants), and total (2,126,785 inhabitants) respondents with Jakarta found 51.381 PWDs. Above all, the major institution did a survey for PWDs is the National Survey Economic and Social (SUSENAS) in Indonesia while the BPS or central Bureau of statistic in charge of the whole population statistic in the country.

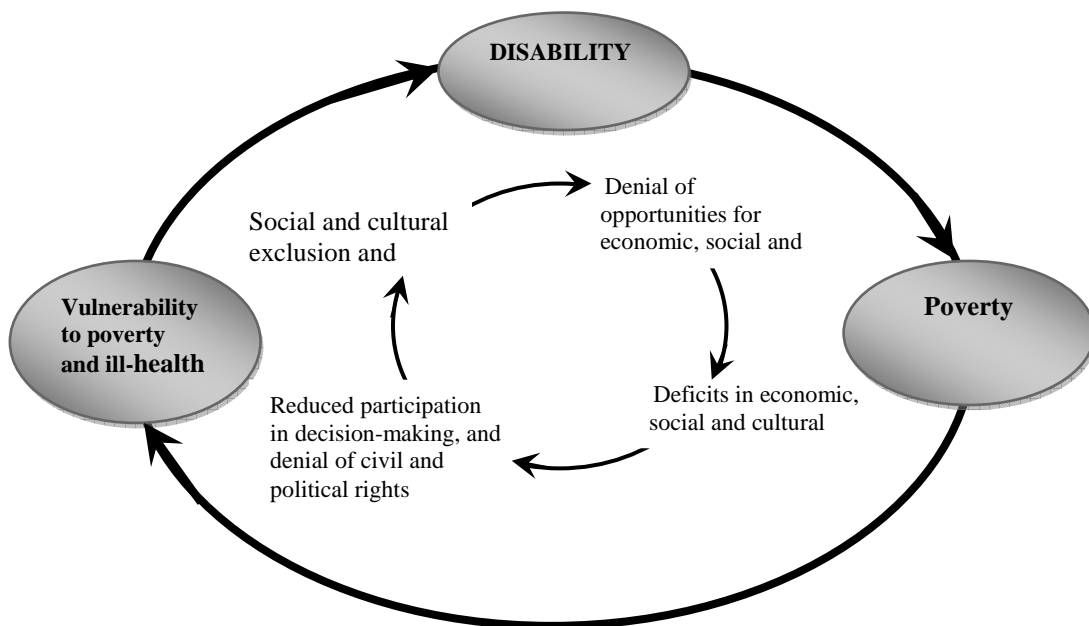
## **2.2. Disability and Poverty**

The majority of PWDs are poor. In any country, the poorest of the poor are often persons with disabilities and their families. According to the World Bank, “Disabled people are often excluded from school or workplace and are forced to depend on others in the family and community for physical and economic support. In addition to being acutely vulnerable to such exclusion, disabled people are disproportionately poor, and poor people are disproportionately disabled. The millennium Development Goals, a commitment for the international community to expand the vision of development, cannot be achieved without taking into consideration the needs of people with disabilities.” (World Bank, 2006: 1)

Poor people with disabilities are more likely to be caught in a vicious cycle of poverty, as depicted in Figure 1. People with disabilities have less education and are more likely to earn an income that falls below the poverty level than the rest of the population. An additional outcome resulting from disability is that it makes families with PWDs worse off (Elwan, 1999: 10). The exclusion of PWDs from educational opportunities can be damaging to a society because it virtually ensures that they will

live in long-term poverty and become an economic burden to their families and communities (Jonson;Wiman, 2009: 4). Denying opportunities for economic, social and human development of PWDs inhibits their realization of their human rights, and creates vulnerable conditions for PWDs which often trap them in a cycle of poverty.

**Figure 2.1: Vicious Cycle of Poverty and Disability**



Source: From UK Department for International Development (DFID) (2000:4)

The way to break this vicious cycle is to make development inclusive; that is, to include people with disabilities in all aspects of socio-economic development. This would mean an approach that embodies the principles outlined within the UNCRPD:

- Respect for inherent dignity, individual autonomy and independence of persons;
- Non-discrimination;
- Full and effective participation and inclusion in society; and

- Ensuring equal treatment of PWDs in terms of working conditions and employment rights.

In the context of Jakarta, the regulations which control service provision to PWDs have never been enforced. This raises the question of how the regulations, which have existed for many years despite not being implemented, will be applied to employment of person with disabilities. The following section will analyze the issues related to disability development in Indonesia, particularly in Jakarta, with a special focus on a situation analysis of the employment of PWDs.

### **2.3 Policy framework in Indonesia**

The disability policy framework for the Government of Indonesia draws its principles from the following international, regional, national and local instruments which advocate for the full realization of the human rights of PWDs.

#### **2.3.1 International Instruments**

In the past few years, great strides have been made on issues related to PWDs by the Government of Indonesia. The international commitments of the government have served to improve the national policies towards PWDs in Indonesia. The following are the international agreements that the government has committed to:

#### **International Labor Organization (ILO): Convention 159 and Recommendation 178**

ILO Convention 159 provides guidelines on the formulation, implementation and periodical review of national policies on vocational rehabilitation and employment of disabled persons. The policies are aimed at ensuring that appropriate vocational rehabilitation measures are made available to all categories of people with disabilities, and at promoting employment opportunities for people with disabilities in the open labor market (ILO, 2008: 2). However, The Government of Indonesia has not yet ratified the Vocational Rehabilitation and Employment (Disabled Persons)

Convention of 1983 (No. 159) although Indonesia is a signatory country (Subidyo, 2002: 15).

### **The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**

The purpose of the convention is to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities. The convention is purposed as a human rights instrument with an explicit social development dimension. It clarifies and qualifies how all categories of rights apply to PWDs and identifies areas where adaptations have to be made for PWDs to effectively exercise their rights. It also highlights areas where their rights have been violated in the past, and where protection of rights must be enforced. In addition, the convention also adopts broad criteria for PWDs and reaffirms that persons with all types of disabilities must be able to enjoy their human rights and fundamental freedoms (UN Enable: online).

The convention states that government should take the following steps:

- Adopt appropriate legislative, administrative and other measures for the implementation of the rights of people with disabilities;
- Take appropriate measures, including legislative, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- Undertake actions to promote and protect the human rights of people with disabilities in all policies and programmes;
- Ensure and promote the development (or minimum possible adaptation) of universally designed goods, services, equipment and facilities to meet the specific needs of people with disabilities;
- Train frontline functional personnel on the rights of people with disabilities in order to better provide the assistance and services guaranteed to them by right. (Leonard Cheshire Disability – UNCRPD, 2008)

All spheres of government in Indonesia must address and implement programmes focused on children, women, men, youth and elderly people with disabilities according to the contents of this convention. The convention recognizes that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation. It further articulates the importance of accessibility, within the local government sphere; to the physical, social, economic and cultural environment; and to health, education, information and communication, in enabling people with disabilities to fully enjoy all of their human rights and fundamental freedoms.

However, Indonesia remains only a signatory of the UNCRPD; the government has not ratified the convention as of yet. During an interview with the Vice President of the Indonesian Disabled Association, it was stated that:

*“The DPO is now trying to push the government to ratify the UNCRPD and all of the required documents now are being discussed in the house of representative. We expect that by the end of the year, the government will ratify the convention.”*(Gufran sakaril, Field interview 3 July 2011)

In the working group meetings, the ratification of the convention on disabilities was also discussed. The Secretary of the Directorate General of Rehabilitation said that the convention on the fulfillment of the rights of PWDs has been signed by the Social Affairs Minister, and that he was accompanied by the Chairman of the Indonesian Disabled Association. Therefore, the commitment of the government to ratify the convention in law is clear and it is expected to be realized soon. (Directorate General of Social Rehabilitation, 2010: online)

### **2.3.2 Regional Initiatives**

#### **The Asia and the Pacific Decade 1993 – 2002**

This initiative of the Organization of Asia and the Pacific Union is designed to further the equality of opportunities available to PWDs. The primary focus of the Decade of action is the expansion of opportunities for the full participation of people with disabilities in society and within the development process. It is targeted to the villages, towns, cities and other communities of the region where the quality of life for PWDs is most in need of improvement (UNESCAP, 2002: online)

The Asia and Pacific Decade of Disabled Persons was conceived in December 1992 in Beijing as a unique initiative for the Asia-Pacific region. The Proclamation on the Full Participation and Equality of People with Disabilities in the Asia and Pacific Region was adopted at this meeting and the Asia and Pacific Decade of Disabled Persons, 1993-2002 was consequently launched. Aside from its main objective of increasing the opportunities and participation of PWDs in development, it was also aimed at encouraging government ministries and departments, NGOs, international organizations and committed individuals to take action to achieve these goals. It was hoped that there would be tangible results in the villages, towns and cities of the region, with significant improvements in the quality of life for PWDs as a result of the of the initiative. (Yutaka, 2006: 23)

The lessons learned from the first United Nations Decade clearly indicated the need for very specific guidelines if the Decade was to bring about real change in the lives of PWDs, apart from merely focusing on needs and barriers. The Agenda for Action for the Asia and the Pacific Decade of Disabled Persons, adopted by UNESCAP at its forty-ninth Commission session in 1993, attempted to fulfill this requirement. It consisted of 12 major policy categories considered essential to ensure the full participation of people with disabilities in every aspect of the national development agenda. The policy areas included national coordination, legislation, information, public awareness, accessibility and communication, education, training

and employment, prevention of causes of disability, rehabilitation, assistive devices, self-help organizations and regional cooperation. The Agenda has become an effective tool for the Governments working with UNESCAP to guide policy, planning and implementation of programmes concerning people with disabilities. During the evaluation process at the end of the Decade, many Governments cited the Agenda for Action and its very specific guidelines as the key factor responsible for the progress they had made towards achieving the goals and targets of the agreement. (Disability information resources, 2009: online)

To summarize, one of the objectives after the meeting was to urge all member and associate member Governments who participated in the meeting to review the situation of disabled persons in their countries and areas, with a view to developing measures that enhance the equality and full participation of disabled persons in the formulation and implementation of national policies and programmes to promote the inclusion of persons with disabilities in economic and social development. Besides, the meeting also urged the participants to establish and strengthen the national coordinating committees on disability matters, with emphasis on, *inter alia*, the adequate and effective representation of disabled persons and their organizations. (UNESCAP, 1993)

### **2.3.3 National Initiatives**

The legal framework of the policy in Indonesia is based on a provision of the National Constitution of 1945. This was further supplemented by the comprehensive Law No. 4 in 1997, concerning the commitment of the Indonesian Government to PWDs under the Asia and the Pacific Decade, 1993 – 2002. The Law No. 4 is the main legal instrument for the social welfare of PWDs in Indonesia. The Act establishes the equal rights and opportunities of PWDs in all aspects of life, including education, employment, participation, accessibility, rehabilitation and social welfare. Article 14 stipulates a quota system for every governmental agency and institution, requiring them to formulate their own policies, strategies and programmes to improve

and promote the welfare of PWDs. Furthermore, following the enactment of Law No. 4, the Government issued another regulation on the welfare of PWDs in 1998.

### **National Plan of Action of Indonesia on Disability**

According to Robinson (2010) the head of research staff in the Ministry of Social Affairs, the National Plan of Action for 2004–2013 aims to gather political support from stakeholders in order to improve social services for PWDs and strengthen the organizations that provide services to PWDs. In accordance with the *Biwako Millennium Framework*, to which Indonesia is a signatory country, the priorities of the plan are as follows:

1. Self-supporting organizations and associations for PWDs and their families;
2. Women with disabilities;
3. Early detection, early intervention and education;
4. Training and job placement, including entrepreneurship;
5. Accessibility to the built environment and public transportation;
6. Accessibility to communication and information, including information technology, communication and assistive devices;
7. Poverty alleviation through improvement of social security and community living programmes; and
8. International cooperation.

#### **2.4 The Employment Policy for PWDs in Jakarta**

An important regulation concerning PWDs in Jakarta is the Jakarta Decree No. 66 (1981) on Accessibility to Public Facilities. The decree is a guideline for accessibility for PWDs at public buildings and housing facilities. In 2001, the Governor of Jakarta issued another Decree No. 140 (2001) on the Accessibility Team. The purpose of this decree was to establish a group to oversee the promotion of accessibility for PWDs in Jakarta province. (Subidyo, 2002: 19) Further regulation of the social services for PWDs in the city is provided through the National Plan of



Action of the Ministry of Social Affairs, the Law No. 4 and the Decree of the Minister for Manpower of the Republic of Indonesia No. Kep-205/MEN/1999, which provides vocational training and employment opportunities for PWDs (Ministry of manpower, 1999: 1)

The Ministerial Decree is the enabling regulation of the Law No. 4 (1997) on Persons with Disabilities for the vocational training and job placement aspects of the law. Article 4 of the Decree stipulates that it is compulsory for employers with more than 100 employees to provide a job opportunity for at least one disabled worker. Article 5 of the decree also stipulates that disabled workers are entitled to vocational training, which can be provided by either the government or private sector. The Decree further states that this vocational training must be provided by certified instructors. In order to enroll in the vocational training opportunities available, PWDs must register with the responsible office. In theory, the existing legislation guarantees PWDs mainstream access to education, vocational training and job placement.

Furthermore, unlike the other cities which share the island with Jakarta (i.e. Solo and Yogyakarta), the city of Jakarta does not have sufficient local regulations concerning PWDs yet. The national policies which are applied to the city do not actually force businesses in the industrial sectors to employ PWDs. In response, the Government has started formulating a policy on local regulations for PWDs this year, and the legislation is now 70 per cent complete. The head of the Social Affairs Department in Jakarta stated in an interview that the local regulations will be launched in the beginning of next year (2012).

The goal of the local legislation will be to ensure equitable access to basic services for PWDs. The policies mandate local government departments and municipalities to ensure effective and efficient service delivery to all communities within their jurisdiction, including PWDs. They are therefore tasked to prepare plans that meet the requirements of different categories of people in their areas of operation.

Disability legislation itself is a complex topic. This study does not intend to address all of issues pertaining to the legislative process. However, there are a few key conflicting issues surrounding disability policy that should be recognized. According to Mont (2004), disability policy has two major goals which are at times in conflict. These are income security and the complete integration of PWDs into social and economic life. As noted by Cindy L (2010) in her report, policies aimed at generating full participation of PWDs often downgrade the social safety net, and thereby create more risks. People who are not successful at achieving a certain level of integration therefore suffer from the lack of social protections available. Although having an impairment can in itself make work more difficult, other factors also lead to lower employment rates for adults with disabilities. Thus, there is a long history of policy initiatives designed to remove barriers and enhance employment rates of PWDs.

As reported by Roebyantho (2006), a researcher for the Government of Indonesia under the Department of Social Affairs, the Government has made some significant efforts to implement its policies on accessibility for disabled people in 6 provinces of Indonesia. However, it can be argued that the Capital City is still lagging behind on accessibility concerns. Intensification of the efforts focused on addressing barriers in the environment, such as lack of access to accommodations and discrimination, are very rare in Jakarta.

In order to understand what factors most affect employment levels for PWDs in Jakarta, it is necessary to consider the three main schools of thought on the issue. The Organization for Economic Co-operation and Development (OECD) published a report arguing the significance of active versus passive labor market policies on disability employment levels in 2001. According to the study, active labor policies (such as vocational training) encourage the integration of disabled people into the labor market and therefore increase employment levels. On the other hand, passive labor policies (such as pension benefits) only increase economic incentives to remain out of the workforce. The report is helpful in that it gives an effective and detailed explanation of how certain kinds of legislation effect employment levels.

Additionally, it lays out the various policy options available and categorizes them into active or passive measures. However, the study neglects to consider *why* governments choose one type of policy over another. In addition, the OECD study also does not consider the effect that institutions have on employment levels. Due to the lack of these considerations within the study, the OECD fails to produce a comprehensive analysis of the issue.

The second key study on employment levels was published by Mariana Preda in 2000 in another OECD Report. Within the study, Preda hypothesizes on the roots of the societal attitudes towards PWDs. The study describes how the development of attitudes towards PWDs affects their ability to access the labor market. In her theory, Preda highlights the impact of cultural attitudes in suppressing PWDs, ensuring that they do not have the resources to become politically active. As there is little to no representation of PWDs in society, PWDs are not considered in the development of legislation. Therefore, there is nothing to encourage the changes in cultural perception necessary to increase the integration of PWDs into society. While Preda's study addresses the very real issue of attitudes, she does fail to make the necessary connection between cultural barriers and institutional barriers. As a result, the argument neglects the influence of legislation and policy choice on employment levels. (Otis, 2010: 2)

The third study identified on policies for employment of PWDs appears much more pertinent to the question of why employment levels vary so significantly. According to Waddington and Diller (2002), disability policies are "rooted in core assumptions (within the nation state) about the nature of disabilities and the obligations of both individuals and society. These core assumptions can be grouped into two specific models: the social welfare model and the civil rights model. Each country in the world can be classified as following either the social welfare model or the civil rights model.

According to Waddington and Diller in their study, "*Tensions and Coherence in Disability Policy*", the social welfare model sees disability as a person who is

unproductive, unable to work and also unable to function in society in a conventional way. The approach uses social institutions such as employment and public services to meet the needs of the disabled. In the area of employment, PWDs are typically pensioned off. On the other hand, the civil rights model views disability as a reason to reform mainstream institutions (Waddington and Diller, 2000: 15). Seto and Buhai in their article, “*Tax and Disability: Ability to pay and the taxation of difference*,” noted that under the civil rights model, PWDs were not necessarily treated differently from anyone else in any way that ought to matter. Instead, societies working with the model had constructed a world that made disabilities irrelevant. The disability was not the barrier; the stairs were the barrier. (Seto, and Buhai, 2006: 1062)

Above all, the policies pursued in Indonesia can be regarded as neither the social welfare model nor the integration model for PWDs. Instead, Indonesian policies pursue what could be described as *the medical model*, where they consider PWDs as sick persons and physically or mentally unhealthy. Therefore, the income situations of PWDs in Indonesia, particularly in Jakarta, inevitably fall below the poverty line. This study highlights the fact that the policies and programs of the Government of Jakarta still focus on rehabilitation of PWDs. The annual budget of the Ministry of Social Affairs shows that the rehabilitation program is the biggest expenditure on PWDs. Out of a total budget of 86,165,060,000 IDR, the budget for the rehabilitation program was 63,287,096,000 IDR or USD 7.2 million. (73% of the available funds) (Irwanto et al, 2010: 19)

The definition of disability in Indonesia also follows the logic of this same model: “A disabled person is someone who has a physical and/or mental abnormality, which could disturb or be seen as obstacle and constraint in performing normal activities, and consists of a physical disability (a), a mental disability (c) or a Physical and mental disability.” As stated by Eva, the wording of the law on disability adopts the dysfunctional paradigm of the medical model (Kasim, 2008: online). This is truly unfortunate because such a definition defines the whole person by some of their limitations rather than their abilities. Therefore, the situation of PWDs in Indonesia, particularly in Jakarta, inevitably leads to poverty.

In contradiction, the United Nations Convention for People with Disabilities defines disability as “including those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.” Therefore, the UNCRPD has defined clearly that disability should be addressed through a civil rights model, where the environment which makes PWDs unable to participate fully in their community is seen as the problem rather than the disability itself. The following section elaborates the model applied to dealing with disability policy in Indonesia, as identified by Eva. (Kasim, 2005: online)

### **Medical Model for Disability policy**

The model used in disability policy is largely determined by how the issue is conceptualized. The above definition on disability shows that disability is understood as the inability of a person to undertake an activity that is considered normal/viable due to the impairment they experience in Indonesia. This understanding has significant implications for problem-solving models used to address disabilities. The model applies an approach based on the use of medical strategies because of its focus on individual strategies for individual disabilities. This can be seen from the use of the concept of rehabilitation in programs aimed at PWDs and the establishment of service organizations that are intended for PWDs.

The rehabilitation for PWDs in this model is essentially intended to establish the re-functionality of PWDs and to enable PWDs to live like non-disabled people (a normal life). This process includes medical, social and vocational rehabilitation and is based on the assumption that the abnormal function or damage to anatomical structures can be cured (omitted), and then the PWD will be able to undertake activities normally. According to this model, disability which is caused by impairment is a condition which is curable. However, this paradigm forces PWDs as individuals to adjust the environment rather than addressing the constraints of the environment itself (Kasim, 2010: online)

The medical approach to disability is based on the assumption that it is a disease that can be “cured.” In fact however, it is not always effective to attempt to solve the problems faced by PWDs in this way. Impairment is not always curable and may persist throughout the life of the person concerned. Furthermore, the rehabilitation approach, while not entirely wrong, must consider the factors involved in creating the disability. For example, in many instances, disability arises because of the interaction of impairment and environmental factors rather than simply as a result of the individual’s disability. (Kasim. 2010: online)

Most importantly, the concept used for defining disability mentioned above affects the formation of the service organizations that work with PWDs. For example, the unit for services to physically impaired PWDs or visually impaired PWDs unit has the consequence of placing PWDs into groupings and categories based solely on their physical appearance.

## **CHAPTER III**

### **RESEARCH FINDINGS**

This chapter will provide an overview of the research findings on employment policy of PWDs in Indonesia. The main finding of the research is that although Indonesia has a comprehensive national policy for PWDs in general, employment policy for PWDs is not supported by necessary conditions. There are problems in both how PWDs are defined and the enforcement of the policy. Jakarta local government does not have any local regulations regarding PWDs, so the national policy is adopted for the city. However, the implementation of the policy is still a problem. Limited job opportunities for PWDs in Jakarta have made actualization of the policy difficult. This is not the cause, but the result of policy not being implemented. Because the policy not fully implemented so job opportunity is still limited.

This chapter investigates what is the implementation of the employment for people with disabilities in Jakarta, what are the opportunities and what are the problems faced by people with disabilities in the city, besides this chapter also investigate the participation of people with disabilities in Wisma Chehsire in Jakarta?. Basically, the findings of the study have shown that the implementation of the employment policies for people with disabilities have shown little progress thus far. The Law number 4 of 1997 which was enacted has been implemented within the Government system in terms of recruitment of PWDs as civil servants, but the legislation has not achieved equal compliance by private sector companies in Jakarta. Furthermore, the study also found that in the last three years some industrial sector companies, including both national and international firms have started showing positive attitudes towards employment of PWDs and have started recruiting in small numbers.

However, study highlighted that the problem faced by people with disabilities is accessibility to facilities in public places. Accessibility in Jakarta still limits the

mobility and integration of PWDs within the community and remains the most critical limiting factor on employment. Furthermore, the negative attitudes of the community for people with disabilities also begot social stigma for people with disabilities, this problem resulted the lack of confidence for people with disabilities. Besides, the participation of people with disabilities found have not fully participated in the policy formulation, however, the study has found since Wisma Cheshire has initiated advocacy programs to campaign for the rights of people with disabilities, Wisma Cheshire has taken part in implementation of employment policy in their campaign in the company.

Above all, the purpose to investigate the implementation of employment policies for people with disabilities is to find out whether the government policies is accommodating people with disabilities in employment. As a result, I will be able to find out what are the benefits of the employment policies in Jakarta?

### **3.1 Policy Development on Disability in Jakarta**

Although the disability data in Indonesia was moved from a being a health indicator to a social welfare indicator, the policy in Indonesia and Jakarta for PWDs has still pursued a medical model for PWDs. The definition of disability, as stipulated in the disability Law No. 4 of 1997 article 1, is as follows:

*A disabled person is someone who has a physical and/or mental abnormality, which could disturb or be seen as obstacle and constraint in performing normal activities, and consists of a physical disability (a), a mental disability (b) or a Physical and mental disability (c). (Law number 4 of 1997:1)*

It is clear from the words of the law on disability that it adopts the dysfunction paradigm of the medical model. This is truly unfortunate because such a definition defines the whole person by their limitations rather than their abilities as a person.



Furthermore, aside from the laws and regulations concerning PWDs, the programs aimed by the government at PWDs mostly focus on welfare and services. The Government programs attempt to sustain the income and social welfare of PWDs through the social security system. The programs of the Government include the mobile unit for social services, the shelter workshop for rehabilitation and vocational training, institution based rehabilitation, community based rehabilitation and social assistance, food allowance and emergency assistance for PWDs in the rehabilitation centre. (Irwanto et al, 2010: 39)

In addition, according to Law No. 11 of 2009 concerning Social Welfare, and the Ministerial Regulation of the Minister of Social Affairs No. 82/HUK/2005 concerning the Duties and Procedures of the Department of Social Affairs (APCD, 2010: online), the agency responsible for handling issues concerning PWDs in the city is the Department of Social Affairs. However, the Department of Social Affairs is focused more on the provision of social services and rehabilitation to enable people with disability to function normally in society. The Department of Social Affairs also holds a mandate, by virtue of Law No. 4 of 1997 concerning People with Defect (Disability), to administer social aid and social welfare sustenance programs.

Further, while the study found that the Department of Social Affairs is the lead agency dealing with PWDs issues in Jakarta, since disability affects all aspects of life, the issues and their resolution should involve multiple stakeholders from various ministries and institutions including businesses, universities and society at large. In 2002, the Ministry of Social Affairs started an initiative to involve a variety of ministries and agencies in addressing the problems faced by PWDs through establishing a national coordinating team.

## **3.2 Implementation of the Employment Policy in Jakarta**

### **3.2.1 Employment Policy for PWDs**

The employment policy for PWDs is specified in Law No. 4 of 1997, article 14, which stipulates that State and private companies must provide equal treatment in hiring PWDs in the company according to the type and degree of disability, their education and ability, and the number of employees and/or qualification of the company. Further explanation of the law is as follows: State enterprises include state owned enterprises and regionally owned enterprises, while private companies include cooperatives. These companies must employ at least 1 PWD, who meets the requirements and job qualifications, for every 100 employees. Furthermore, companies that use high technology must employ at least 1 PWD, who meets the requirements and qualifications of the job, even if the number of employees at the company is less than 100 people. Equal treatment is defined as non-discriminatory treatment, including equivalent levels of remuneration for similar types of work (Bureau of justice ministry of social, Law number 4 of 1997: 10).

Another policy relevant to PWDs is the Decree of the Minister for Manpower of the Republic of Indonesia, No. Kep-205/MEN/1999, which provides vocational training and employment opportunities for PWDs. Supplementing this Ministerial Decree is the enabling regulation of the Law No. 4 (1997) on Persons with Disabilities, which addresses the vocational training and job placement aspects of services to PWDs. Article 5 of the Decree stipulates the entitlement of disabled workers to vocational training, which can be provided by either government or private sector agencies. This vocational training has to be provided by certified instructors and in order to participate in the training opportunities, PWDs have to register at the designated office.

### *Training and employment of disabled persons*

The Minister for Manpower Decree No. 205 (1999) on Vocational Training and Placement of Disabled Workers, Article 3, stipulates that employers have to provide job opportunities for disabled workers by recruiting them to work in both private and public sectors. Article 4 stipulates that it is compulsory for employers with 100 workers to hire at least one disabled worker. Articles 5, 6 and 7 stipulate the requirement to provide sufficient vocational training to PWDs, and to provide them with a training certificate. Article 8 stipulates that vocational rehabilitation has to be provided immediately after medical, social and educational rehabilitation services are complete.

Subidyo noted that in addition to the Decree of the Minister for Manpower No. 205, which stipulates vocational training and placement for workers with disabilities, there is also a letter from the Minister for Manpower of Indonesia Employers Association (APINDO) No. 68, dated 31 July 1998, which encouraged placement of workers with disabilities (Subidyo 2002: 19). However, no project was subsequently created for placement of PWDs. As it only exists in the form of legislation, the enforcement of the decree is still weak, and most of the concerned parties only consider the spirit and the content of the policies as a recommendation rather than a requirement. Hence, there little progress has been made in this area.

Essentially, the existing legislation guarantees PWDs access to mainstream education, vocational training and job placement. However, as stated, enforcement is still a problem. In addition, the training for PWDs is through the sheltered workshop (LBKs), of which there are 273 in Indonesia. In Jakarta, according to Sri Utami, the head of the Disability and Aging Division of the Social Affairs Department, each LBK plans to provide services to 25 to 30 PWDs per year, for a total of 15 per cent of the population, in 11 Sheltered Workshops in Jakarta. In addition, the training is not available to every type of disability each year as there is a rotation. This is due to the limited human resources and budget available for the training from the Government

(Sri Utami, field interview, 5 July 2011). Although some trainings have supported PWDs, the findings found that other trainings were not effective in this regard. For example, the training on hand phone repair was only for a single day, handicraft training was only for three days and computer training for only a single week.

*“I have experienced and participated in the Government program in 2008 for mobile phone repair. However, the training was only for one day and I did not gain any knowledge. In addition, at the same time, my disabled friend also participated in a different training in computer repair for three days. I feel the program is not effective and they seemed only interested in spending their budget. It usually was offered at the end of the year. In addition, they took many pictures for the report.”*(Samsi, field interview, 3 July 2011)

The above findings indicated that the trainings were not effective. Most of the disabled participants did not gain a full knowledge of the subject or adequate skills for employment. In addition, the training resources that were given to trainees were basic. It appears to be simply a matter of spending the training budget, particularly because it usually occurs at the end of the year. In addition, other PWDs who were also attending trainings from the Department of Industry on how to form a small entrepreneur group said that:

*“In March 2010, I participated in a training on how to form a Productive Peer group for a week in Jakarta with other non-disabled people. The training was conducted by the Department of Industry and they provided me with accommodation and pocket money. After the training, the Government asked all participants to form a group of 10-15 PWDs to start a small business. I was not able to do that because the Government was not able to provide start-up money. They asked every participant who attended the training to initiate the group themselves, and that the Government would only provide technical support.”*(Idayani, field interview, 7 July 2011)

In an interview with the manager of Wisma Chehsire, it was found that Mr. Endi Dwi Cahyono, who is in charge of small and medium industry in the Department of Industry, had said that they do not have a budget line for providing start-up capital for businesses. However, they are able to facilitate access to additional capital for groups that have started a business and can earn an income. In addition, they are able to help groups by providing a free place for exhibitions, organized by the Government (Raymond Sirait, field interview, 10 July 2011).

In another report from Wisma Chehsire in 2010, it was written that to improve the situation for PWDs, the Department of Industry in Jakarta did a survey at the end of 2009 in Wisma Cheshire. The survey was to find out what specific trainings PWDs in Wisma Cheshire wanted to participate in order to prepare them for employment. In the survey, it was found that most of the male disabled persons were interested in training on graphic design, while the female disabled persons wanted training in tailoring because they see the skills as effectively equipping them to find employment in the future. After the survey, the Department of Industry agreed to conduct the trainings and they appointed a consultant C.O.D “Concierge for design” to conduct a training on behalf of the Government. However, after the consultant did a preliminary assessment at Wisma, the Department of Industry of Jakarta informed them that they did not have a budget for the training due to limited funding for the department” (Wisma Chehsire, 2010).

### ***Transportation***

Public Act No. 13 (1992) on Train Transportation and Public Act No. 14 (1992) strongly stipulate special accessibilities and provision of special treatments to passengers with disabilities (Department of transportation, 2009). However, implementation of these Acts is in fact still very poor, and accessible public transportation is still very limited.

In order to address this problem, in 2006 the Government of Jakarta launched the Trans Jakarta buses which enable PWDs to access public transit. During the

research, it was observed that the Trans Jakarta buses are quite accessible for PWDs, including infrastructure such as bridges linking public roads with the Trans Jakarta bus stops. Some of the bridges include ramps which assist the mobility of wheelchair users as well as PWDs who use crutches. As a result, PWDs are independently capable of gaining access to the Trans Jakarta bus stop. In addition, inside the buses themselves, the vehicle floor has been made flat, unlike the floor of other buses which are often uneven.

As a starting point, the Trans Jakarta bus system is quite encouraging. Accommodating attitudes towards PWDs have begun to emerge. However, there are still many things that need to be improved in order to ensure the accessibility, convenience and safety of the disabled. The most important issue for the mobility of wheelchair users in the system is that the bridges at the bus stops are sometimes dangerous for those operating a wheelchair alone. Additionally, a few bridges still have rungs which make them inaccessible by wheelchair users and difficult to use for PWDs with crutches. PWDs need sufficient room to move so as not to be pressed on the bus. Similarly, when they want to enter and exit the bus, it is very difficult if the bus is crowded as there is no space for mobilization. Hence, Ariani in the local newspaper stated that the Government has neglected PWDs on accessibility because the Trans Jakarta bus system is not designed properly for PWDs yet (Indonesia Police Commission, 2011: online). It is believed that the design of the Trans Jakarta stations was not completed in consultation with PWDs. In addition, some of the facilities which are provided for PWDs either inside of the bus (i.e. the seat for PWDs and older people) or outside the bus (i.e. elevators in some station are used by non-disabled people) are inappropriate. One of key informant interviewed said that;

*“The Trans Jakarta bus has helped PWDs with transportation. When I take the bus, the staff working in the station prioritizes us in the queue. However, I found that not many stations are accessible for disabled yet. Besides, in crowded stations, I saw that it’s very difficult for PWDs to use the bus. In addition, since the bus is far from my place, I need to wheel my chair for about*

*45 minutes to reach the nearest Trans Jakarta station.”*(Tarsih, field interview, 7 July 2011).

In addition to this, the head of transportation for Jakarta, Udar Pristono, acknowledged that the means of transportation for PWDs has not been maximized yet. However, he stated that this does not mean that we are not working hard on the issue. Various projects are underway including special parking lots for PWDs. We are trying to pay attention to the needs of PWDs but it must be implemented gradually because of limitations of budget and staff time (John, 2011: online).

### **3.2.2 Implementation of the Policy**

The findings highlighted that although the regulation and laws on employment for PWDs have been well established in the city, the government is only able to implement the law within the Government system. Within the private sector, implementation and compliance are still low. In order to provide more opportunities for PWDs, the implementation of the employment policy for PWDs to work in Government offices as civil servants was initiated in 2010. The report of the Ministry of Bureaucracy and Reformation present the policy as follows:

*“People with disabilities can be recruited as civil servants based on the expertise and in accordance with the needs of the job.”* (Mangidaan, 2010: online)

E.E Mangidaan, the Minister of Administration and Bureaucracy, also mentioned that the Committee of Civil Servants must provide facilities for PWDs who want to register to take an exam for civil service should they need additional assistance. This is all an indication that the Government has only been capable of implementing the policy for Government employment.

The implementation of the employment policy for PWDs, which is specified in Law No. 4 of 1997 article 14, stipulates that the State and private companies must

provide job opportunities and equal treatment for PWDs by hiring PWDs according to their type and degree of disability. Companies must employ at least 1 person with disabilities who meets the requirements and job qualifications for every 100 employees. During an interview with the Director of Disability and Aging of the Social Affairs Department, it was said that the Government has not been able to implement the employment policy due to problems with PWDs not possessing the required skills, and hence many of them do not meet the criteria to work in industrial sector jobs. A second problem has been that accessibility hinders PWDs access to the job market. A final problem has been that the Government, especially the Social Affairs Department, has a limited budget to provide job access to PWDs.

*“The Department of Social Affairs in Jakarta does not only work for PWDs, we also work on other social issues such as street children, beggars and older people. We do not have enough budget to support PWDs for full accessibility to public infrastructure and public transportation because it would require a huge amount of budget and time. However, we will complete it gradually, and we are trying to provide better access for PWDs. In this regard, we also need the cooperation of different sectors of the community, such as Non-governmental organizations, to help in supporting PWDs in Jakarta. In addition, we are now working hard to finish the new local regulations on PWDs in Jakarta. The regulation has now entered the local legislative bodies (Balegda) and is about 70% complete. We hope to finish it by the end of this year.”*(Sri Utami, field interview, 5 July 2011)

This statement from the head of people with disabilities and aging in the Social Affairs Department indicates that the government has made efforts to help PWDs to have better access in the future. In addition, Triwaksana, the head of the local legislative bodies, has said that the new regulations will provide adequate protection for PWDs so that they will have easy access to transportation, education, health and employment in the near future. (Triwaksana, 2011: online)



However, employment for disabled people is still a big challenge in Jakarta. Aside from a few industrial sectors that recruit PWDs, accessibility is the main obstacle for PWDs. During the interview with Sri Utami, he stated that:

*“Actually, the Government has tried to provide access facilities for PWDs in public places in Jakarta such as elevators for PWDs to reach bridge crossings and for pedestrians crossings in the downtown area. Unfortunately, it is all used and occupied by non-disabled people. Most of the pedestrian crossings we built are used by hawkers, for motorcycle parking, etc. In addition, at the moment we are not able yet to provide full access to disabled people because it would require a big budget and a lot of staff time as well as the cooperation of other departments such as the Departments of Transportation and Public Works.”* (Sri Utami, field interview, 5 July 2011)

Below is the budget allocation for the Social Affairs Department of Indonesia:

**Table 3.1: Budget Allocation for the Directorate of Social Services and Rehabilitation for People with Disabilities, Ministry of Social Affairs, 2010**

NO	ACTIVITIES	ALLOCATION	% of total allocation
1	Administration of activities	120,800,000	0.14
2	Implementation of administrative activities for the Directorate of SSR–People with Disabilities	169,190,000	0.20
3	The development of seven books on improving services to PWDs	1,040,547,000	0.21
4	Preparation of programs and work plans at the central level, decentralization, and Technical Implementation Unit (UPT) for the Strategic Plan of Directorate of SSR–People with Disabilities 2010–2014	893,380,000	1.04
5	Assistance to 13 social organizations of PWDs in 2009 and <i>panti</i> social rehabilitation centers/institutions that serve people with multiple disabilities	401,000,000	0.47
6	Channeling of additional funds for fulfillment of basic needs of 11, 000 clients in <i>disability dorms (panti)</i>	12,045,000,000	13.98
7	Reporting of program activities and accountability in 2009 (each semester and annually)	97,200,000	0.11

8	International meetings/conferences to improve social services and the rehabilitation of PWDs	135,150,000	0.16
9	Coordination between government and PWDs social organizations in support of realizing the rights of PWDs	1,577,249,000	1.83
10	Availability of books for social service and rehabilitation of PWDs	75,750,000	0.09
11	Organization of emergency responses	172,980,000	0.020
12	Implementation of services and social rehabilitation in 33 provinces in-line with the prevailing guidelines	478,786,000	0.56
13	Improvement of social workers' capacity to improve social services and rehabilitation for PWDs	4,050,714,000	4.70
14	Administration of social security funds for 17,000 people with severe disabilities	63,287,096,000	73.45
15	Public awareness on PWDs	1,620,218,000	1.88
<b>TOTAL</b>		<b>86,165,060,000</b>	<b>100</b>

Sources; from Ministry of social of Indonesia in Jakarta (Irwanto et al, 2010: 19)

The table has been clearly seen that the largest allocation from the Directorate of SSR–PWDs (Rp. 63,287,096,000/USD 7.2 million or 73% of the available funds) is to provide social assistance or Social Security for PWDs (JSPC). The target of JSPC is ‘people with severe disability,’ or 19 people with disability that is irreversible through social rehabilitation, and it is delivered as a non-conditional subsistence allowance. The remaining funds which are to be used to build infrastructure, develop human resource capacity and develop empowerment programs for people with disability are very small. JPSC coverage is very limited (it goes to only 17,000 out of 163,000 people), and the funds for should be re-allocated for other purposes. (Irwanto et al, 2010: 18).

Furthermore in Jakarta, the budget for department of social are among the lowest one, below is the budget from the government of Jakarta;

**Table 3.2: Budget for Jakarta Government, 2010**

Code	Affairs Name	TOTAL SKPD / UKPD	Total Program	Total Activitie s	DPA (Unit revenue) (Rp)	DPA (%)
1.01	EDUCATION	21	10	225	2,778,861,703,738.00	17.22
1.02	HEALTH	62	19	59	1,558,914,094,509.00	9.66
1.03	PUBLIC WORK	34	31	172	4,809,301,683,598.00	29.8

1.04	HOUSING	7	8	171	504,545,426,877.00	3.13
1.05	SPATIAL PLANNING	20	9	37	80,050,091,576.00	0.5
1.06	DEVELOPMENT PLANNING	7	13	34	86,503,560,193.00	0.54
1.07	TRANSPORTATION	9	14	175	1,264,598,538,411.00	7.84
1.08	ENVIRONMENT	33	14	423	733,171,342,981.00	4.54
1.09	LAND	6	4	5	4,366,500,000.00	0.03
1.10	CIVIL NOTE AND POPULATION	7	8	22	45,461,641,948.00	0.28
1.11	EMPOWERMENT WOMEN AND CHILDREN PROTECTION	7	6	8	5,579,792,000.00	0.03
1.12	FAMILY PLANNING AND FAMILY PROSPER	7	9	29	61,570,071,526.00	0.38
1.13	SOCIAL	32	7	91	144,266,395,708.00	0.89
1.14	EMPLOYMENT	16	9	49	145,204,528,000.00	0.9
1.15	COOPERATION AND SMALL – MEDIUM BUSSINESS	9	7	40	31,840,034,582.00	0.2
1.16	INVESTMENT	2	6	32	25,967,785,000.00	0.16
1.17	CULTURE	22	7	50	136,109,450,000.00	0.84
1.18	YOUTH AND SPORT	17	4	86	343,168,580,542.00	2.13
1.19	NATION UNITY AND DOMESTIC POLITIC	7	7	28	19,964,441,496.00	0.12
1.20	REGIONAL AUTONOMY, PUBLIC ADMINISTRAT ION, FINANCE ADMINISTRAT IVE REGION, STAFFING AND CODING	391	45	268	2,820,208,199,830.00	17.48
1.21	FOOD SECURITY	13	10	34	23,528,876,322.00	0.15
1.22	COMMUNITY EMPOWERMENT AND VILLAGE	7	5	28	14,744,622,952.00	0.09
1.23	STATISTIC	1	2	9	4,000,000,000.00	0.02
1.24	ARCHIVAL	5	5	39	9,933,848,217.00	0.06
1.25	INFORMATION AND	7	6	69	77,814,725,507.00	0.48

	COMMUNICAT ION					
1.26	LIBRARY	7	6	38	53,597,571,023.00	0.33
2.04	TOURISM	12	10	35	82,077,500,000.00	0.51
2.05	MARINE AND FISHERY	14	13	39	193,897,526,133.00	1.2
2.06	TRADE	26	10	30	78,296,615,644.00	0.49
<b>TOTAL</b>					<b>16,137,545,148,313.0 0</b>	<b>100</b>

Source; The government of Jakarta, 2010 (Government of Jakarta, 2010: online)

As can be seen clearly from the budget that the department of social Affairs and Employment are among the lowest one with only 0.89 and 0.9 percent compared to others, in addition, in the social budget the government will not only cover PWDs programs, they will cover other social issues i.e. beggars, poverty and social rehabilitation and general social issues. Because the budget for social and employment purpose are so low, the quality of services in many programs for people with disability becomes problematic.

Indonesia does not have any institution or department that only works for PWD services. However, in terms of employment and rehabilitation for PWDs, the Government has formed the national coordinating bodies which include the Minister for Health, the Minister for Education, and the Minister for Manpower as well as some representatives of professionals and PWDS as members. Further details are as follows:

### ***Key Government Ministries***

The Ministry of Social Affairs provides psycho-social rehabilitation and social assistance in order to enable PWDs to increase their self-respect and self-reliance. The Ministry of Social Affairs also provides community-based social rehabilitation by establishing sheltered workshops (LBK), mobile rehabilitation units, and productive peer groups.

The Ministry of Manpower implements vocational rehabilitation for PWDs. A Vocational Training Center (BLK) has been established in each district throughout the country. Even though the BLK were meant for general purposes, PWDs can utilize them.

Meanwhile, the productive peer groups of persons with disabilities (KUBE) which were originated by the Ministry of Social Affairs, later became independent entities operating in their respective localities. They are able to access local banks for small credit loans. The other ministries involved, including the Ministry of Manpower, can implement their programs directly with the KUBE. For instance, through the KUBE partnership forum for productivity between KUBE and employers, which is to be organized annually in commemoration of Indonesian national day.

### ***National Coordinating Bodies***

Pursuant of Presidential Decree No. 82 (1999), a Coordinating Board for the Welfare of Persons with Disabilities was established at national, provincial and district levels. The board, which is chaired by the Minister for Social Affairs, involves the Ministers for Health, Education, Manpower and some representatives of professionals and PWDs as members. However, at the provincial and district level, the boards are not well established.

The Coordination Board conducts regular review meetings to monitor the development of the medical, social and vocational rehabilitation efforts.

### ***Indonesian National Council on Social Welfare***

Meanwhile, NGOs and prominent volunteers working on disability related services established the Indonesian National Council on Social Welfare in 1967. The establishment of the National Council was then followed by the establishment of similar autonomous councils at provincial and district levels.

The Coordinating Board for the Welfare of Persons with Disabilities and the Indonesian National Council on Social Welfare have been very instrumental in promoting the quality of partnership among the different government and private agencies, and in promoting the quality of services to PWDs, especially in relation to training and employment.

Although not disability specific, the Ministry of Manpower's National Vocational Training Council is also a significant entity for PWDs. The Council, which was set up in 1984, is comprised of representatives of the private sector, associations, labor unions (SPSI, which recognized by the Government), professionals and line ministries. The establishment of the Council aimed to review, monitor, and whenever required, to adjust the existing vocational training policies.

### **3.2.3 The Role of Local Government in Jakarta**

Before Indonesia ended the centralized era in 2000, the service provision for PWDs in Jakarta were mostly managed and funded by the central government. In 2001, upon the enactment of public Act no. 22 (1999) on Regional Autonomy, the Government of Jakarta began to implement services, including providing budgetary support from their revenues. However, the central government still continues to provide budgetary support in the form of decentralized programs and through the provision of a "General Allotment Fund." According to Markus Sudibyo (2002) from the ILO, the General Allotment Fund is different from deconcentrated funding, which is earmarked for a specific program. The General Allotment Fund is an open allocation, which can be used by local authorities for whatever purpose they see fit.

Subidyo wrote in 2002 that the future of rehabilitation and vocational related programs for PWDs in the regional autonomy era will be determined by what extent the local authorities consider the programs as an integral part of their regional development. However, since most of the local Governments seems to prioritize increasing their respective local revenue, they tend not to consider programs related to PWDs as a critical concern. In some cases, the local district authorities have even

changed the community-based sheltered workshops (LBK), established by the Ministry of Social Affairs, and the Vocational Training Centers, established by the Ministry of Manpower, into local Government offices (Subidyo, 2002:51)

### **3.3 Employment Opportunities for People with Disabilities**

As stipulated by Law No. 4 of 1997 concerning Persons with Disabilities, Government Regulation No. 43 (1998) on Promotion of the Welfare of Persons with Disabilities, and all relevant enabling regulations, job opportunities are open for PWDs but they must publicly compete with all others for jobs. The relevant Government agencies, hand in hand with the NGOs, are trying hard to make every possible breakthrough to support the employment of PWDs.

The possible placement for PWDs in the private sector, including for-profit and non-profit sub-sectors, has not yet been properly implemented.

#### **3.3.1 Employment in the Private Sector**

The research findings highlighted that employment in the private sector has improved based on interviews with some key informants. The director of Mimi Institute, Mimi Lusli, revealed that in the last three years there are many PWDs who have started employment with the private sector in companies such as British Petroleum (BP), Nestle Company, Info Media Group, Vivere Design Company, Indosiar Group, Hongkong Shanghai Bank (HSBC) and Standard Chartered Bank. However, updated official information on private sector employment for PWDs in Jakarta is not available.

This study also found that although more companies are becoming open to recruitment of PWDs, many jobs offered for them are still low wage jobs. From interviews conducted with PWDs, it was found that many jobs offered to them are low skilled positions such as telephone operator. Maria Sri Iswari, a staff member of the Department of Social Affairs in Jakarta, reported on private sector compliance

with the Decree of the Minister for Manpower of the Republic of Indonesia, No. Kep-205/MEN/1999 on Employment for People with Disabilities in Jakarta as follows:

No	Company Name	Number of adjustment	Employment type
1	PT Indosiar	16 Persons	Telephone operator
2	Hermina Hospital Jakarta	1 Person	Telephone operator
3	Mc Donald's	3 Persons	Telephone operator
4	Hospital Harapan Bunda	1 Person	Telephone operator

Sources: department of social, 2004 article on Implementation of the decree of the Minister for Manpower of the Republic of Indonesia, No. Kep-205/MEN/1999 on employment for people with disabilities (Iswari, 2004: online)

The table above shows that most PWDs employed by the private sector are working as telephone operators or other low wage jobs. The companies also require the PWDs to work in their offices, therefore many PWDs have to spend quite a lot on transportation to come to work due to inaccessibility of public facilities. Hence, some PWDs could not afford to stay in their jobs and finally resigned.

*“I worked at a job in the Continental Hotel in 2008, where. They accepted me for their laundry service. However, I could not afford to work for too long because they only provided me with the standard salary. I had to find transportation for myself as a disabled person in a wheelchair. I took a taxi a few times but that was not working so I resigned from the job. I also was offered worked in a company called Info Media but I had the same problem there too. They only offered to provide me with a minimum wage salary and no additional money for transportation costs and so I did not take the job.”*(Heru, field interview, 4 July 2011)

The lack of opportunities for gainful employment of PWDs in Jakarta are because most companies consider the existing Public Act and Government Regulation on Persons with Disabilities as a “moral obligation” instead of a compulsory directive. The measure for private companies to employ PWDs is based on article 14 of Law No. 4 of 1997 and the Decree of the Minister for Manpower No. 205 (1999) which



stipulate that the companies must employ at least 1 (one) person with disabilities, who meets the requirements and job qualifications, for every 100 employees.

However, there are still many companies who have not opened up opportunities for PWDs due to poor enforcement of the law and the lack firm action towards the industrial sector. Basically, the Inspector of each respective ministry is supposed to control the execution of the legislation. However, the Inspectors are mostly occupied by other routine project implementation duties and do not have time for law enforcement responsibilities.

An interview with the Vice Chairman of PPCI indicated that most PWDs in Jakarta are still economically marginalized; it is believed that out of 339,600 (BPS, 2011: online) people living in poverty in Jakarta, 0.8 % of them are PWDs. However, data from the Statistical Department on PWDs remains unavailable. Furthermore, disability which falls into one of the main government target groups has separate programs and data collection (Soeharto, 2008: 4). Additionally, the head of the Social Welfare Department on PWDs, Sri Utami, stated in interview that the problem of unemployment for PWDs is also due to accessibility and social prejudice. Another key informant described the situation as follows:

*“Actually, there are some opportunities for employment of PWDs in Jakarta under the existing policy (i.e. Law number 4 of 1997 and the Ministerial Decree on employment quota for PWDs). There are becoming more companies that will accept PWDs as long as they are qualified. However, the problem is that many disabled people do not have enough of an educational background or the necessary skill for the positions. Also, many of them are afraid and have a lack of confidence when applying for a job. I sent information about many job opportunities to some of my disabled friends. However, PWDs need more exposure and courage or they won’t be able to compete successfully. In addition, a change in the perspective of the community towards disabled people, which often views them as unproductive*

*persons is necessary. Finally, environment is also a very decisive obstacle as access is still very limited.”* (Rade Bunga, field interview, 4 July 2011).

Although some legislation for PWDs has already been enacted, so far their acceptance and implementation are very weak. The Government does not push companies to employ PWDs, and instead is only capable of awareness raising about the policy on employment. Through this approach, the Government has indicated that the policies for PWDs are simply a moral obligation which can be implemented or not. Since there is no penalty to those who do not comply, the policy process remains stagnant.

Regardless of the above concerns however, Yuntadi Andhim expressed his belief that workers with disabilities have a number of advantages compared with others workers. They are generally more diligent and often do not complain much:

*“The main concern should be how to form a positive attitude for People with Disabilities. PWDs should have the confidence that they can do the same job as that a non-disabled person can do. If the confidence is there in terms of their skills, there will be more training provided by the company.”*(Andhim, 2010: 6)

In addition, the recent program which the government has completed (i.e. the local regulations which will finished soon. Also, the meetings with several private sector companies in 2010 in Jakarta) has shown a commitment from many companies to provide funds through Cooperate Social Responsibility (CSR) to assist with capacity building for PWDs. (Bulletin info care of department social, 2010) However, the meetings should be followed up with good monitoring practices from the Government to ensure that the industrial sectors are really committed to supporting PWDs.

In an interview Eva Rahmi Kasim, a staff member of the Ministry of Social Affairs who is also disabled, she said that:

*“Actually, we have done all of the socialization (i.e. meeting with the representatives of private firms in provinces of Indonesia including Jakarta. But, the question is how effective is the implementation of the policy? What about implementing the rules? Anyone who has authority to impose sanctions on companies has not been doing so.”* (Eva Rahmi Kasim, field interview, 12 July 2011)

Actually, if we refer to the Law No. 4 of 1997 article 28, it states that private companies should provide job opportunities for PWDs, and any person intentionally violating the law shall be subjected to imprisonment of up to six months and/or a maximum fine of 200 million Indonesia (\$20,000 USD)\*<sup>1</sup>. Despite this, although the regulation has been enacted, Eva Rahmi expressed her belief that the policy has not yet been enforced from the Government on companies in the industrial sector/private firms:

*“The government should be firm towards the industrial sector or companies who do not have any commitment to employing PWDs. If the company does not have any commitment, the Government should not issue the permit letter for them to continue to operate in Jakarta.”*(M. Baijuri, focus group discussion, 11 July 2011)

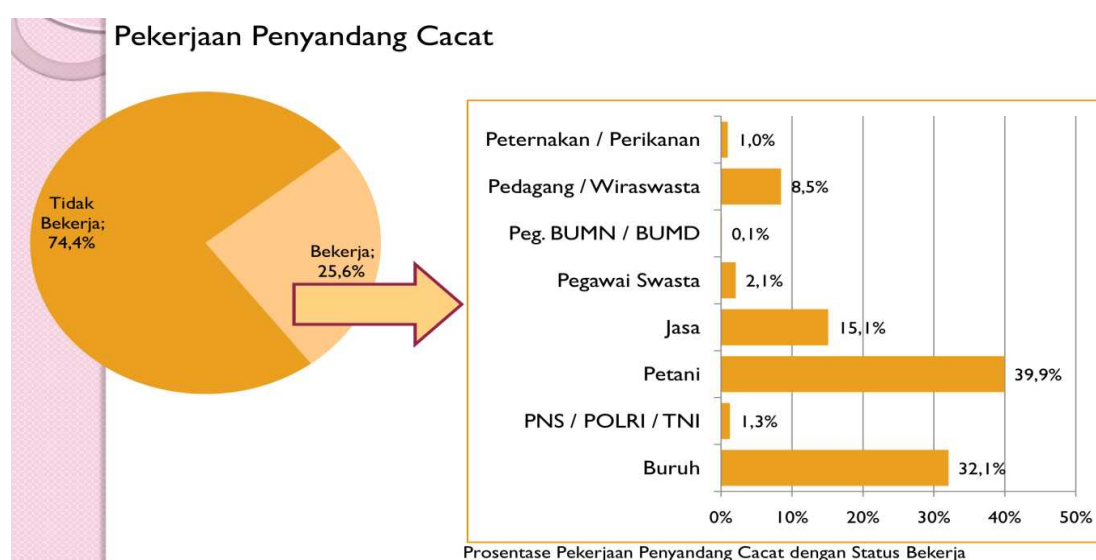
Although the employment opportunities for PWDs are available at certain companies, they are limited in quantity. Accessibility, especially with public transportation, is a major barrier. Therefore, the average PWD employment in each sector for all types of disabilities is still low. The chart below shows the employment

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<sup>1</sup>\*Anyone who purposely violating the provision of Article 14 shall be subjected to imprisonment for every 6 (six) months and / or a maximum fine of 200.000.000 IDR - two hundred million rupiah (\$20.000)

average of PWDs in Indonesia. However, the average employment in Jakarta is not available from the Department of Social Affairs in Jakarta. The City of Jakarta has not placed much concern on disability employment in its policy agenda as of yet. The article 14 in the law number 4 / 1997 on the employment for PWDs has not implement well in the city.

**Chart 3.1:** Employment for people with disabilities Indonesia, 2010



Source: Marjuki, 2010, *Disabilities based on the International Classification Functioning (ICF) Classification, head of research and education*. Ministry of Social Republic of Indonesia

**Chart Legend: Percentage of PWDs employment and unemployment**

No	Name of sectors	Employment %
1	Not Working	74.4 %
2	Working consist of :	25.6 %
	- Animal farming / fishermen	1 %
	- Merchant / Business people	8.5 %
	- Public servant	0.1 %
	- Private business employee	2.1 %
	- In service	15.1 %
	- Farming	39.9 %
	- National police / Military	1.3 %
	- Laborer	32.1 %

The statistics clearly show that in Indonesia the gap of participation in employment for PWDs is still very large. The Vice President of PPCI, Gufran Sakaril, stated that there is no measurement yet on the labor force for PWDs in Indonesia because the disabled are still primarily considered to be social rehabilitation consumers. Although the Law No. 4 of 1997 article 14 states that every company employing 100 staff is obliged to employ at least one PWD, the labor force of PWDs has not been rising. It still remains at the level of 0.5 per cent, which is a major concern.

Despite this, during the last three years, this research revealed that there are many positive signs, especially from the industrial sector, that there is an increased willingness to recruit PWDs. For instance, the Manager of the company PT Tbk Vivere Design, Gema Graha Sarana, said that:

*“I don’t have much knowledge about disability but when I interviewed one disabled person, he was very skillful. After we recruited him as our employee, we have become more open to recruiting more PWDs into our company. Unfortunately, we have limited access in our office. The office space is very small and it’s very difficult for a wheelchair to maneuver. However, we are open to the possibility of hiring more disabled people if we receive applications from PWDs who are capable of working here (July Chandra, Phone Interview, 2 August 2011)*

Also, in some situations, the reason that industrial sector companies employ PWDs is because the owner of the company has a family member or relative who is also disabled. Tri Widya Kurniasari, a disabled staff member in the Research Center of Indonesia said that:

*“In Indonesia, I have seen that government officers (i.e. head of district, headmaster of a school) and business people who have PWDs in their families are willing to help PWDs in any situation. It has happened in some places in Indonesia. One such officer is the head district kerawang in West Java,*

*Indonesia who has a child with a disability.* (Tri Widya Kurniasari, field interview, 3 July 2011)

Regardless, the data from Marjuki, gathered in 2010 on PWD labor based on the ICF classification, showed that only 26 per cent of PWDs are working in either private or public sectors and that 74 per cent of PWDs are still unemployed. In an interview with the Director of Mimi Institute, Mimi Lusli said that progress on the employment of PWDs in Jakarta has actually improved compared to five or ten years ago. Mimi stated that she believes that the progress on employment for PWDs is due to the campaigning of disabled people organizations in Jakarta (Mimi L Lusli, field interview, July, 2011). The disabled organization, i.e. Mimi Institute, PPCI, HWPCI and also Wisma Cheshire, have been actively involved in campaigning for the rights of PWDs in Jakarta.

### **3.3.2 New Mode of Employment Opportunities and the role of technology**

Even though IT, Internet and computer-based businesses are now flourishing in Indonesia, no data or empirical evidence is available as to PWD employment. Nevertheless, using technology such as telephones and computers, work from home for PWDs is now possible. Odah, a disabled woman who used to stay in Wisma Cheshire, shared her experience:

*“As a disable person, I do not give up. My husband is disabled too and used to be a military soldier but now is disabled because of an accident. My husband now works in the house repairing electronic things such as televisions, radios and sometimes mobile phones too. I am also at home taking care of my only son but I also work as an officer in one of the local mortgage offices in Jakarta. I am able to work from home using my phone to call people and to promote the mortgage program and it’s working well. People come to my house to mortgage their stuff, I am happy with my job now.* (Odah, field Interview, 10 July 2011)

Another key informant expressed that;

*“Actually, using technology could be a good arrangement for employment of PWDs because the access in the city is very bad. The problem in the future is may be whether there will be many industrial sector companies that will accept the arrangement. However, it is good idea to try. We need to push the Government to help with specific computer training so that more disabled people will benefit.”*(Heru, field interview, 4 July 2011)

As these informants have demonstrated, the arrangement of using technology for employment from home is possible and will help PWDs to spend less money on transportation to work. Yet, this opportunity might work for some group of PWDs i.e. good education and PWDs who have access to best IT skill. However, the study has revealed that since PWDs has limited education background and access to best IT skill the opportunity of IT is still limited for PWDs in Jakarta

### **3.4 The Problem Faced by People with Disabilities**

People with disabilities face some major problem in Jakarta in seeking employment. The first major problem for PWDs is accessibility. The second key problem is stigma and prejudice from the community, which consider PWDs as persons to be pitied. Furthermore, generally speaking, the level of accessibility in Indonesia does not provide an enabling environment to encourage employment of PWDs. The existing Public Acts and Government Regulations have not yet been properly socialized or enforced. In addition, accessibility to public transportation is also a large obstacle for PWDs. Although the Public Act No. 13 (1992) on Train Transportation and the Public Act No. 14 (1992) strongly stipulate special accessibilities and provision of special treatments to passengers with disabilities (Department of transportation, 2009), the implementation of this Public Act is still very poor. Hence, public transportation facilities still lag behind in terms of accessibility. One PWD commented on accessibility in Jakarta as follows:

*“I am using crutches and I do not have a problem with my disability in the workplace as I am working as a tailor now in a local shop. However, some of my PWD friends who are paraplegic need a place to rest because they must sit all the time. Transportation is still a problem for me though and I do not have the courage to take public transportation in Jakarta. The drivers are careless and most buses are not accessible for me. The bus entrance has stairs and is also high.”*(Elly, field interview, 8 July 2011)

In order to help PWDs with mobility, the Government has provided accessible buses through the Trans Jakarta program. However, the accessible buses are still far from perfect, and there are still many stations that are not accessible for PWDs:

*“The Trans Jakarta bus has helped PWDs with transportation. When I take the bus, the staff working in the station prioritizes us in the queue. However, I found that not many stations are accessible yet for disabled persons. They are also too crowded and this makes it very difficult for PWDs to use the bus. In addition, since the bus is far from my place, I need to wheel my chair for about 45 minutes to reach the nearest Trans Jakarta station.”* (Tarsih, field interview, 7 July 2011)

Another problem of accessibility faced by PWDs is an access within the office where PWDs are employed. Since many private sector owners in Jakarta do not have any knowledge on disability, to get employment many PWDs have to find ways by themselves to work out their needs:

*“After finishing my design course training, I did an internship at Vivere Company for six months. I worked for four hours a day. The company was happy with my work and they offered me a one year contract. My salary is around Rp. 2 million (\$200 dollars) and my working hours have been increased to 8 hours per day. However, as a disabled person with a wheelchair, I did not have a place to get rest during the break time. After I started working for a month, I got a wound on my butt and I was hospitalized*



*for three weeks. Now, I have a sofa in my working place. I bought it myself because the company does not provide such facilities. Fortunately, they understand my situation now and I get two hours break every day.”(Zainuddin, field interview, 11 July 2011).*

As indicated by the PWDs above, to get employment, especially for PWDs in a wheelchair, is a big challenge. Apart from the accessibility, the barriers in the workplace are also part of the problem. The situation is different for physical disabilities such as polio and persons with one leg amputated who can use crutches. Since they are able to walk by using the crutches, many of them do not face an obstacle in the work place except for the inaccessibility of public transportation.

Another problem faced by PWDs is the stigma and prejudice from the community. Many people still tend to think that PWDs are unproductive people and that they are to be pitied. In some places in Jakarta, people are well-educated and aware about disability issues. However, the discrimination in the community does still exist. Usually the stigma that occurs to PWDs is due to their disability, accessibility, and also the inability of many families with PWDs to afford to pay for their children’s education:

*“I have a disabled daughter and she has had a disability since she was 4 years old. It was cerebral palsy and I spent a lot of money for treatment but it was not successful. Now I do not have much left money. I only sell vegetables in the market and my husband also left me a few years ago. I brought Dewi to Wisma Cheshire because I could not afford to take care of her and I also do not have a place for her to stay with me. I want her to be independent in the future. My house is not accessible and people in the surrounding area consider my daughter a sick person. (Parents of people with disabilities, field interview, 10 July 2011)*

As indicated above, the awareness of the community on disabilities is still lacking in some areas, and people’s mindset on PWDs often tend to consider PWDs

as being merely consumers of rehabilitation services. During an interview with the Director of the Mimi Institute, she stated that the reason the community have a stigma paradigm for PWDs is partly because of the media messages people are receiving. Therefore, additional campaigns to raise awareness on disability within the community are needed in order to change the paradigm and individual attitudes towards PWDs. In addition, since the medical, vocational and social rehabilitation services for PWDs, including those from Government agencies, are not provided free, it exacerbates the poverty of many families who have disabled children.

Above all, overprotective family and community attitudes are a problem for PWDs. Community members, mostly in rural areas, still consider PWDs to be helpless. They are often believed to have no capacity to develop themselves in terms of physical, intellectual and spiritual capacities. In addition, the guilty feelings of the parents and their shame at having a family member with disabilities are obstacles to PWDs becoming productive members of society. Many families believe that the best way to treat the family member with a disability is to be overprotective towards them and keep the disabled family member at home and away from the community. In this way, they attempt to hide their shame and assuage their guilt by providing whatever “lovely and best” services they can for the children on their own.

### **3.5 The Participation of People with Disabilities**

The results from the study show that the participation of PWDs in Wisma Cheshire is inadequate to meet the requirements of policy formulation. However, the focus group discussion (FGD) in the research has provided some insights of what is participation means i.e. the involvement in the community activities and self advocacy as well as being part of the community and involve in any government program. One of the key informants said that;

*“It was on 2008 when the election campaign of the presidential election, I was involved in as the committee back home in west Cilandak, South Jakarta, I was happy to be involved I as the committee for the disabled in surrounding*

*my neighborhood in South Cilandak'* (Nursad, focus group discussion, 13 July 2011).

Basically, being part of the community as well as the government program is important for PWDs to build their confidence to do more participation activities in the future; however, the study found that many PWDs in Wisma Cheshire still have a less confidence to participate in many activities in the community.

Besides, the reasons on why PWDs in Wisma Cheshire are having less active participation in the government program especially in the formulation of the policy for PWDs; First, the PWDs in Wisma Cheshire used to be invited by Disabled People Organization i.e. Association Disabled People of Indonesia (PPCI) and Women Association of People with Disabilities (HWPCI) in the participation activities for PWDs such as involvement in the consultation meeting related to the policies and participated some seminars as well as talk show in the national television. Those DPOs usually have a regular meeting with PWDs as to bring the concern to the government so that later the government would accommodate the PWDs concern when they draft the legislation along with the parliament member in the house of the representative.

The second, the inadequate participation of Wisma PWDs in advocacy and formulation of policy is because the organization is only focused on projects for supporting everyday living (SEL) for PWDs. This has been the case since its establishment in 1974 by Captain Leonard Cheshire. In addition, the funding received by the organization is restricted to support the daily living of PWDs as designated by the donors. Therefore, the organization does not yet have any activities to support advocacy for the rights of PWDs. However, the lack of participation of PWDs is not only due to organizations focusing on different types of activities but is also due to the attitude and treatment of society and the State, which often hinder PWD participation. The lack of assistive devices or physical accessibility in many public facilities, for example, clearly hinders PWDs from taking part in public activities. Stigma and discrimination - due to ignorance, fear or myths about disability - are also key factors that prevent participation:

*“Since I got in an accident in 2004, my confidence has declined. I am still not confident to go out into public places let alone to join a forum or consultation meetings. Two years after I got into an accident, my parents told me that there was a relative who wished to fund my studies at the university. I rejected the offer because I did not feel confident enough yet. In Wisma Cheshire, I want to empower myself and also build confidence so that I will be an independent person in the future. (Subhan, focus group discussion, 13 July 2011)*

As stated by one of the key informants, their disability is also one of the reasons why most PWDs are not confident to fully participate in society. The community representative in the FGD expressed that:

*“For me, I do understand PWDs and I treat them equally with other non-disabled people. However, some people in the community still do not understand much about disability and even consider Wisma Cheshire as a rehabilitation center because the home is occupied by PWDs. In addition, there is prejudice because the home is not only occupied by those with disabilities caused by accidents, but also by those with multifunction disabilities i.e. physical disability and cerebral palsy. (Community Participants, focus group discussion, 13 July 2011)*

As expressed by the community representative, some people still consider PWDs as simply consumers of rehabilitation services. Thus, PWDs are often still looked upon as unproductive members of society. Dealing with these prejudices in the future could bring hope and increasing independence for PWDs in all stages of the policy process. Therefore, in 2008 Wisma Cheshire started working on advocacy for the rights of PWDs. The message of the campaign was to raise awareness in the community of the rights of PWDs and the barriers PWDs face within the community. In addition, the campaign also conveyed messages on the issues of accessibility, community inclusion and the Law No. 4 of 1997 concerning PWDs. The campaign was divided into four priority campaign areas as follows: the first is local government

areas (i.e. sub-district, village level and the religions leaders in the community); the second campaign area was focused on education (i.e. business schools, universities, Junior and High Schools); the third was focused on businesses (i.e. malls, banks and hotels) and the fourth was aimed at health services (i.e. hospitals and local health clinics) (Wisma Cheshire and Mimi Institute, 2011).

The campaign also included the presentation of the United Nations Convention on the Rights of People with Disabilities (UNCRPD), which was signed by the Government of Indonesia in March of 2007. The campaign activity, which was completed in 2010, was coordinated by the Mimi Institute which is another organization working for PWDs. The project, which was funded by the international Leonard Cheshire Disability organization, was considered successful. The activity report from the Mimi Institute and Wisma Cheshire states that the response to the campaign of key stakeholders, such as the general community, local government and business sectors, was positive. However, the activities for some targeted business sectors did not succeed as planned:

*”The smoothness and success of the first semester activities was much supported by the two institution working with good coordination. The information delivery was very fast and precise. It can be concluded that the smoothness of the activities was supported by good administrative coordination in this first semester. One problem that we can address is that we did not conduct a campaign in the targeted economic sectors. During the approach, the letter of permission to do a campaign was not accepted by branch offices, so we should deliver the letter instead to central offices in the future. We had a situation with the Gian Supermarket where they could not give us clear schedule because there was not they received unclear answers from their central office. However, from the participation perspective, there was a large amount of interest with 168 participants. This number goes well beyond the target of 125 people.”* (Wisma Cheshire and Mimi Institute, 2011)

Despite this setback, the campaign in some other business sectors such as hotels and banks was successful. More importantly, one of the hotels (the Kristal Hotel in South Jakarta) has committed to supporting PWD capacity building at Wisma Cheshire through its CSR program. It was recorded on December 2011 that the Hotel Kristal donated 10,000,000 (\$1,000 USD) and that one of the banks (HSBC) has also committed to supporting Wisma Cheshire PWDs annually. HSBC is not only willing to support capacity building through funding support but is also willing to recruit PWDs who qualify to work in their office. During a phone interview with the Wisma Cheshire committee, a spokesperson said that:

*“The campaigns conducted in collaboration with Mimi Institute were very successful. I was able to see some commitment now from some business sectors to employ PWDs. This year, we will try to strengthen the training of one or two PWDs and facilitate their work at HSBC. (Laksmi Pratiwi, phone interview, 5 August 2011)*

### **3.5.1 The Participation of Disabled People’s Organizations**

Thus far, the participation of PWDs in Wisma Cheshire, especially in policy formulation, is through the DPOs such as the PPCI and the HWPCI. Gufran Sakaril, as the Vice Chairman of PPCI said in an interview that:

*“The involvement of PWDs in the formulation and implementation of Government policy is usually through the DPOs such as our organization. We are usually invited by the Government to participate in the consultation meetings related to disability policy in Jakarta. There are many disabled people organization in Jakarta including PPCI, HWPCI, the Association of People with Visual Disabilities (PERTUNI), etc. The level of involvement of PWDs in these organizations is good.” (Gufran Sakaril, field interview, July 2011)*

In addition, the head of the Social Affairs Department, who is responsible for PWDs and Older people, stated that:

*“The Government always invites and involves the DPOs, i.e. PPCI, HWPCI, etc., in the formulation of policy such as the local regulation on PWDs in Jakarta which is now under process. We also involve academic people as well as other experts in the area. Additionally, in terms of policy implementation, the Government always partners with the Disabled People Organizations (Sri Utami, field interview, 5 July 2011).*

The research found that the disabled people organizations, such as PPCI and HWPCI, are working in active partnership with the Government. Most of the projects that DPOs are working on receive funding from the government. Examples of this include the training program for disabled entrepreneurs in since 2006 to 2011, which was targeted for 25 to 30 PWDs a year, and was funded by the Social Department. In addition, DPOs are also involved in the preparation of local regulations (PERDA) which are related to aspects of the welfare of PWDs such as employment, accessibility of public facilities and transportation infrastructure (terminal, bus stop, crossing bridge, sea ports and the airport). The local regulation (PERDA) is the purpose agenda from the DPOs i.e. PPCI, HWPCI and others DPOs, the campaign to the government through consultation meeting on rights of PWDs in Jakarta has resulted the positive response from the government such as issuance of local policy which will be enacted next year. Additionally, DPOs have also been pushing the Government for ratification of the UN Convention on the Rights of People with Disabilities (UNCRPD) (Gufran Sakaril, field interview, July 2011).

## CHAPTER IV

### DISCUSSION

The discussion in this chapter summarizes the policy including its implementation, its opportunities and its limitation. It also addresses the benefits of the policy and the factors that have influenced policy implementation (i.e. Institutional, Environmental, community prejudices and support). The chapter closes with a discussion of the level of participation of PWDs at the Wisma Cheshire organization.

#### 4.1 Employment Policy for People with Disabilities

The table below provides a major policies related to employment for PWDs in Jakarta. The most important policy in the table is the law number 4 of 1997. Basically, the Law No. 4 of 1997 concerning people with disability makes it clear that equality and non-discrimination are requirements for opening up access for people with disability. The law prescribes many rights of people with disability in employment including education and equality in development and the enjoyment of the results of development, accessibility, rehabilitation and social welfare, as well equality in the development of aptitudes and social life. Also, there are policies were the policies that support the employment for people with disabilities in Jakarta.

**Table 4.1: Major policies related to employment of disabilities**

<b>Policy tools</b>	<b>Basic principles/ philosophy</b>	<b>Main issues/ objectives/ features</b>	<b>Practiced so far</b>	<b>Problems</b>
<b>Law</b> 1. National Constitution of 1945	Article 27 (2): “All citizens are entitled to a job and decent livelihood			



2. <b><u>Law No. 4 of 1997</u></b>	<i>Efforts to improve social welfare of PWDs based on Pancasila (the basic ideology) and the constitution of 1945</i>	Covers all aspects of the rights of PWDs in terms of livelihood including education, vocational training and job opportunities. Article 14 stipulates a quota system of 1 PWD job opportunity per 100 employees.	- Implemented in the government sector  - Not implemented well in the private sector but the opportunity has improved since 5 or 10 years ago.	Stigma, Accessibility (i.e. public transportation)
3. Minister for Manpower Decree No. 205 (1999) on Vocational Training and Job Placement for PWDs		Guidelines on the entitlement of PWDs in vocational rehabilitation and job placement upon the completion of medical and social rehabilitation	-Enforcement of policy is still a problem	
4. Government Regulation No. 43 (1998) on the Promotion of Welfare of PWDs		Covers type of disability, accessibility, medical rehabilitation, educational rehabilitation, vocational rehabilitation, social rehabilitation, coordinating board in promoting the welfare of PWDs	-Implemented through rehabilitation centers for PWDs (i.e. homes for PWDs).	
5. Governor of Jakarta Decree No. 66 (1981) on Accessibility of Public Facilities.		Guidelines for accessibility for PWDs at public buildings and housing.	- Not implemented well in public transportation but some public facilities such as Malls and offices are	
			-Budget restriction - Lack of disability awareness in the community	

			accessible for PWDs	
6. Governor of Jakarta Decree No. 140 (2001) on Accessibility Team		Establishment of Team for the Promotion of Accessibilities for Persons with Disabilities in Jakarta Province	The team has been established	
7. Presidential Decree No. 82 (199) a coordinating board for the welfare of PWDs		To conduct regular review meetings to monitor the development of medical, social and vocational rehabilitation efforts	- Established national coordinating bodies and the Indonesian National Council on Social welfare	
8. National Action Plan		Improving social service, social security and strengthening social organizations that provide social services for PWDs	Social protection for PWDs has been implemented (i.e. food allocation). Self-supporting PWD organizations have been established in many provinces. Accessibility to public buildings and social places has been improved.	-Budget problem -Lack of Monitoring -No specified Ministry to manage the National Action Plan -Slow progress on implementation

## 4.2 Opportunities and Limitations

The study revealed that the opportunities for employment have improved for PWDs when compared to five or ten years ago. Some private sector companies have started becoming more open-minded towards PWDs applying for and competing with other non-disabled people for their positions. In addition, some government policies

have benefited PWDs in their efforts to find employment. The table below provides information on these policies and their benefits for PWDs in Jakarta:

**Table.4.2: Benefits of the employment policy**

<b>Policy</b>	<b>Achievement &amp; Benefits</b>	<b>Justification</b>
1. Governor of Jakarta Decree No. 66 (1981) on Accessibility of Public Facilities	<ul style="list-style-type: none"> <li>- Public Transportation (i.e. Trans Jakarta Bus way) is accessible for PWDs allowing greater mobility</li> <li>- Public buildings (i.e. malls and recreation places) are accessible for PWDs</li> </ul>	- Campaigning by DPOs and CSOs that work with PWDs
2. <u>Law No. 4 of 1997 Concerning Employment for PWDs</u>	- PWDs are employed in the Government sector while in the private sector the availability of opportunities has improved in the last five or ten years	- The commitment of the Government towards PWDs as well as its commitments to international agreements such as the Asia Pacific Decade
3. Minister for Manpower Decree No. 205 (1999) on Vocational Training and Job Placement for PWDs	- Trainings for PWD capacity building are conducted every year	<ul style="list-style-type: none"> <li>- PWDs as citizens have the same rights as non-disabled persons</li> <li>- Campaigning by DPOs and CSOs</li> </ul>
4. Presidential Decree No. 82 (199) on establishing a coordinating board for the welfare of PWDs	Established national coordinating bodies and the Indonesian National Council on Social Welfare	
5. Governor of Jakarta Decree No. 140 (2001) on Accessibility Team	- Some surveys were conducted for Accessibility	
6. National Action Plan (2004 – 2013)	Social protection for PWDs has been implemented (i.e. food allocation). Self-supporting PWD organizations have been	Commitment of the Government to the Biwako Millenium Framework

	established in many provinces. Accessibility in public buildings and social places has been improved.	
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The most important law in the table above is the *Law No. 4 of 1997* concerning People with Disabilities. Law No. 4 is as the umbrella law for PWD legislation. *The Minister for Manpower Decree No. 205 (1999) on Vocational Training and Job Placement* for Persons with Disabilities also plays an important role in shaping the employment policies for PWDs in Indonesia. As illustrated within the table, both the Law and the Decree have had benefits for PWD employment sector and show the Government's commitment to the issue. Another benefit from the law has been that the job opportunities available in the private sector have improved compared to 5 or 10 years ago. Opportunities for PWDs are becoming more available at both national and international companies in Jakarta. This is in accordance with the Law No. 4 of 1997, which stipulates that both disabled and non-disabled citizens should have the same opportunities for employment.

Several meetings with private sector companies in 2010 on socialization of the disability policy have shown that some companies have a growing commitment to helping the disabled through CSR. Many private sector companies have stated that they have no problem with employing PWDs in the future as long as they are capable of the work. The study also highlighted that companies like Vivere, PT Omron Manufacturing of Indonesia and others have shown a positive commitment towards employing PWDs.

The policies on accessibility such as the Governor of Jakarta's Decree No. 66 (1981) on Accessibility of Public Facilities and the Governor of Jakarta's Decree No. 140 (2001) on Accessibility Team have also benefited PWDs in Jakarta, especially those with physical disabilities who use a wheelchair or crutches. The decrees have resulted in significant improvements to accessibility of public transportation (i.e. the Trans Jakarta Bus way). The bus way has allowed PWDs to be more mobile in the

city. However, the Tran Jakarta bus is still far from perfect. This study found that many stations are still inaccessible for PWDs, especially in the stations which are not in the downtown area. Also, while the Presidential Decree No. 82 (199) resulted in the establishment of a *National Coordinating Board among ministries* (i.e. Ministry of Social Affairs, Health, Education and Man Power), so far this coordination has been more focused on rehabilitation of PWDs than on employment issues.

The National Action Plan (2004–20013) for PWDs resulted from an agreement between stakeholders from multiple ministries, DPOs, universities and businesses. These stakeholders joined together to form the National Coordination Team on Measures to Improve the Welfare of People with Disabilities. The team was formed as a focal point for addressing disability issues based upon a decision signed by the Minister of Social Affairs. (Irwanto et al, 2010) The National Plan of Action is also a result of the implementation of decisions made at a high level meeting that concluded the Asia and Pacific Decade of Disability Phase II (2003–2012), also referred to as the *Biwako Millenium Framework*.

However, a report from the Ministry of Social Affairs revealed that the implementation of the National Plan of Action is still in the very early stages. (Robinson, 2010) Progress made so far has included:

- Accessibility has been improved at public facilities, particularly buildings and social facilities (i.e. malls and recreation places) despite slow progress
- To alleviate poverty and improve the social security protections and livelihoods of PWDs, the Ministry of Social Affairs has carried out programs to sustain the level of social welfare (in the form of a non-conditional social allowance for people with high-level disability) and nutrition of PWDs. A health insurance/health maintenance program for PWDs has also been included in the health insurance program for the poor.

- Much progress has been made on international cooperation and human rights of PWDs. This work has included cooperation between agencies, ministries and international or regional organizations particularly to build the capacity for self-supporting DPOs. Indonesia signed the Convention on the Rights of Persons with Disabilities on 30 March 2007.

The slow progress on the implementation of the 2004–2013 National Plan of Action for People with Disabilities can be attributed to a number of causes. These include the following:

- The National Plan of Action sets out programs and policies without explicitly specifying the agencies or ministries that should manage them and is not reinforced by binding regulations.
- The Plan does not specify how funding for the programs outlined is to be obtained.
- Although the Plan does mention monitoring, it does not specify the monitoring and evaluation mechanisms to be used (who and how) for the implementation of the programs.

### **4.3 The Limitations and Constraints**

Essentially, the study found that the limitation of the employment policies in Jakarta can be classified into two main categories: policy framework limitations and budget limitations.

#### **Policy Framework**

This study found that the policy does deal with the fundamental disability issues in Jakarta. According Month, there are two central policy goals which are sometimes in conflict. Income security – the simpler goal – can be provided with cash and in-kind benefits. Adequate food, housing, and health care can assure disabled persons a decent life free from fear and want. Beyond income security is the goal of

complete integration into social and economic life, allowing PWDs a full range of opportunities to participate in the economy and society at large. Removing the barriers to participation that plague disabled persons not only improves their lives but also society as a whole by increasing productivity, lowering unemployment and reducing reliance on government transfers. (Month, 2004)

Every effective policy should contain three important points: First, the policy gives the sense (meaning) of what the problem is through the problem definition; second, the policy gives direction and purpose for the agents addressing the problem; and third, the policy has contains provisions for the allocation of resources needed to achieve the objectives set out in the policy.

Generally speaking, Indonesia has a comprehensive set of policies for PWDs. However, the policy for PWDs on employment was issued without sufficient consideration of the needs of PWDs. This study has shown the policy to be deficient based on the definition of disability used and the Government approach to addressing disability issues.

#### *Definition of Disability*

The definition or understanding on disability issues by the Government is reflected by the use of language and concepts in the Law No. 4 of 1997 concerning PWDs. Article 1 of the Law states that “The disabled are any people who have a physical or mental abnormality which disrupts or is an obstacle to their proper functioning. These include: physical disabilities, mental disabilities and combined physical and mental disabilities.”

The research found that the definition of disability used has shaped public opinion of non-disabled people towards PWDs as someone who is weak and helpless. Furthermore, this paradigm of disability has hindered PWDs from securing employment as it seems to view PWDs as having a problem. However, the problem

could also be seen as the outside factors in the environment that hinder PWDs from finding employment (i.e. accessibility and community prejudice).

### **Budget Limitations**

As stated by Hogwood, one of the major problems faced in program implementation is that the required combination of resources are often unavailable. When implementing policy, there will often be a bottleneck which occurs when the funding, man power, land, equipment and building materials have to all come together. (Hill, 2000)

In-line with Hogwood's argument, this study found that the budget for Department of Social Affairs in Jakarta was among the lowest. The Department budget for 2010 was only 0.89 per cent of the total budget (Government of Jakarta, 2010: online). Additionally, the budget was not only allocated for disability programs but also for other social issues (i.e. beggars and older people). The budget from the Directorate of Social Services and Rehabilitation of People with Disabilities in 2010 also highlights that the Government has allocated a big budget for rehabilitation while the small amount of remaining funds are to be used to develop human resource capacity and develop empowerment programs for PWDs.

Supporting this finding, Subidyo's research on training and employment for PWDs in Indonesia found that the annual development budget for the Ministry of Social Affairs is always the lowest compared to the other line ministries and is roughly 0.5 per cent of the annual federal budget. (Subidyo, 2002: 25)

Above all, because the budget for disability is low, the quality of services in many programs for PWDs becomes problematic. This study found that most social workers in the programs have no professional background in disability and spend most of their time doing administrative work at their desks. The same problem has



occurred in the training units for PWDs which cannot sufficiently build their capacity due to limited financial and human resources. This study found that most of the trainings provided were ineffective at achieving their objectives.

#### **4.4 The Factors that Influence the Implementation of the Policy on Employment**

According to Bishop (1981), the implementation of policy should take into consideration the financing, construction and participation of the policy. In-line with Bishop's statement, the findings from this study have revealed that there are two important factors which have lead to ineffective implementation of the employment policy for PWDs in Jakarta. The first of these are the internal factors, which include the implementing institution and the availability of accurate data on PWDs. The second are the external factors, which include the environment and the prejudice and stigma faced by PWDs.

##### **4.1 Internal Factors**

###### **Implementing Institution for PWD Policy**

The key findings in the research revealed that the implementing institution was the most influential factor in the ineffective implementation of the employment policy for PWDs in Jakarta. The lack of an institution that works specifically on PWD issues has been detrimental to the effectiveness of the programs for PWDs. Further, the findings show that although the Department of Social Affairs has acted as the lead agency working on disability issues, the Department has been ineffective at implementing the employment policy for PWDs.

This deficiency can be partly explained by the fact that the Department of Social Affairs also has to work on other social issues at the same time that they are implementing the disability policy. In Jakarta, the study found that the Department

that works on PWD issues also works on other social issues such aging and beggars. As a result, PWD concerns are often marginalized in the community since.

### **Poor Data on PWDs**

Getting full and accurate data on the PWD population is not easy in Indonesia. This study found that the basic information comes from the Core National Social and Economic Survey (SUSENAS) conducted by the Central Bureau of Statistics. This is to be conducted annually in a common agreement with the Ministry of Social Affairs.

Another source of data on disability is the reports from the line ministries on the implementation of their respective sectoral programs. The specific reports correlate with each ministries' mandate. For example, the report on community-based rehabilitation comes from the Ministry of Social Affairs. The report on vocational training for PWDs comes from the Ministry of Manpower. Likewise, the report on special education for school aged children comes from the Ministry of National Education. However, this means that the sectoral reports are very fragmented, and mostly relate to the annual services provided by the ministries to PWDs.

Importantly, disability issues have never been incorporated in the National Census and with the exception of the data from the SUSENAS, most of the reports relating to disability have not yet been standardized. Furthermore, the accurate data is the primary requirement to develop appropriate programs and policies for PWDs. If the data of PWDs are not available, then it will be difficult to design the program for PWDs as well as to reach a goal of PWDs employment in the city.

## **4.2 External Factors**

### **Physical Environment Factors**

Accessibility is the main obstacle that was found in this study on the implementation of the employment policies. Transportation in Jakarta is becoming

ever more of a problem for the city and its 9 million residents in terms of availability, space, cost and safety. Almost all public transportation facilities are crowded and accessibilities have been inadequately provided for PWDs. While initiatives have taken place to increase the accessibility of public transportation (i.e. Trans Jakarta Bus), PWDs in wheelchairs still face the obstacle that not many stations have provided accommodations for them.

Even though some of the modern and multi-story buildings constructed in Jakarta have included certain facilities for physical accessibility by PWDs, including ramps and special toilets, many places in Jakarta are still inaccessible due to transportation and other obstacles. Most of the sidewalks in Jakarta are already fully occupied by peddlers, or if not, then they are in many cases being utilized by motorcyclists.

### **Community Prejudice and Support**

The findings of this study found that prevailing community attitudes, especially the feeling of pity among most community members, are a key obstacle to policy implementation on employment. Particularly in the outskirts of Jakarta, many people still consider PWDs to be helpless and to have no capacity to develop themselves in terms of their physical, intellectual and spiritual capacities. However, the findings of this study also found that prejudice from the community has declined and that they have more confidence in the ability of PWDs to seek employment.

The research of Yutaka (2003) also mentions the impact of negative perceptions and negative attitudes which produce little or no expectations for PWDs to be successful. Low expectations can in turn lead to low levels of participation of PWDs in all aspects of community life, including training and employment. In some cases, they may also lead to a lack of access to financial resources. In this study, many key informants acknowledged that stigma is one barrier for PWDs obtaining

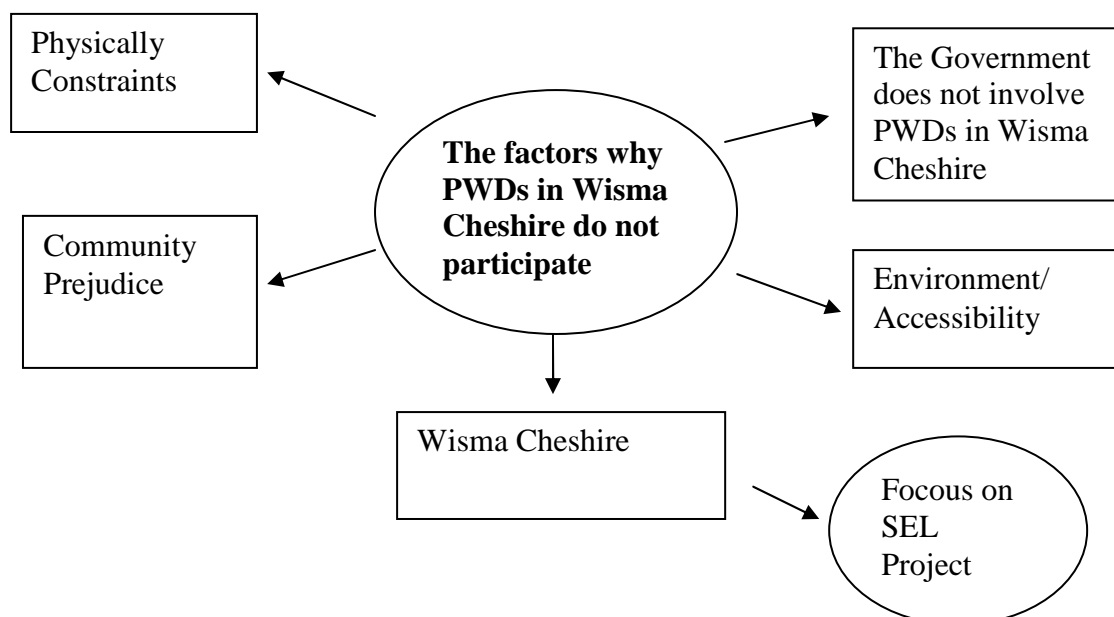
employment. The stigma towards PWDs also resulted in a declining confidence among PWDs to participate in the social activity of the community.

#### 4.5 Participation of PWDs in Wisma Cheshire

The World Bank defines participation as the process through which stakeholder's influence and share control over priority setting, policy-making, resource allocations and access to public goods and services (Tikare et al, 2011). Within this study, participation is further described as the involvement of PWDs in Wisma Cheshire in the formulation and the implementation of policies towards PWDs. This study also highlights the participation of PWDs in the community, which is a good entry point for PWDs to participate further at the level of policy formulation (i.e. joining a forum for policy formulation).

The key findings from this study have found that PWDs have inadequate levels of participation in the policy formulation process of the Government. The main factors on why PWDs do not participate fully in policy formulation are displayed in the following diagram:

**Figure 4.1: Factors of People's Participation**



The chart illustrates that disability; community prejudice and accessibility are the main reasons why PWDs do not participate in the policy process. Furthermore, the focus of the organization is on support for everyday living (SEL) projects which is another reason why PWDs in Wisma Cheshire have less participation in policy advocacy. A report by UNESCAP (2002) also found similar results to this study. The report states that the barriers to full participation of PWDs include negative attitudes, prejudices based upon ignorance and apathy of policy makers and the community.

Although the participation of PWDs in policy formulation are inadequate, Wisma Cheshire has made progress in its campaign for the rights of PWDs in Jakarta among the local government, business sector and community stakeholders. According to a report of Wisma Cheshire in 2008, the campaign has had a good impact, with businesses such as the Kristal Hotel and HSBC Bank deciding to fund capacity building trainings to equip PWDs with the skills necessary for future employment.

In addition, within focus group discussions PWDs also expressed that participation means “being a part of the community as well as being a part of Government programs.” Building the confidence of PWDs at Wisma Cheshire has become an important step towards future participation in both policy formulation and implementation of Government programs.

### **The Role of Wisma Cheshire**

Wisma Cheshire, which was established in 1974 by Captain Leonard Cheshire VC, has evolved in its role as an organization from primarily SEL programs to taking a big role in public awareness campaigns on the rights of PWDs. Furthermore, this study has highlighted how the organization has started supporting more self-help activities for PWDs (i.e. building a network with DPOs such as PPCI and HWPCI).

The networking efforts with DPOs have increased the confidence of PWDs in Wisma Cheshire to participate more in various activities that campaign for the rights of PWDs the future. The activities conducted, such as the seminars and conferences

held on disability issues that were held in Jakarta by PPCI, have also broadened the knowledge of PWDs in Wisma Cheshire on disability issues within the country. Another activity which PWDs in Wisma Cheshire participated in was a talk show on disability that was aired on the national television station of the Republic of Indonesia (TVRI). This activity has helped PWDs to be more confident in talking about their issues to stakeholders such as the Department of Social Affairs and the Department of Labor in Jakarta. It has also have encouraged PWDs to be more active in expressing their concerns within society in general.

The networks created by Wisma Cheshire with other disabled organizations have made PWDs in Wisma Cheshire savvier on the issues faced by PWDs in Indonesia. The organization and its members not only participated in the awareness raising activities but have also been involved in the meetings on policy formulation with the Department of Social Affairs through PPCI. These meetings involved discussions on mapping the issues faced by PWDs in Jakarta in 2010 (Wisma Cheshire, 2010). The issues that were identified in the meeting, such as pushing for the completion of the local regulations on PWDs in Jakarta, have been brought forward by the government in the parliament house. It was also suggested that firm action be taken towards private sector companies that do not implement article 14 of Law No. 4 of 1997 on employment of PWDs. However, the organization does not have capacity yet to do monitoring and evaluation of any Government program.

### **Campaign Program**

The initiation of the advocacy campaign between 2008 and 2010 included networking with the Mimi Institute. The organizations working on the campaign and the capacity building for PWDs in Wisma Cheshire view it as a good start for the organization to participate in policy formulation in the future. During the three year program, the organization has achieved good results from its campaign on the rights of PWDs in Jakarta. The agenda of capacity building for PWDs in order to be able to speak in front of the public confidently has been a success and will support the efforts of a major campaign on public awareness of the rights of PWDs in Jakarta.

The networking between Wisma Cheshire and Mimi Institute on the campaign program has shown the amount of progress on participation of PWDs in advocacy and campaigning for public awareness of PWDs that has been made. The strength of this study's findings also depended on the networking and the campaigning that started with the participation of PWDs in Wisma Cheshire. If PWDs are able to successfully raise awareness through campaigning on the rights of the disabled, it is a good sign that in the future the PWDs in Wisma will have a strong foundation from which to participate in the formulation of government policy.

Another form of participation which has been encouraged at Wisma Cheshire is the cooperation with the Ministry of industry on the Wisma Cheshire handicraft exhibition in Jakarta in 2010. The joint exhibition of PWD handicraft products provided a good opportunity for Wisma Cheshire to show that PWDs often possess the same skills and abilities as non-disabled people.

Thus far, the campaign activities of Wisma Cheshire have primarily functioned as a self-help campaign within the community. However, the campaign has revealed positive signs that the network with other disabled organizations can be channeled into future campaign collaborations. Networking is seen as an effective way for the organization and its member to apply their experiences to the policy process. Furthermore, the public awareness campaign program has also raised the awareness of the community in Jakarta, especially within the community surrounding the organization in south Jakarta.

## **CHAPTER V**

### **CONCLUSIONS AND RECOMMENDATIONS**

This chapter summarizes the research findings from the field work at Wisma Cheshire organization in Jakarta, Indonesia by assessing the hypothesis and objectives of the research which determine whether the employment policies have been well implemented. This includes a determination of the problems faced by PWDs, the opportunities available to them and their level of participation in policy formulation. In order to answer these questions, this study interviewed the PWDs in Wisma Cheshire on how the employment policies have been implemented in Jakarta. The first part of this chapter summarizes the key findings of the field work. I then answer the main research question, asking how and why does the employment policy benefit PWDs? The second part of the chapter covers the research conclusion and the approach used by the Government. The final section provides recommendations related to the policy.

#### **5.1 Summary of Research Findings**

The findings of the study show that the implementation of the employment policies for PWDs has so far shown little progress overall. However, PWDs have benefited in some ways from the policy. There are some signs of improvement in attitudes towards employment of PWDs among private sector companies in Jakarta and a small number of workers have been recruited by these companies during the last three years. This can be interpreted as reflecting progress among employers in Jakarta in observing PWDs rights on employment. In addition, some public places such as malls and recreation sites have been made accessible for PWDs, particularly to those with physical with disabilities. Also, the accessible bus system, “Trans Jakarta,” has been a good start on improving the accessibility of public transportation for PWDs. However, the Trans Jakarta system is still far from perfect in addressing the needs of PWDs and many stations are still not accessible. In addition, as Trans Jakarta is the



only Mass Rapid Transportation within the city, the crowded stations cause mobility problems for PWDs. The lack of mobility of PWDs and the inaccessibility of many facilities are central factors. Therefore, it creates the community perception of PWDs as unproductive persons.

In addition, this study has highlighted the limitations of the employment policy for PWDs in Jakarta. It was found that in implementing the policy for PWDs, the Government of Jakarta has been hindered by both the nature of the policy itself and the lack of sufficient funding to support it. The policy defines PWDs as people who are in need of rehabilitation. As a result, the policy's definition of disability has formed a community paradigm on disabled people that they are weak and helpless. In addition, budgetary limitations are another important factor affecting the implementation of the employment policy. It was found in this study that the Government's major allocation of resources for rehabilitation of PWDs has meant that fewer resources are available for funding of employment services for PWDs. As a result, PWDs have benefited more in terms of health and rehabilitation services and less on employment. Furthermore, the budget allocation, as well as the definition of PWDs contained within the law, implies that the Government of Jakarta is still focused on a welfare and service oriented approach towards PWDs.

This study also found that the factors inhibiting the employment policy for PWDs can be categorized as being either internal or external. The internal factors include the implementing institution and the poor availability of data. Indonesia does not have a specialized Government institution that works only on PWD issues. The Ministry of Social Affairs is the leading agency for disability issues; however, the Ministry also has to deal with other social issues such as older persons, beggars and others. The poor availability of statistics on PWDs is also another limitation. It is not easy to find updated data for PWDs in Indonesia because the census for disability is conducted separately from the national census. The lack of accurate data available is a problem for both government and private sector organizations working on the employment of PWDs in Indonesia and Jakarta. Other factors that have been an obstacle to effective policy implementation include the environment and prejudices

against PWDs. The environmental factors (i.e. the lack of accessibility of public facilities) have created a major problem for PWDs to actively participate in job market in Jakarta. Furthermore, negative attitudes towards disability still exist within the community and are a further obstacle for PWDs seeking employment in the city.

The full participation of PWDs in policy formulations related to disability is an important element in improving policies related to disability. The efforts of the Government to work on local regulations for PWDs, expected to be completed by the beginning of 2012, have provided a successful model for PWD involvement in the formulation of policy and are a sign of progress on PWD participation in policy deliberation. PPCI and HWPCI, which are the leading DPOs in Indonesia, have both been substantively involved in the process. While the Wisma Cheshire organization was not directly involved in the consultative process for the local regulation, the organization is working to become more engaged politically and has started some new initiatives to campaign for the rights of PWDs.

The DPO network, formed by PPCI and HWPCI, has helped to build the confidence of PWDs in Wisma Cheshire in order to increase their participation in campaign activities in the future. The networking has also helped to shape the agenda of the Government on the local regulations for PWDs in Jakarta. Finally, the joint exhibition of handicrafts with the Ministry of Industrial Affairs has created a good foundation for PWDs at Wisma Cheshire to actively participate in future government projects or policy formulations in Jakarta.

## **5.2 Conclusion**

In assessing all of the policies on employment for PWDs in Jakarta, it can be concluded that the employment policies were formulated without sufficient consideration of the needs of PWDs. The strategy and approach which the Government has used to support PWDs is not an adequately rights based approach. The key to a more effective rights based approach to disability is to enable PWDs to fully participate in the life of their community. This goal must be incorporated

fundamentally in everything from the design of public buildings and public transportation to the attitude of the community towards PWDs. (Lawson, 2001:5)

However, in Jakarta, this study found that the approach that the Government has used for PWDs is based upon the rehabilitation model. PWDs are considered to be persons who are ill and in need of rehabilitation in order to be able to participate in the community. This approach is clearly visible from the budget allocations and programs for PWDs which are primarily focused on the rehabilitation process (i.e. social assistance and rehabilitation services).

Despite this, there are signs of positive change with the Government's efforts on local regulations for PWDs. With the passing of the regulations expected in the beginning of 2012, the future will create many opportunities for progress on PWD employment and access to facilities.

### **5.3 Recommendations**

Through these recommendations, I offer suggestions for creating an enabling atmosphere, which includes the legal framework by government and service providers as partners in the implementation of the employment policy in Jakarta. These recommendations are based on the aim and objectives of this thesis.

#### **Data on disability**

The accurate data is the importance requirement to produce appropriate programs and policies for people with disabilities. The present data on disability i.e. the existing data of employment for PWDs in Jakarta is problematic because it is scattered over different departments, and reflects mainly on social welfare conditions and poverty.

*The data on disability must be regarded as a cross-sectoral issue and should be derived as demographic data.*

## **Legal framework**

The existing legal framework that regulates the fulfillment of the rights and needs of people with disability in Indonesia is highly influenced by Law No. 4 of 1997 concerning People with a Disability, which uses terminology that marginalizes the community of people with disability

*Indonesia should ratify the Convention on the Rights of Persons with Disabilities and revise and amend Law No. 4 of 1997 definition as a necessary strategic step.*

## **Formal Body Structure for PWDs**

Indonesia does not have the formal official body for the issue of PWDs, the ministry of social is the leading agencies to deal with PWDs issues while this agency also has many other social issues to deal with i.e. elder and beggars.

*The government should establish national council for disabilities affairs, to serve us the formal body that represent the sector of disabilities to the law making and executive bodies of the country.*

## **Government programs**

Government programs for people with disabilities are focused on rehabilitation and charity approach, the largest part of the funds provided is used only to give social assistance for people with severe disability who can no longer attend social rehabilitation programs.

*Training and empowerment programs which are run by the Ministry of Social and other relevant ministries should be reviewed to find out about the existing opportunities and constraints.*

**Coordination**

The rights of people with disabilities are also covered by other policies and ministerial decisions at the sector level. Until now, cross-sector and cross-ministerial coordination is carried out only through a team whose membership is specified in a decision of the Minister of Social Affairs.

*A monitoring mechanism, in the form of a national commission or ombudsman, should be established to monitor the implementation of existing laws or regulations concerning disability.*

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## **APPENDICES**



## APPENDIX A

Table 1: Data based on the Types and provincial disability

Propinsi	Sight	Hearing	Speech	Hearing & Speech	Arms and fingers	Feet	Physical anomaly	Paralysis	Mental Retdt	Psychiatric	Total
NAD	34.596	7.805	2.937	1.428	2.856	8.470	2.012	1.509	1.006	1.006	63.625
Sumatera Utara	26.847	4.715	943	943	943	8.784	1.886	0	1.985	1.985	49.031
Sumatera Barat	18.348	5.041	1.956	1.304	617	5.006	1.234	1.921	617	2.503	38.547
Riau	10.353	3.474	2.066	1.385	2.747	2.747	0	2.089	0	0	24.861
Jambi	3.997	1.777	611	0	555	3.554	611	1.833	0	0	12.938
Sumatera Selatan	41.607	7.452	1.886	0	2.829	5.520	2.737	0	2.829	0	64.860
Bengkulu	21.396	4.551	2.522	1.005	1.182	1.694	670	670	0	512	34.202
Lampung	67.311	12.294	5.751	819	1.656	11.484	4.923	2.457	1.647	3.276	111.618
Kep. Bangka Belitung	2.952	1.476	738	738	0	455	0	455	0	283	7.097
Kep Riau	1.836	459	0	0	0	1.377	0	0	0	0	3.672
DKI Jakarta	13.302	739	739	0	1.478	1.478	0	0	0	739	18.475
Jawa Barat	240.223	60.233	24.932	13.165	10.369	52.978	7.361	13.271	13.271	7.414	443.217
Jawa Tengah	189.072	85.751	29.637	19.426	22.844	64.856	6.965	12.633	4.500	9.129	444.813
D.I. Yogyakarta	30.136	9.884	4.874	2.490	1.824	9.286	946	1.612	2.104	1.718	64.874
Jawa Timur	254.564	88.768	45.582	21.012	24.522	98.088	19.898	19.802	17.550	12.830	602.616
Banten	11.250	7.350	1.100	1.100	0	2.500	0	0	0	1.100	24.400
Bali	4.247	949	902	0	1.353	2.255	451	451	902	0	11.510
NTB	41.285	17.094	4.380	2.261	5.475	11.320	2.773	4.451	1.607	0	90.646
NTT	19.107	10.659	6.864	2.112	1.056	4.224	3.168	1.584	1.056	0	49.830
Kal. Barat	8.112	3.614	4.056	1.044	482	2.530	1.526	1.004	1.486	0	23.854
Kal. Tengah	5.018	2.509	2.035	814	814	881	407	881	814	407	14.580
Kal. Selatan	12.294	3.924	1.962	972	972	1.458	486	972	0	1.494	24.534
Kal. Timur	9.734	1.350	2.096	0	0	1.350	0	0	0	746	15.276
Sulawesi Utara	8.121	1.587	0	0	480	960	480	0	0	0	11.628
Sulawesi Tengah	15.283	3.485	978	0	0	978	489	1.467	0	489	23.169
Sulawesi Selatan	32.769	10.855	5.845	3.340	2.505	7.566	5.010	2.505	835	1.670	72.900
Sulawesi Tenggara	12.387	2.888	1.805	1.444	722	2.888	0	361	722	0	23.217
Gorontalo	12.810	3.355	949	305	983	1.593	983	1.220	305	305	22.808
Sulawesi Barat	3.184	0	398	0	0	796	0	398	0	0	4.776
Maluku	6.860	2.416	1.382	686	0	2.754	348	0	0	0	14.446
Maluku Utara	1.462	0	356	0	0	712	356	712	0	0	3.598
Papua Barat	2.737	391	391	391	0	0	0	391	0	391	4.692
Papua	15.516	5.603	4.310	431	862	6.465	431	431	0	0	34.049
Indonesia	1.178.716	372.448	164.983	78.615	90.126	327.007	66.151	75.080	53.236	47.997	2.454.359

Sources: BPS, Susenas 2003.

## APPENDIX B

**Table 2: People with disabilities proportion according to province and district, 2009**

	People with disabilities?				Total	
	Yes		No		N	%
	N	%	N	%		
Nanggroe Aceh Darussalam	31,405	0.77	4,067,971	99.23	4,099,376	100.00
Sumatera Utara	118,603	0.91	12,960,551	99.09	13,079,154	100.00
Sumatera Barat	48,757	1.08	4,460,882	98.92	4,509,639	100.00
Riau	33,379	0.59	5,601,533	99.41	5,634,912	100.00
Jambi	22,629	0.79	2,841,468	99.21	2,864,097	100.00
Sumatera Selatan	56,466	0.78	7,149,783	99.22	7,206,249	100.00
Bengkulu	17,072	0.97	1,735,599	99.03	1,752,671	100.00
Lampung	69,066	0.89	7,672,145	99.11	7,741,211	100.00
Kep. Bangka Belitung	12,277	1.19	1,019,218	98.81	1,031,495	100.00
Kep. Riau	12,268	0.78	1,557,627	99.22	1,569,895	100.00
DKI Jakarta	51,381	0.58	8,882,166	99.42	8,933,547	100.00
Jawa Barat	329,696	0.79	41,572,689	99.21	41,902,385	100.00
Jawa Tengah	354,515	1.10	31,996,148	98.90	32,350,663	100.00
DI Yogyakarta	49,924	1.46	3,360,291	98.54	3,410,215	100.00
Jawa Timur	375,511	1.04	35,764,361	98.96	36,139,872	100.00
Banten	71,404	0.69	10,329,651	99.31	10,401,055	100.00
Bali	38,580	1.08	3,518,418	98.92	3,556,998	100.00
Nusa Tenggara Barat	53,353	1.15	4,584,379	98.85	4,637,732	100.00
Nusa Tenggara Timur	60,261	1.38	4,304,155	98.62	4,364,416	100.00
Kalimantan Barat	32,198	0.68	4,669,418	99.32	4,701,616	100.00
Kalimantan Tengah	12,945	0.54	2,369,516	99.46	2,382,461	100.00
Kalimantan Selatan	45,028	1.30	3,409,300	98.70	3,454,328	100.00
Kalimantan Timur	17,579	0.56	3,101,948	99.44	3,119,527	100.00
Sulawesi Utara	25,108	1.11	2,227,703	98.89	2,252,811	100.00
Sulawesi Tengah	29,777	1.15	2,566,605	98.85	2,596,382	100.00
Sulawesi Selatan	82,170	1.05	7,767,912	98.95	7,850,082	100.00
Sulawesi Tenggara	21,543	0.93	2,290,061	99.07	2,311,604	100.00
Gorontalo	9,792	1.09	890,508	98.91	900,300	100.00
Sulawesi Barat	12,533	1.21	1,025,228	98.79	1,037,761	100.00
Maluku	15,193	1.12	1,337,426	98.88	1,352,619	100.00
Maluku Utara	6,902	0.72	952,146	99.28	959,048	100.00
Papua Barat	2,762	0.38	721,416	99.62	724,178	100.00
Papua	6,708	0.33	2,033,422	99.67	2,040,130	100.00
Total	2,126,785	0.92	228,741,644	99.08	230,868,429	100.00

## APPENDIX C

### List of Key informants

Elly, Women with physical disabilities in Wisma Cheshire Organisation, personal interview, 2011, July 10.

July Chandra, the company manager of vivere design company, Phone interview, August 2011.

Heru, Man with physical with disabilities in Wisma Cheshire Organisation, personal interview, 4 July 2011

Idayani, Women with physical with disabilities in Wisma Cheshire Organisation, personal interview, 7 July 2011

Gufran Sakaril, The vice president of Indonesia People with disabilities Association (PPCI), personal interview, 11 July 2011

Odah, Women with physical disability in South Jakarta, personal interview, 2011, July 10

Laksmi Pratiwi Dallamore, The president of Wisma Cheshire, Phone interview, 2011, August

Raymond Sirait, Wisma Cheshire Organization Project Manager, personal interview, 10 July 2011

Rade Bunga, Physical with disabilities working at Standard Chartered Bank, personal interview, 4 July 2011

Sri Utami, The head of disability and aging of social department, personal interview, Jakarta, 5 July 2011

Samsi, Man with Physical with disabilities in Wisma Cheshire Organization, personal interview, 2011, July 3

Tarsih, Women with physical with disabilities in Wisma Cheshire Organization, personal interview, 2011, July 7

Tri Widya Kurniasari, The disabled staff in the research and knowledge of Indonesian Government (LIPI), personal interview, 2011, July 3

Zainuddin, Man with physical with disabilities in Jakarta, personal interview, 2011, July 11

## APPENDIX D

A semi structure interview guide for key informants interview and focus group discussion:

1. How would you describe the situation of people with disabilities employment in Jakarta?
2. What is the government of Jakarta doing to better off the employment situation of people with disabilities?
3. In your opinion how far the policy for people with disabilities 'employment reached its goal?
4. Which organizations are involved in the formulation and implementation process as well as planning for people with disabilities in Jakarta?
5. What is the level of the involvement of people with disabilities in formulation of the policy, implementation for people with disabilities in Jakarta?
6. What do you think of opportunity of people with disabilities on employment in Jakarta? Including the opportunity of capacity building i.e. vocational training and education level
7. How best people with disabilities are involved in the process of implementing the policy related to people with disabilities?
8. How accessible are the disability related service in Jakarta in terms of employment and community support?
9. What is your opinion in terms of structure and capacity of disabled people's organization (DPO) to participate in formulation, implementation, planning activities process?
10. Are there any legislation that would support participation of people with disabilities and how they can be utilized?

## **BIOGRAPHY**

Mahmudi Yusbi was born in Aceh Province, Indonesia. He holds a Bachelor Degree in English Education Studies, Institute of Islamic Studies AR – Raniry in 2008. He used to work with the National and International Non Government Organization as a Social Worker in Indonesia particularly in Aceh and Jakarta from 2005 up to 2011. His area of working was Humanitarian and Disability issues in Indonesia. He spent one year working as a Program Manager in Leonard Cheshire Disability for the project in Jakarta in 2010. He will be graduating with an MA degree of Arts in International Development studies at Chulalongkorn University, Bangkok