## RELIGIOUS HOLIDAY ALLOWANCES FOR EMPLOYEES/WORKERS OF COMPANIES

(Regulation of the Manpower Minister of the Republic of Indonesia No. 6/2016 dated March 8, 2016)

THE MANPOWER MINISTER OF THE REPUBLIC OF INDONESIA,

#### Considering:

That to implement provisions in Article 7 paragraph (3) of Government Regulation No. 78/2015 | 1000 show and still D E C I D E S : nevoluna ritiw on Waging System, it is necessary to stipulate Regulation of the Manpower Minister on Religious Holiday Allowances for Employees/Workers of Companies;

#### In view of:

- 1. Law No. 3/1951 on the Declaration of Labor Supervision Law of 1948 No. 23 and the Republic of Indonesia for the Entire Indonesia (Statute Book of 1951 No. 4); a show hear of gailbloods villa pointing Referred to in this Ministerial Regulation as :
- 2. Law No. 13/2003 concerning Manpower (Stat- 1. Religious Holiday Allowance, hereinafter called ute Book of 2003 No. 39, Supplement to Statute Book No. 4279);
- 3. Government Regulation No. 78/2015 concerning Waging (Statute Book of 2015 No. 237, Supple- 2. Religious Holidays are Idul Fitri Holiday for Muslim ment to Statute Book No. 5747);
- 4. Presidential Regulation No. 18/2015 concerning the Manpower Ministry (Statute Book of 2015 Workers, Day of Silence (Nyepi) for Hindu Em-No. 19);

BY THE GRACE OF GOD ALMIGHTY 1/1909 V/ 5. Regulation of the Manpower Minister No. 8/2015 concerning the Procedure of Preparing Bills, Draft Salama Government Regulations, Draft Presidential Reguerom to rimom (erro) I not bestow even only great own sayo lations, Draft Ministerial Regulation at the Manpower Minister (State Gazette of 2015 No. 411);

#### To stipulate:

The amount of Religious THR as referred to in Article 2 paragraph (1) is set as follows:

referred to in letters a and b located outside the indonesian territory

REGULATION OF THE MANPOWER MINISTER CON-CERNING RELIGIOUS HOLIDAY ALLOWANCES FOR EMPLOYEES/WORKERS OF COMPANIES.

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#### GENERAL PROVISIONS

b. for employees Nelsing who have worked for

- Religious THR, is non-wage income that must be 10 2905W need a paid by employers to employees/workers or their families ahead of Religious Holiday.
  - Employees/Workers, Christmas Holiday for Christian Catholic and Christian Protestant Employees/ ployees/Workers, Day of Enlightenment (Waisak)

#### **GOVERNMENT REGULATIONS**

for Buddha Employees/Workers, and Chinese New Year (Imlek) for Confucian Employees/Workers.

- 3. Employers are:
  - a. individuals, associations or legal entities that run their own companies;
  - b. individuals, associations or legal entities that independently run their non-owned companies;
  - c. individuals, associations or legal entities that are domiciled in Indonesia to represent the companies as referred to in letters a and b located outside the Indonesian territory.
- 4. Employees/workers are people who are employed by receiving wages or recompenses in other form.

#### 2 Article 2 Sovethment Regulations, Draft Prosidential Requi

- (1) Employers shall provide Religious THR to employees/workers who have worked for 1 (one) month or more continuously.
- (2) The Religious THR as referred to in paragraph (1) is given to employees/workers that have work relations with employers based on a definite time work contract or an indefinite time work contract.

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#### SHIMAPMED TO STEMPOW 2 12 YOUR Article 3

- (1) The amount of Religious THR as referred to in Article 2 paragraph (1) is set as follows:
  - a. employees/workers who have worked for 12 (twelve) months or more continuously shall be given 1 (one) month wage;
- b. for employees/workers who have worked for 1 (one) month continuously but less than 12 (twelve) months shall be given Religious THR proportionally according to their work experience, with the calculation: (work experience/12) x 1 (one) month wage.
- (2) The 1 (one) month wage as referred to in paragraph (1) consists of wage components:
- a. a wage without allowance which constitutes clean wages; or
  - b. principal wage including fixed allowance.
- (3) For employees/workers who are employed based on a freelance daily work contract, the 1 (one) month wage as referred to in paragraph (1) is calculated as follows:
- a. employees/workers who have worked for 12 (twelve) months or more, the 1 (one) month wage is calculated based on the average wage received in the past 12 (twelve) months before the Religious Holiday;

#### **GOVERNMENT REGULATIONS**

b. employees/workers who have worked for less than 12 (twelve) months or more, the 1 (one) month wage is calculated based on the average wage received every month during the work period.

Employees/workers who are moved to other companies with continued work period, are entitled to Religious THR in the new companies, if the old co4peloitrAto not give the employees/workers Religious THR.

If the amount of Religious THR set based on a work contract, company regulation, collective work agreement or habit is higher than the amount of Religious THR as referred to in Article 3 paragraph (1), Religious THR paid to employees/workers shall accord with the work contract, company regulation, collective work agreement or habit.

### Article 5

(1) The Religious THR as referred to in Article 2 paragraph (1) shall be given once every 1 (one) year according to the Religious Holiday of each employee/worker.

The implementation of this Ministerial Regulation shall be supervised by the manpower supervisor

- (2) If the same Religious Holiday happens more than once in 1 (one) year, Religious THR shall be given according ing to the implementation of the Religious Holiday. The same Religious THR shall be given according to the implementation of the Religious Holiday.
- (3) The Religious THR as referred to in paragraph (1) shall be paid according the Religious Holiday of each employee/worker, except otherwise stipulated according to the agreement between the employer and employees/workers contained in the work contract, company regulation or collective work agreement.
- (4) The Religious THR as referred to in paragraphs (1) and (2) shall be paid by employers no later than 7 (seven) days before the Religious Holiday. Int of beau big beginning (2) dispense of the paid by employers no later than 7 (seven)

workers as provided for in the regulation of the companies or collective work agreement.

#### Article 6

The Religious THR as referred to in Article 2 paragraph (2) shall be given in the form of money using the rupiah currency of the Republic of Indonesia. (1) Employees that do not state the rupiah currency of the Republic of Indonesia.

- (2) The administrative senctions as referred to in [SelicitAn (1) are imposed according to the law and regula-
- (1) Employees/workers who have work relations based on an indefinite time work contract and are laid off 30 (thirty) days before the Religious Holiday, are entitled to receive Religious THR.
- (2) The Religious THR as referred to in paragraph (1) applies to the current year when the employer laid off the employees/workers
- (3) Provisions as referred to in paragraph (1) do not apply to employees/workers who have work relations based on definite time work contract, which ends before the Religious Holiday.

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Employees/workers who are moved to other companies with continued work period, are entitled to Religious THR in the new companies, if the old companies do not give the employees/workers Religious THR.

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#### Article 9

The implementation of this Ministerial Regulation shall be supervised by the manpower supervisor.

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#### ADMINISTRATIVE FINES AND SANCTIONS Value of auropias and of par

#### (2) If the same Religious Holiday Employer more to 19 Shift or veer, Religious THR shell be given accord-

- (1) Employers who are late to pay Religious THR to employees/workers as referred to in Article 5 paragraph

  (4) shall be subjected to fines amounting to 5% (five percent) of the total Religious THR that must be paid

  since the deadline of the employers' obligation to pay Religious THR ends.
- (2) The imposition of fines as referred to in paragraph (1) do not abolish the obligation of employers to pay

  Religious THR to employees/workers.
- (3) The fines as referred to in paragraph (1) are managed and used to improve the living standard of employees/ workers as provided for in the regulation of the companies or collective work agreement.

#### The Religious TMR as referred to in Arictic 11 sharp (2) shall be given in the form of maney using

- (1) Employers that do not pay Religious THR to employees/workers as referred to in Article 5 shall be subjected to administrative sanctions.
- (2) The administrative sanctions as referred to in paragraph (1) are imposed according to the law and regula-

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#### CONCLUSION

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When this Ministerial Regulation comes into force, Regulation of the Manpower Minister No. PER.04/

#### GOVERNMENT REGULATIONS

MEN/1994 concerning Religious Holiday Allowances for Employees of Companies shall be revoked and declared null and void.

# (Regulation Of Minister Of Finance Republic Of Indonesia

Article 13

This Ministerial Regulation shall come into force as from the date of promulgation.

For public cognizance, this Ministerial Regulation shall be promulgated by placing it in the State Gazette

_	ia.	the Republic of Indones
Class	Classification of Sale of Land and Building Value of	
	Stipulated in Jakarta (Sm\q#)	(Rp/m2)
780	On March 8, 2016	190.000.001
880	THE MANPOWER MINISTER OF	180,000,00
680	> 164 000 00 through 176,000,00	170,000,00
080	THE REPUBLIC OF INDONESIA ,	160,000,00
091	. bgs	151,000,00
092	M. HANIF DHAKIRI 20,000,000 through 148,000,000	143,000,00
880	> 131.000,00 through 139.000,00	135,000,00
	Promulgated in Jakarta	128,000,00
094	On March 8, 2016	122.000.00
960	IE DIRECTOR GENERAL OF LAWS AND REGULATIONS OF	IT 17.000.00
960	THE LAW AND HUMAN RIGHTS MINISTRY OF	112.000.00
097	THE REPUBLIC OF INDONESIA, Input 100,000.001 <	107.500,00
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660	> 100.900.00 modgin 105.000,50	103.000,00
100	WIDODO EKATJAHJANA	98.800,00
101	> 92,300,00 through 96,300,00	94.300,00
102	STATE GAZETTE OF THE REPUBLIC OF INDONESIA	90.100,00
103	OF 2016 NO. 375, 000 78 algument 00,001.48 <	86.000,00
104	> 79.900,00 through 84.100,00	82,000,00
105	> 76.100,00 through 79.900,00 (2)	78.000,00
106	> 72,300,00 through 76, 100,00	74,200,00
107	> 88.900,00 through 72.300,00	70,600,00
108	> 65,500,00 through 68,900,00	67.200,00
109	> 62.500,00 through 65.500,00	64.000,00