

# The Effectiveness of Anti-Discrimination Laws for Job Seekers in Indonesia

Siti Awaliyah<sup>1</sup>

Law and Citizenship Department, Universitas Negeri Malang, Jl. Semarang No.5 Malang, Indonesia

#### Abstract

Law No.13 of 2003 about employment prohibits discrimination against job seekers. Article 6 of this Law states that every job seeker has the same opportunity to get jobs without any discrimination. However, facts in fields show many discrimination practices, including sex and age discrimination. The discrimination is clearly stated on the job vacancies on leaflet distributed in job fairs, on banners, also in internet. From 28 types of jobs, there are 25 jobs for male (89%) and 3 jobs for female (11%). Maximum age limit required in various types of jobs offered are ranging from 24-35 years old; 24 years old in 1 (1.5%) type, 25 years in 2 (3%) types, 26 years in 5 (7%) types, 27 years in 23 (34%) types, 28 years in 14 (20%) types, 30 years in 1 (1.5%) type, 33 years in 1 (1.5%) type, 35 years in 2 (3%) types.

#### 1. Introduction

The employment problems need crucial attention from the government because they are dealing with people's lives. This serious attention is shown in Constitution of the Republic of Indonesia Year 1945 Article 27 paragraph (2) which states "Each citizen has the right to work and a decent living for humanity." Furthermore, employment problems are regulated in the section of human rights, especially Article 28D paragraph (2) which states "Everyone has the right to work and to receive remuneration and fair treatment and decent in labor relation." Furthermore, Article 28I paragraph (2) states that "everyone reserves the right to be free from any discriminatory treatment on any basis and to get protection against discriminatory treatments".

One law which regulates employment problems is Law No. 13 of 2003. One of the principles in this law is the principle of anti-discrimination. It is stated in Article 5 and 6. Article 5 states "Every worker has an equal opportunity to obtain employment without discrimination." This article forbids discrimination on job seekers. Article 6 states "Every worker is entitled an equal treatment without discrimination from employers." This article forbids employers from discriminating the employees. Kinds of discrimination according to the explanation of Article 5 are discrimination on gender, ethnicity, race, religion, and political affiliation or 5 forms of discrimination. The explanation of Article 6 forbids 6 forms of discrimination, which are gender, ethnicity, race, religion, colors of skin and political affiliation.

The term of discrimination becomes a significant topic in the discussion relating to human rights. Discrimination according to Black Law Dictionary is "the effect of a law or established practice that confers privileges on a certain class or that denies privileges to a certain class because of race, age, sex, nationality, religion, or disability" (Garner, 2009:534). The point is that discrimination is any treatment which does not recognize the rights owned by others because of race, age, sex, nationality, religion, or disability. That definition is almost the same as the definition stated in Indonesia Disctionary (Pusat Kementerian Pendidikan dan Kebudayaan, 2014); discrimination is distinction of treatment on the fellow citizens (based on color of skin, group, race, economic status, religion, etc). Hereinafter, the dictionary explains that discriminations commonly happen in the society are discriminations on sex, race, racial, and social. Sex discrimination is distinction of attitude and treatment on fellow human beings based on sex. Race discrimination is distinction of attitude and treatment on a community group based on color of skin. Social discrimination is distinction of attitude and treatment on fellow human beings based on social status.

The population is constantly increasing. In Indonesia, especially, the population increases rapidly. Fasli Jalal, the head of Population and Family Planning Agency states that population growth rate is very rapid, of 1.49 per cent per year of the amount of the estimated population of 240 million (Prayogi, 2013). It is estimated that there are 4-5 million new born babies every year.

The increasing population of course implies on the increasing of job needs. Labor force is increasing significantly from year to year. Table 1.1 shows that number of labor force in Indonesia is increasing from year to year. Only in 2011-2013 the number was decreasing and increasing. In August 2013 the number of labor force reached 118.19 million, decreasing by 3 million compared to the number in February 2013 which reached 121.19 million. The number of labor force was approximately 49% of the population. The number of unemployment was 7.39 million.

<sup>&</sup>lt;sup>1</sup> Lecturer at in the Department of Law dan Citizenship Universitas Negeri Malang, and Doctoral Student of Law Science in Universitas Brawijaya



Table 1. Number of labor force, employee, and unemployment in 2000-2013 (Source: Central Bureau of Statistics)

Year		Labor Force	Employee	Unemployment
		(million)	(million)	(million)
2005	February	105,80	94,95	10,85
	November	105,86	93,96	11,90
2006	February	106,28	95,18	11,10
	August	106,39	95,46	10,93
2007	February	108,13	97,58	10,55
	August	109,94	99,93	10,01
2008	February	111,48	102,05	9,43
	August	111,95	102,55	9,39
2009	February	113,74	104,49	9,26
	August	113,83	104,87	8,96
2010	February	116,00	107,41	8,59
	August	116,53	108,21	8,32
2011	February	119,40	111,28	8,12
	August	117,37	109,67	7,70
2012	February	120,41	112,80	7,61
	August	118,05	110,81	7,24
2013	February	121,19	114,02	7,17
	August	118,19	110,80	7,39

Jobs are crucial in the development of a country. Jobs are closely related with income. High income will improve the welfare of the people. On the other hand, low income will lead to poverty and affliction. The standard of welfare according to international commission (Stiglitz *et al*, 2011:20) is material living standard which consists of income, consumption, and wealth.

This writing aims at describing fundamentals of substances of Law no. 13 of 2003 concerning employment and facts of discrimination on job seekers in Indonesia. The methodology used in this research is a qualitative approach by collecting data from job fairs, interviewing the stand keepers, and digging information from the internet and banners.

## 2. Fundamental of Rules of Employment by Law No. 13 of 2003 Concerning Employment

Law No. 13 of 2003 consists of 18 chapters and 192 articles. The chapters in this law include: (a) general provisions, (b) foundation, principles, and objectives, (c) opportunities and equal treatments, (d) manpower planning and labor, (e) vocational training, (f) labor placement, (g) the expansion of employment opportunities, (h) the use of foreign labors, (i) employment relationship, (j) protection, wages, and welfare, (k) industrial relations, (l) work termination, (m) coaching, (n) supervision, (o) investigation, (p) criminal provisions and administrative sanctions, (q) transitional provisions, and (r) closing.

The general provisions in Article 1 contain the definitions of terms used in the law of employment. Employment is everything related to the workforce at a time before, during, and after the work period. Labor force is anyone who is able to work to produce goods and/or services, both for the subsistence and for the society. Employee or worker is someone who works for a wage or other forms of remuneration. Employer is an individual, entrepreneur, legal entity, or the entity that employ manpower by paying them a wage or other forms of remuneration. Employment agreement is an agreement between workers and employers that includes working conditions, rights, and obligations of the parties. Working relationship is a relationship between employers and workers by the employment agreement, which has elements of work, wages, and commands. Article 1 of Law No. 13 of 2003 states that industrial relation is a system of relationship formed by actors involved in a process of production of goods and/or services, including employers, workers/labors, and the government which is based on the values of Pancasila and the Constitution of the Republic of Indonesia Year 1945.

The principle of employment development is the integration through functional coordination across regional and central sectors. Article 8 of Law No. 13 of 2003 states manpower planning is prepared on the basis of employment, including: (a) population and labor force, (b) job opprtunities, (c) vocational trainings including job competencies, (d) labor productivity, (e) industrial relations, (f) condition of work environment, (g) wage and



welfare of the workers, (h) social security of the workers.

Vocational trainings are conducted to provide, improve, and develop work competence for improving abilities, productivity, and welfare of the workers. The trainings are organized based on training programs that refer to work competence standards. Every worker is entitled to obtain and/or improve and/or develop his/her job competence in accordance with his/her talents, interests, and abilities through vocational trainings.

Article 12 of Law No. 13 of 2003 states that employers have a responsibility to improve and develop job competencies in accordance with their talents, interests, and abilities through vocational trainings. Any employee/worker has the same opportunity to participate in job trainings related to respective sectors.

Prohibition of discrimination on gender is regulated by Regulation of the Minister No. PER/03/MEN/1989 on Prohibition of Employment Termination for Women Workers due to Marriage, Pregnancy, or Delivering Baby; Presidential Instruction No. 9 of 2000 on Gender Mainstream and National Development; and Law No. 13 of 2003.

Prohibition of discrimination on race or ethnicity is regulated by Article 5 and 9 of Law No. 40 of 2008 on Elimination of Racial and Ethnic Discrimination. Prohibition of discrimination on religion is regulated by Article 28E the Constitution of the Republic of Indonesia Year 1945; and Article 80 of Law No. 13 of 2003 on Employment. Prohibition of discrimination against disabled people is regulated by Article 5, 6, 9, 13, and 14 of Law No. 4 of 1997 on Disabled People. It is also regulated by Article 4, 5, 6, 7, and 8 of Regulation of Manpower and Transmigration Minister No. 205 of 1999; and Law No. 13 of 2003.

In 2013 the Ministry of Manpower and Transmigration issued a decree, i.e. Decree of the Minister of Manpower and Transmigration No. 184 of 2013 concerning national task force equal employment opportunity/EEO. EEO is expected to become one of the vehicles in an effort to prevent and eliminate inequality and discrimination in workplace (Pikiran Rakyat, 2014). The target of the Minister of Manpower is 12,113 companies that have made a collective labor agreement will include anti-discrimination in it. Currently, there are only 752 companies which include anti-discrimination in their collective labor agreements (Pikiran Rakyat, 2014).

From various documents on anti-discrimination in international conventions of employment, most of them discuss anti-discrimination on gender, race, religion, or others. However, I have not found yet the conventions which discuss discrimination on age explicitly. Basic enactment of legislation or regulation on antiage discrimination in some developed countries is based on general provisions or principles of human rights.

Some rules relating to international employment are ILO constitution of 1919, 1944, 1951, 1958. In the document of ILO Constitution of 1919 there is an equality principle, that is human right which should be enjoyed by all people at work and in other scope of life. The ILO Constitution is one of the results of the Treaty of Versailles in 1919. ILO Constitution is one of the results of Peace Agreement of Versailles of 1919. The agreement states nine goals of ILO in mentioning the principle of equality on wages for male and female for work with equal value. The agreement also urges economic treatment which is parallel to all workers who become legal citizens in any countries (Part XIII, Article 427) (Departemen Tenaga Kerja, 2012:11).

In 1944 Declaration of Philadephia became the appendix of ILO Constitution which reformulated and strenghtened the principle of equality in workplace. The content is "every human being regardless to race, religion, or gender, has rights to pursue material welfare and spiritual development in the condition of freedom and dignity, economic security, and equal opportunity" (Departemen Tenaga Kerja, 2012:11).

Declaration of Universal Human Rights of 1948 which becomes the founding charter of the United Nations (UN) also regulates the prohibition of discriminations, which include race/color of skin, gender, language, religion, political view, nationality or social origin, property, birth, or other status. Nine principles of international human rights treaty of the United Nations (Departemen Tenaga Kerja, 2012:15) are: (a) international covenants on civil rights, (b) international covenants on economic, social, and cultural rights, (c) international convention on the elimination of all forms of discrimination against women, (e) international convention on the protection of the rights of migrant workers and their family, (f) convention on the rights of people with disabilities, (g) convention against torture and treatment or other punishments which are cruel, inhuman, and degrading, (h) convention on children's rights, (i) international convention for the protection of all people from enforce disappearance.

The main fundamental instrument acclaimed by the world which affirm the equality principles of opportunity and treatment is ILO Convention No. 100 of 1951 on Equal Wages. The content of the convention is equal wages for men and women for work with equal value. Indonesia has adopted his convention in Article 88 of Law No. 13 of 2003 on Employment. The point of this article is that there must be no difference in remuneration for men and women. The different remuneration can be given with regard to class, position, years of service, education, and competency (Sutedi, 2009:254).

ILO Convention No. 111 of 1958 on discrimination in employment and occupation was adopted by the members of ILO in 1958. It is the most comprehensive international intrument. The goal is to protect all people from discrimination on the basis of race, color of skin, gender, religion, political view, nationality or social



background in employment and occupation. This convention protect workers, job seekers, prospective workers, or people who are at risk of losing their jobs, both in public and private sectors. This convention urges countries to adopt and implement it as the national policy to promote the equality of opportunity and treatment. The goal is to eliminate the discrimination in all aspects of employment and occupation for all workers. Thus, this convention not only care about the elimination of discrimination and inequality principles, but also promote promote the equality of opportunity and treatment. Indonesia also has adopted the convention and incorporated it in Law No. 13 of 2003. It includes Article 5 (prohibition of discrimination against job seekers), Article 6 (prohibition of discrimination againts workers), Article 11 (the right to participate in a job training for people who will work), Article 12 (the right to follow a vocational training for workers), Article 31 (the right to choose a job, either in the country or abroad), and Article 32 (prohibition of discrimination in work placement).

In addition to some conventions above, there several conventions relating to anti discrimination which are adopted in Law No. 13 of 2003. They are ILO Convention No. 138 on the minimum age for admission to employment, ILO Convention No. 182 on the prohibition and immediate action for the elimination of the worst form of jobs for children, ILO Convention No. 29 on forced labor, ILO Convention No. 105 on the elimination of forced labor (Sutedi, 2009:260-263).

### 3. Forms of Discrimination in Employment

Various forms of discrimination against prospective employees are still conspicuous in Indonesia, including age and sex discrimination. The discrimination occur both directly and indirectly. Forms of direct discrimination can be seen in the requirements of the job vacancies. Otherwise, indirect discrimination happens when requirements (or rules) which seem neutral and equal for everybody actually have dentrimental effects on some people who have sharacteristics or circumstances/attributes contained in the Law. There are some assumptions why the age restriction becomes one of the requirements in workers recruitment (The Greyzed Them, 2006). The first assumption is that the number of laborforce is very huge, while job vacancies in Indonesia are very limited. Therefore, age limitation becomes the filter in the recruitment. The second assumption is that jobs in Indonesia do not require highly-experienced skills. The next assumption is that young workforce is cheaper. The last assumption is that young workers are more easily brainwashed to follow the culture of the company than older workers.

There is an assumption in the society that jobs are very limited. On the other hand, the number of labor force is increasing continuously. Therefore, jobs and the number of labor force are imbalance. This condition leads to the increasing of the number of unemployment. However, if it is traced further, there are a lot of vacancies offered and very much in need of man powers. One example is Feedmill Company; Malaysian-owned company which has branches in some South East counties. Feedmill Company is a chicken feed factory located in Gresik. This company needs a huge number of workers every year. However, the number of applicants still does not meet the quota they need.

Thousands vacancies are offered through job fairs which are currently emerging as a way to recruit new workers. Job fairs especially in Malang are commonly held after graduation in universities. The universities which actively hold job fairs are State University of Malang, Brawijaya University, Maliki State Islamic University, and State Polytechnics of Malang.

The companies list requirements that must be fulfilled by the job seekers. General requirements are almost the same, including: (a) gender, (b) marriage status, (c) education, (d) grade, (e) age, (f) height. Gender is listed almost in all types of jobs. The jobs specified for male or female can be seen in Table 2.



Table 2. List of types of jobs that require labors by sex (source: Job fairs in Brawijaya University processed from brochures)

	Types of Jobs	Name	Male	Female
1.	Design Engineer		V	
2.	Drafter		V	
3.	Junior Project Leader		V	
4.	Project staff		V	
5.	QC engineer		V	
6.	Welding inspector		V	
7.	Construction engineer		V	
8.	PPC engineer		V	
9.	Maintenance foreman		V	
10.	Warehouse foreman		V	
11.	Assistant welding foreman		V	
12.	Material control		V	
13.	Junior engineer		V	
14.	Trading engineer			V
15.	Accounting staff		V	
16.	IT Programmer		V	
17.	Staff IT		V	
18.	Agronomy assistant		V	
19.	Administration assistant		V	
20.	Engineering assistant		V	
21.	Public affair assistant		V	
22.	Service advisor		V	
23.	Sales head		V	
24.	Sales counter			V
25.	Customer relation			V
26.	Workshop head		V	
27.	Part inventory control		V	
28.	Human resources administration		V	

Based on Table 4.3, there are 28 types of jobs offered; 25 types (89%) are for male, and 3 types (11%) are for female (Awaliyah, 2014). The types of jobs offered above actually are commonly done by women; and some are not, especially jobs which need physical power. Meanwhile, jobs for women, i.e. trading engineer, sales counter, and customer relation, actually can also be done by men. Jobs especially for women only deal with women as display functions to attract customers or simply as physical attraction.

The requirements above can be said as a discrimination. This can be seen from the definition of discrimination as stated ini Law No. 39 of 1999 on Human Rights; discrimination is every restriction, harassment, or isolation either directly or indirectly based on human differences on the basis of religion, race, ethnic group, class, social status, economic status, gender, languange, political beliefs, which lead to reduction, deviation or elimination of the recognition, implementation, or the use of human rights and basic freedom in life individually or collectively in political, social economic, cultural and othe aspects of life."

Age is an important element in the worker recruitment as shown in Table 4.3. Age restriction is not limited to the recruitment, but also in getting the opportunities in involving vocational trainings, and retirement. Some companies restrict the age of the workers who will participate in job training. For instance, to participate in a certain job training, the maximum age is 40 years. Some cases also deal with retirement period. Some companies forbid the workers to retire, although it is time for them to retire. It happens because the company still need the ability of the workers. On the other hand, there are some companies which do work termination based on the age. There is a cigarette company which fires many workers by giving separation pay. The selection process in choosing who will be fired, the company choose those who are 50 years old and up (Awaliyah, 2014).

The age limit and the work termination based on the age, as the example above indicate that the workers at a certain age are considered not capable enough to do the jobs. This opinion is actually less in line with the productive age restriction as stated in Article ... Law No. 13 of 2003, that is 15 to 64 years old.

An age restriction to prospective workers happens in nearly all sectors of industry and services. The result of a survey in a job fair in June 2014 in Economics Faculty of Brawijaya University showed that most of the companies limited the age of the applicants. Table 1 shows that 13 companies engaged in business and services offering 68 types of jobs. There are 64 (96%) types of jobs out of 68 presupposing an age limit to the applicants. Various kinds of discrimination still happen in some developed countries, as quoted by Sageant



(2011). In six countries, ie. Turkey, Ireland, Luxemburg, Denmark, Malta, and German, age discrimination is still widely spread. 79% respondents in Hungary, 74% in Republic of Cheko, 68% in France, 67% in Latvia, and 66% in Netherland agree that discrimination on age still widely spread in their country.

Maximum age limit required in various types of jobs offered are ranging from 24-35 years old; 24 years old in 1 (1.5%) type, 25 years in 2 (3%) types, 26 years in 5 (7%) types, 27 years in 23 (34%) types, 28 years in 14 (20%) types, 30 years in 1 (1.5%) type, 33 years in 1 (1.5%) type, 35 years in 2 (3%) type. The name of the companies, types of business, and types of jobs are explained in detail in Table 3.

Table 3. List of companies offering jobs in job fairs in Economics Faculty, Brawijaya University, Malang in June 2014. (Source: Job Fairs in Brawijaya University in June 2014).

No.	Name of Company	Types of Business	Types of Jobs Offered	Age Limit
1.	Nusantara Surya Sakti	Motor Dealer	Management Develop Program, Legalitisasi,	27 years
			HRD officer, Audit, Mechanics	
			Supervisor Development Program, sales	30 years
2.	PT. Mitra Pinasthika Mustika Finance	Financing of motor vehicles and capital goods	Marketing, collection, operation	26 years
3.	PT. Serasi Autoraya	Integrated transportation	Sales & account supervisor, Logistic supervisor, legal analysts,	26 years
		solutions provider	business development analyst,	28 years
			Customer care coordinator	27 years
4.	The Harvest	Restaurant	Cake shop team, kitchen team, office staff	-
5.	PT. Surya Madistrindo	Sales, distribution and marketing activities	Business Information	25 years
6.	PT. Sumber Alfaria Trijaya. Tbk.	Minimarket Retail	Management trainee, civil estimator, tax/accounting/finance, recruitment assessment, trainer, marketing, staff/admin, maintenance, surveyor, assistant chief of store,	27 years
			IT Programmer/IT Support, audit	28 years
			Crew store	24 years
			Legal, commerce marketing specialist	35 years
			Customer relation management data analyst, personnel support, member relation officer	30 years
7.	Ciputra	Property	Architect, landscape supervisor, infrastructures and building supervisor, supervisor, surveyor, Legal, sales, promotion staffs,	28 years
			Quantity Surveyor	30 years
			Technical administration staff, accounting staff, collection staff, cashier,	•
8	PT. Bumi Mulia Indah Lestari	Plastic Packaging	Staff finance, IT officer, management trainee, purchasing staff, production operator, milling operator, mold maker, bench work	30 years
			Section head production,	33 years
			Administration staffs, quality control, production trainee maintenance,	28 years
9.	PT. Asuransi Wahana	Insurance	Sales administration	25 years
	Tata		retail sales, underwriting reinsurance marine and miscellaneous	27 years
			Sales corporate	28 years
			Marketing research and development	-
10.	BII	Bank	Officer development program	-
11.	PT. BFI Finance Indonesia. Tbk. Cab.	Automotive and heavy equipment financing	Car surveyor, marketing executive, motors surveyors, account executive, customer service	27 years
	Malang		Remedial Collector, networking, administration,	30 years
12.	PT. Bank CIMB Niaga.Tbk.	Bank	Marketing officer	27 Years
13.	PT. Smart. Tbk.	Agribusiness and food	Surveyors, teachers, project engineering and design, project engineering assistant	-

In those job vacancies there are 4 types of job which do not limit the age of the applicants. The brochures do not list the limit of the age, but the stand keepers of the job fair informed the jobs are limited to a maximum age of 40 and 30 years. In conclusion, although the brochures do not explicitly mention about the limit of age, in practice the age still affect whether the applicants pass or not.

Companies that explicitly specify a maximum age limit to the jobs on offer provide rational reasons,



including productivity, continuity of carrier, ease of set up, and ease of instilling loyalty to the company.

The human resource managers of two different companies, which are companies engaged in the field of production (chicken feed) and services (retail), have the same reason relating to the determination of the age of the prospective workers in the company, ie. productivity. Workers aged 20-27 years old is considered to be highly productive in various types of jobs. They can produce goods and energy optimally. However, this reason is not suitable with Antoni's (2013) opinion. He states that human productivity is affected by: (1) education and skills, (2) types of technology and production results, (3) work condition, (4) health, (5) physical and mental abilities, (6) mental attitudes toward the tasks, co-workers, and supervisors, (7) incentives (salary and bonus), and (8) job satisfaction. According to Gomes (Admin, 2010) job productivity is determined by factors of knowledge, skills, abilities, attitudes, and behaviors. Those two opinions show that the level of job productivity is not influenced by age.

Nowadays, companies commonly recruit new workers by having various cooperation with high schools, especially vocational schools. Moreover, the companies are willing to provide scholarship for further study for smart students with a contract agreement that they will work at the company for 5 years after graduation. Scholarship awarding and preparing the prospective workers are quite good, but the amount are not much. In this case, the companies should be fair in the recruitment.

The same reason is also expressed by Feedmill Company, that young workers are still productive. It means they are capable of producing more goods. The company will only recruit young workers for administrative staffs to field personnel or operators. The age is not a consideration only in the recruitment of new managers or for upper positions. In the recruitment for those positions, it gives opportunities to prospective employees aged 40 years old or up; of course with varied requirements, including work experience.

In long term, the company wants the workers to improve their abilities and develop their carrier to a high position. This becomes the reason of the company for the new workers recruitment. The company wants the employees to gain continuous work experience, starting from the lowest to the highest position (Awaliyah, 2014). Therefore, there is an age restriction in the recruitment, that is 25 or 27 years. It is hoped that the employees will reach a high position when they are 40.

On the other hand, if the company recruits workers who are older than 40 years, then the company will not be able to develop them to the cusp of the carrier. Or after the workers reach the peak of their carrier, they will retire. Future orientation of the employees becomes the base of the company to limit the age of the applicants. Logically, the reasons make sense. However, basically not all employees work to achieve high positions. Most of the employees work to earn money to make ends meet.

Indonesian and American people's orientations in seeking jobs are different. In Indonesia almost all people hope to have a permanent job throughout their productive age. However, in the reality there are many people who have to lose or change their jobs for some reasons. The reasons include uncomfortable feeling in the old workplace, being dismissed, or other unpleasant conditions (too low wages or not suitable work). On the other hand, in some developed countries people prefer to work as a contract within a specified period. If they love the job, they can renew the contract. In contrary, if they are bored or uncomfortable with the job, they can end the contract and move to another workplace.

### 4. Conclusion

Employment problems are regulated by Law No. 13 of 2003 on employment. Article 5 of this law regulates the prohibition to discriminate against job seekers. While Article 6 regulates the prohibition to discriminate against workers

However, the existence of Article 5 is not effective yet. Many job vacancies from various companies still list quite discriminative requirements, include gender and age. Discrimination on gender can be seen from 28 types of jobs offered; 25 types (89%) are for male, and 3 types (11%) are for female. Maximum age limit required in various types of jobs offered are ranging from 24-35 years old; 24 years old in 1 (1.5%) type, 25 years in 2 (3%) types, 26 years in 5 (7%) types, 27 years in 23 (34%) types, 28 years in 14 (20%) types, 30 years in 1 (1.5%) type, 33 years in 1 (1.5%) type, 35 years in 2 (3%) types.

#### References

Admin. (2010), *Jurnal Manajemen, Bahan Kuliah Manajemen*. Jurnal-sdm-blogspot.com. Accessed on January 18, 2014.

Antoni. (2013), *Produktivitas Tenaga Kerja dari Perspektif Sosial*. www.bunghatta.ac.id. Accessed on January 18 2014

Awaliyah, Siti. (2014), Keefektivan Pasal Anti Diskriminasi Dalam Undang-Undang Ketenagakerjaan Di Jawa Timur. Universitas Negeri Malang. unpublished (stored in the library of the faculty of social sciences). Malang.

Departemen Tenaga Kerja. (2012), Kesetaraan dan Non Diskriminasi di Tempat Kerja di Indonesia. Jakarta.



## Depnakertrans.

- Garner, Bryan A (Ed). (2009), Black's Law Dictionary. Edisi ke 9. St. Paul USA: West Publishing Co.
- Pikiran Rakyat. (2014), Diskriminasi di Tempat Kerja jadi Masalah Serius. Accessed on Pebruary 6, 2016.
- Pusat Bahasa Kementerian Pendidikan dan Kebudayaan. (2014), *Kamus Besar Bahasa Indonesia (KBBI) versi online*. http://kbbi.web.id/. Accessed on December 15, 2013.
- Prayogi. (2013), *BKKBN:Jumlah Penduduk Indonesia Sangat Tinggi*. (online) (http://www.republika.co.id/berita/nasional/jabodetabek-nasional/13/11/01/mvjx78-bkkbn-jumlah-penduduk-indonesia-sangat-tinggi. accessed on May 1, 2014.
- Republik Indonesia. *Undang-Undang Republik Indonesia Nomor 13 Tahun 2003 Tentang Ketenagakerjaan*. Lembaran Negara Republik Indonesia Tahun 2003 No.39. Sinar Grafika. Jakarta.
- Republik Indonesia. *Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia*. Lembaran Negara Republik Indonesia Tahun 1999 No.165.
- Sargeant, Malcom. (2011), Age Discrimination and Diversity. Cambridge University Press. New York.
- Stiglitz, Joseph E, Amartya Sen, Jean-Paul Fitaussi. (2011), *Mengukur Kesejahteraan, Mengapa Produk Domestik Bruto Bukan Tolok Ukur yang Tepat untuk Menilai Kemajuan?*. Diterjemahkan oleh Mutiara Arumsari dan Fitri Bintang Timur. Marjin Kiri. Jakarta.
- Theme, The Greyzed. (2006), *Diskriminasi Usia pada Pasar Tenaga Kerja Indonesia*. buhadram.wordpress.com. Accessed on January 12, 2014.