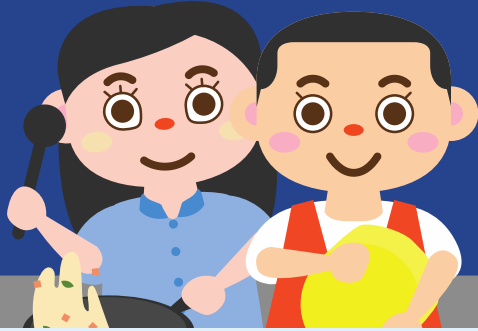
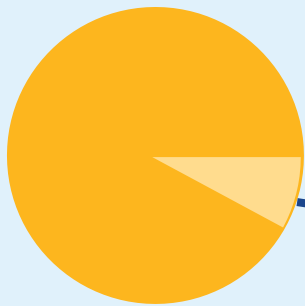


# CLMV Migrant Workers in Thailand

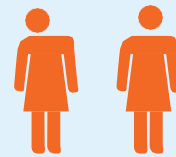
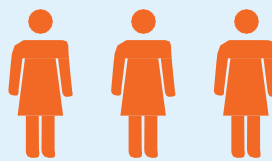


2018 → 2022  
4.9 MILLION → 3 MILLION

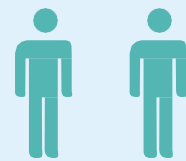
2,738,190  
LOW-SKILLED CLMV MIGRANTS (Sep22)



6-10%  
Migrant workers  
Thai workers



44%  
WOMEN



46%  
MEN

Foreign workers monthly statistics from Foreign Workers Administration Office, Ministry of Labour [www.doe.go.th/alien](http://www.doe.go.th/alien)

# Post-COVID-19 Work Permit Schemes for CLM Migrant Workers



**1) MOU Workers; 2) Special MOU Group** (through in-country extension during pandemic) in Thailand since the Cabinet Resolution dated 20 August 2019

**3) Registered migrants** with existing work permits during the pandemic (Cabinet Resolution dated 5 July 2022); **4) Newly-registered groups including dependents** (Cabinet Resolutions dated 29 December 2020, 28 September 2021 and 5 July 2022)



**5) Sea fishery workers** according to Section 83 of the Royal Ordinance on Sea Fisheries managed by the Department of Fisheries



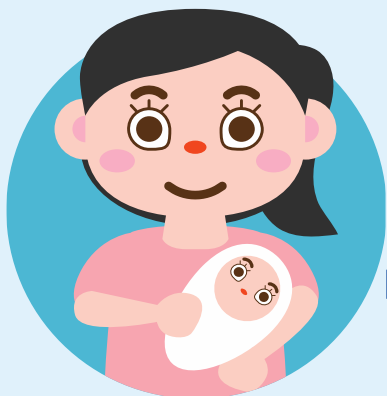
**6) Cross-border seasonal workers** (90-day work permit instead of 2 years using a permanent border pass instead of passport or certificate of identity to apply)

***Do you know?:** Charging a recruitment fee to MOU migrant workers is prohibited in Thailand.*

# Dependents and Family Members of Migrant Workers



**1) MOU Migrant Workers** are currently not permitted to bring in their family members to live with them in Thailand.



**2) Migrant workers who undergo regularization process in Thailand** may register with the Department of Employment, Ministry of Labour to receive a work permit on an ad hoc basis after turning 18 years of age.



**3) All children in Thailand regardless of nationality** are entitled to receive 12 years of basic education free of charge.



# Cabinet Resolution 5 July 2022



*Pink card must be  
obtained from  
District Office by  
13 February 2025*

1) Existing registered migrant workers who had their visa stamped by 1 August 2022 are entitled to stay and work in Thailand for another 2 years until 13 February 2025.

2) Those who did not have their visa stamped by August 2022 can continue to complete this step by 13 February 2023 and will be granted a 1-year visa and work permit until 13 February 2024, which can be extended for another year until 13 February 2025.

3) The newly registered migrants (1-15 August 2022) will be able to live and work in Thailand until 13 February 2023 and be able to have their permits extended twice for one year each.

*Certificate of Identity Issuance Centers for Myanmar Migrant Workers are subject to open in Chonburi, Samut Prakarn, Samut Sakhon and Ranong.*

# Foreign Workers' Documents for Working in Thailand



Passport (PP)



Certificate of Identity (CI)



Permanent Border Pass



Visa



Work permit/Pink Card





# Tips on Work Permits



## Migrant workers should keep their work permit at a convenient place

to present to competent officials in case they request it during their work time. It isn't necessary for migrant workers to carry the document with them. **If they fail to present the work permit to a competent official in a timely manner, the migrant workers will be subject to a fine not exceeding 5,000 baht.**

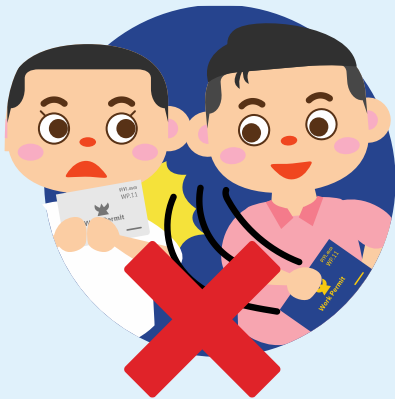


## Migrant workers must apply for work permit renewal before its expiration.

Migrant workers can file an application for work permit renewal **within 30 days before it expires.**

**The employers, or anyone else, are prohibited from confiscating migrant workers' identity documents and work permits.**

Depositing the identity documents of migrant workers must be on a voluntary basis. When the migrant workers ask for or need to use the documents, the employers must return the documents to them quickly. **Otherwise, they will be subject to imprisonment up to 6 months or a fine ranging from 10,000 -100,000 baht, or both.**





# Types of Work MOU Migrant Workers Can DO

## Migrant workers can perform as manual labour and shop vendors.

MOU migrant workers must be directly employed by an employer and must not perform as freelancers or become self-employed.



## Employers in Thailand can now hire migrant shop vendors through the MOU.

Quotas to hire migrant shop vendors are subject to tax payment and size of the company's workforces.



# Hiring CLMV Migrants as Shop Vendors through MOU

## Requirements for Employer



The employer must hire their migrant employees through the MOU.



The migrant shop vendors must be able to communicate in Thai.



The employer must have an official permission to operate commercial businesses.



The permits of the workers must specify that occupation as shop vendor.





# Types of Jobs Migrant Workers Can Perform apart from Manual Work



Migrant workers can perform as constructors, shop vendors, and jobs in the industries below.



Agriculture / Livestock /  
Fishing / Forestry



Shoe Making



Hat Making



Tailoring



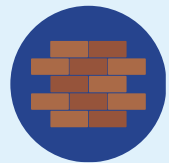
Pottery



Knife Making



Bed & Blanket  
Making



Masonry / Carpentry /  
Building Construction



To perform these work, migrant workers must have their work permits changed from manual worker first.

# Recruitment Fees and Costs for CLMV Migrant Workers Recruitment



Recruitment agencies must not charge recruitment fees in Thailand to migrant workers under the MOU.

According to Thai laws, the employer may deduct the actual recruitment expenses up to 10 per cent of the worker's monthly salary with the worker's consent for the costs that the employer has paid in advance for the worker including the passport fee, work permit fee, health check-up fee and costs incurred in the worker's country of origin.

## General Expenses for CLMV Migrant Workers in Thailand



Passport fee (subject to each country's announcement)

Work permit fee = THB1,900 for 2 years

Pink card fee = THB60

Visa fee = THB1,900 per year (Renewal can be requested 30 days prior to the expiry date.)



Health checkup fee = THB500;

Health insurance fee = THB3,200 for 2 years,  
or worker's contribution to the Social Security Fund  
equivalent to 5% of their salary each month

# Change of Employment for Migrant Workers

พ.ร.บ.  
WP.11

Work Permit



## The migrant workers must find a new employer within 30 days

The new employer must report the workers employment and deposit security. The migrant worker must report their new employment within 15 days after they start their new employment.



During the pandemic, existing-registered migrant workers are allowed to change employers within 60 days until 13 February 2023.

## Migrant workers can change employers on 6 conditions:

1. Their employer has terminated their employment or passed away.
2. Their employer has become bankrupt.
3. Their employer has abused or physically hurt them.
4. Their employer has failed to comply with the employment contract or labor protection laws.
5. They are working under conditions or working in an environment that may be harmful to them physically or mentally.
6. Their new employer has agreed to indemnify the previous employer.

# Immigration Rules: Living in Thailand as Migrant Workers from CLMV



## Migrant workers must do 90-day reporting at the Immigration Bureau

(in person notification, authorizing another person to make notification, or notification by mail).

A notification of stay for over 90 days must be made **within 15 days before or within seven days** after the due date.

**If migrant workers do the reporting after the due date**, they must do it in person and are subject to a 2,000 baht fine.

**If migrant workers are arrested**, they are subject to a 5,000 baht fine.



## If migrant workers travel to another province and stay there for over 24 hours,

they must do the reporting at the local police station **within 48 hours** after they arrive there.

## 2-year visa renewal

The visa renewal fee is **1,900 baht for one year**. Migrant workers who undergo in-country extension process are generally required to renew their visa once a year.

**If their stay exceeds the allowed period**, they are subject to a fine of 500 baht a day, but not over 20,000 baht in total.

Don't forget!

# Landlords must submit the form TM.30 (Section 38)



**It is the responsibility of the landlords who provide accommodation (house or hotel) for foreigners to report their stay in the TM30 form to an officer at the Immigration Bureau within 24 hours after the foreigners begin to stay there. If there is no Immigration Bureau in that province, they must do the reporting at the local police station.**

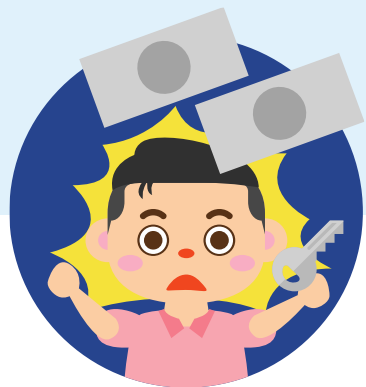


Observation:

**In the case where foreigners don't stay with their employer, it is the responsibility of the landlords who provide accommodation for the foreigners to do the reporting. In the case where employers provide accommodation for their migrant workers, they can use the proof of residential agreement for the reporting.**



**If the landlords (or employers as the landlords) fail to do the reporting, they are subject to a fine not to exceed 2,000 baht, except for the case of hotel managers, who will be subject to a fine ranging from 2,000 to 10,000 baht.**





# Access to Health Services

Thailand is a popular destination for migrant workers from neighboring countries because it is full of job opportunities and opportunities for skills development. It can also offer a chance to earn money and improve the quality of their lives. But sometimes, people get sick unexpectedly, which can put your wages and your job at risk. So how can you access health services in Thailand?



## Social Security Fund



## Workmen's Compensation Fund



## Migrant Health Insurance



# 7 Key Social Security Fund Benefits

The condition for each type of benefit depends on the duration of the contributions to the Social Security Fund.



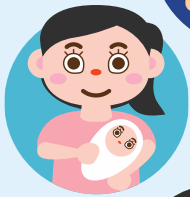
## Sickness

Condition: At least 3 months contribution to SSF within 15 months before the sickness



## Disability/Invalidity

Condition: At least 3 months contribution to SSF within 15 months before disability



## Maternity

Condition: At least 5 months contribution to SSF within 15 months before child delivery



## Child support allowance

Condition: At least 12 months contribution to SSF within 36 months



## Old age pension

Subject to the duration of contribution from the enrolled person



## Death

Condition: At least 1 month contribution to SSF within 6 months before the death and the cause of death must not be from work



## Unemployment

Condition: After 6 months contribution to SSF within 15 months before the unemployment.

# The Social Security Fund



Thailand has a social security scheme for migrant workers that offers the same benefits and protections as Thai workers. But how can we access those benefits and protections?



Present your work permit and identify document to enroll in the Social Security Fund



Your employer needs to register you for Social Security according to the Social Security Act within 30 days after your first day of work, which is specified on your work permit.



Once you're enrolled, you must contribute 5% of your monthly salary, up to a maximum 750 THB per month, to the Social Security Fund. Your employer will also contribute 5% and the Government will contribute 2.75%.



Your employer must pay their contribution to the Social Security Fund before the 15<sup>th</sup> of following month.

You can get medical treatment at the assigned hospital according to your social security card, free of charge. For emergency or accident, you can go to the nearest public hospital. However, if you go to a private hospital, you may need to make an advanced payment.

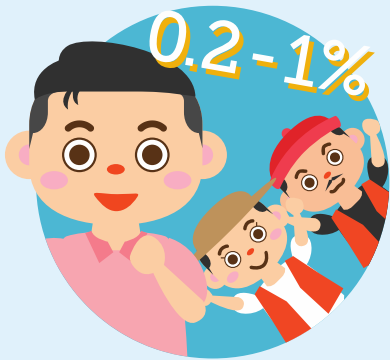




# Workmen's Compensation Fund



Instead of the Social Security Fund, migrant workers in agriculture, fisheries, forestry and livestock can also benefit from the Workmen's Compensation Fund in cases of sickness, danger from work, loss of organs, disappearance, or death as a result of work.



For this fund, your employer is required to pay contributions to the Workmen's Compensation Fund at a rate of 0.2-1% of salary, depending on the risk and type of work.



Unlike your contribution to the Social Security Fund, your employer cannot charge you or deduct your wages to cover the costs of the Workmen's Compensation Fund.

# Migrant Health Insurance



Workers in certain employment sectors are not covered by the Social Security Fund, including domestic work, and seasonal agricultural, forestry and livestock work. These workers can enroll in the Migrant Health Insurance Scheme which is managed by the Ministry of Public Health.



To enroll, you need to bring your **identity document (e.g., passport, pink card)** and **work permit** to one of the public hospitals listed in your area of residence to get a medical check and purchase your health insurance.

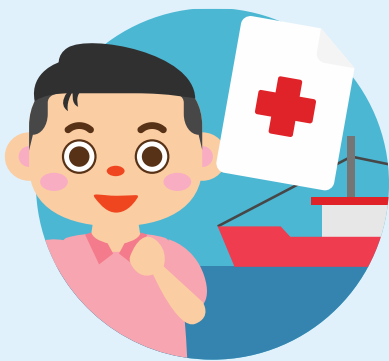


If this is the first time you have enrolled, your coverage will start within 15 days after the first insurance payment is made. However, if this is a renewal of your existing insurance, the coverage will start immediately.

When you have any question about health services or treatment, do not hesitate to ask an expert such as a doctor or hospital staff. No test result can be shared with third parties without your prior consent.



# Labour Protection in Fishing Work



If you work in the fisheries sector, you are also protected by the Labour Protection in Fishing Work Act B.E.2562 (2019). This states that the employer or vessel owner must provide insurance for the workers in case of loss of income from sickness, danger, disability or death that are not from work.



The vessel owner and the worker can have an agreement on health benefits, either to be included in the health insurance scheme under the Ministry of Public Health purchased by the employer or by registering with the Social Security Fund for additional social protection including death, unemployment and disabilities; or by insuring workers for these benefits through private insurance companies.

