



IOM International Organization for Migration

MIGRANT INFORMATION NOTE

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On 26 April 2011, the Cabinet approved the opening of a new round of registration for migrant workers from Myanmar/Burma, Cambodia and Lao PDR, as well as their children not exceeding 15 years of age. The Cabinet Resolution also included a number of additional provisions, such as the prevention and suppression of irregular migration and expediting the process of the recruitment of migrant workers from the three neighbouring countries.

This IOM Migrant Information Note examines the details of the Cabinet Resolution and specifies the procedures involved in the registration of migrant workers and their children.

CABINET RESOLUTION OF 26 APRIL 2011

The Cabinet Resolution passed on 26 April 2011 aims to solve the problems related to irregular migration. The specific measures detailed in the resolution are as follows:

- 1) Open a new round of registration for migrant workers from Myanmar/Burma, Cambodia and Lao PDR, and for dependents of migrant workers who register, not exceeding 15 years of age. The registration period will run from 15 June to 14 July 2011.
- 2) Prevent and suppress irregular migration (before, during and after registration). Migrants who “illegally” re-entered Thailand for the second time will be on a list prohibiting entry.
- 3) Speed up the process of import of migrant workers from Myanmar/Burma, Cambodia and Lao PDR under the MOUs signed between Thailand and each of these three countries.
- 4) Restructure the National Committee on Alien Workers Administration to cover all aspects of irregular labour migration. Specifically, there will be five sub-committees, namely 1) prevention of irregular migrant workers, 2) arrest and prosecution of irregular migrant workers, 3) deportation, 4) management of the system of employing irregular migrant workers (led by MOL), and 5) social aspects and quality of life of irregular migrant workers (led by MOPH). Additionally, there will be provincial sub-committees on managing irregular migrant workers.

- 5) Upgrade the Office of Foreign Workers Administration to be a department of MOL. The new department will also have provincial offices.

New round of registration for migrant workers and their dependents

The new round of registration targets two categories of migrant workers: 1) unregistered and undocumented migrant workers and 2) previously registered migrant workers who have failed to apply for work permits or have been granted work permits which have now expired. Furthermore, the new round registration of migrant workers will offer the registration of dependents of migrant workers (not exceeding 15 years of age).

In addition to regular registration procedures (see below), the new registration round for migrant workers will offer a one stop service center, which will operate only in some provinces. The one stop service center will bring together government officials from concerned agencies, namely: Provincial Employment Office, Local Registrar Office/District Registrar Office and Provincial Public Health Office, in order for them to issue appointment cards for registration to proceed.

So far 17 provinces have been confirmed as operating a one-stop service for registration:

- Bangkok
- Chainat
- Saraburi
- Sakaew
- Phetchaboon
- Khon Kaen
- Krabi
- Ranong
- Mae Hong Son
- Samut Sakorn
- Trad
- Chiang Rai
- Lampang
- Udonthani
- Phuket
- Pathumtani
- Samut Prakarn

Source: MOL (updated on 14 June 2011) Tel.02-3541731

Procedures and fees for the registration of migrant workers

For provinces which do not operate a one-stop service centre, procedures for registration will be as follows:

Step 1: The employer is to prepare all required documents and submit a request form for the employment of migrant workers to a Provincial Employment Office or

Bangkok Employment Office (area 1-10), between 15 June 2011 and 14 July 2011.

Required documents for employers:

1. An original form of request for employment of migrant workers x 2 copies.
2. An original form of request for registration of migrant workers (Tor Thor 1-น.๓.1) with 2 photos of migrant worker attached (size 1x1 inch).
3. For an individual employer – a copy of the ID and house registration of the employer.
4. For an employer who is a juristic person – a copy of a juristic person certificate.

Fee: no fee required

Step 2: The employer is to prepare all required documents and submit a request for the registration of the migrant worker to a District Registrar Office/ Local Registrar Office between 15 June 2011 and 14 July 2011.

Required Documents for employers:

1. A Tor Thor 1 form for each migrant worker (น.๓.1) with 2 photos attached (size 1x1 inch).
2. A request form to employ migrant workers received from a Provincial Employment Office (outside Bangkok) or by one of the Bangkok Employment offices (area 1-10).
3. ID of (individual) employer.
4. House registration of employer.

Fee: THB 80 required for migrant profiling

After submitting the request for the registration of migrant workers, the employer is required to contact a District Registrar Office or Local Registrar Office to set up an appointment for each migrant worker. The employer is to bring the migrant worker along to the Registrar Office for migrant profiling (photo taking and finger printing). The Tor Ror 38/1 will be given on the appointment date.

Required documents for migrant workers:

1. The original of Part 3 of the Tor Thor 1 form.

Fee: no fee required

Step 3: The employer is to prepare all required documents, set up an appointment for a health check-up and submit a health insurance application at a designated

hospital authorised by the Department of Medical Services or a Provincial Public Health Office, between 15 June 2011 and 12 September 2011.

Required Documents for employers:

1. A copy of the Tor Thor 1
2. The original of Part 3 of the Tor Thor.

Fee: THB 600 for health check-up and THB 1,300 for health insurance (one year coverage)

After the appointment has been made, the employer is responsible for bringing the migrant worker to the designated hospital on the date of appointment.

Required documents for migrant workers:

1. An appointment card issued by a designated hospital.

Fee: no fee required

Step 4: The employer is to prepare all required documents and apply for a work permit for the migrant worker at a Provincial Employment Office or Bangkok Employment Office (area 1-10), between 15 June 2011 and 12 October 2011.

Required Documents for employers:

1. A Tor Thor 8 form (a work permit application).
2. Part 3 of the Tor Thor.
2. An appointment card for a health examination.
3. For an individual employer - a copy of the employer's ID and house registration.
4. For an employer who is a juristic person – a copy of a juristic person certificate.
5. A job offer / employment certificate.
6. Map showing the work site of migrant workers.

Fee: THB 100 for a work permit request form, THB 900-1,800 for a one-year work permit. The work permit fee will vary depending on areas and industries.

Documents to be given to migrant workers: Receipt of payment for work permit application and acknowledgement of the request form, which is considered an appointment card for the employer to take the migrant worker for collecting bio-data at a Provincial Employment Office or one of the Bangkok Employment Offices (area 1-10).

After submitting a work permit application, the employer will take the migrant worker to a Provincial Employment Office or one of the Bangkok Employment offices (area 1-10), for the migrant worker's bio-data to be collected (photograph and fingerprints).

Required documents for migrant workers:

1. Receipt of the request form (Tor Thor 8) acknowledged and issued by a Provincial Employment Office or one of the Bangkok Employment Offices (area 1-10) for collecting a migrant worker's bio-data.

Fee: no fee is required

(Whilst a work permit is not yet issued, the receipt of the request form acknowledged by a Provincial Employment Office or one of the Bangkok Employment Offices (area 1-10) is considered a temporary work permit).

Step 5: The employer or migrant worker obtains a work permit issued at a Provincial Employment Office or one of the Bangkok Employment Offices (area 1-10).

Required Documents for migrant workers:

The original Tor Ror 38 and a medical certificate to submit to a Provincial Employment Office or one of the Bangkok Employment Offices (area 1-10).

Failure to do so will result in the cancellation of the migrant worker's work permit and thus the migrant worker will become unregistered.

Useful information

During the registration process

The **total fee for the whole process of registration** will be approximately THB 2,980 – 3,880. This includes the fees for: registering the profile of the migrant worker at a District Registrar Office/ Local Registrar Office, health check-up and health insurance, and the fee for work permit issuance, which varies depending on the area and the industry.

- THB 80 for registering profile of migrant worker
- THB 600 for health check-up
- THB 1,300 for health insurance
- THB 100 for work permit form
- THB 900-1,800 for work permit

The **period of registration of migrant workers in the fishing sector** will be extended as follows:

- Registering migrant workers: 15 June 2011 – 13 August 2011
- Health check-up and health insurance: 15 June 2011 – 12 October 2011
- Submitting a work permit application: 15 June 2011 – 11 November 2011

After the migrant worker has registered and been granted the Tor Ror 38/1, the employer is required to apply for a work permit on behalf of the migrant worker. Failure to do so will be considered non-compliance with the registration procedures. A migrant who is registered but does not submit a work permit application will be removed from the migrant registration system. Such migrants will then become irregular migrants working illegally in Thailand.

Post-registration Process

- The migrant worker must keep all documents such as the Tor Ror 38/1 and work permit, as these are his/her identification documents. **Migrant workers are advised to make a copy of the Tor Ror 38/1.** In the case of loss or damage of these documents, migrant workers are responsible for reporting to a government officer in order to acquire a replacement document.
- The employer must report the employment of migrant workers every three months to a Provincial Employment Office or any Bangkok Employment office (area 1-10) to monitor the movement of migrant workers.
- If a migrant worker runs away, the employer is required to report to the police within 7 days. Failure to comply with this regulation will result in the employer's quota of migrant workers being revoked.
- **A migrant worker is not allowed to travel outside the province in which she/he is registered.** Traveling outside of the province must be permitted by the Governor, except for a migrant working in the fishing industry, sea freight transportation and domestic work (as detailed in the Announcement of the Ministry of Interior).
- A migrant worker can change his/her employer but the change of employer is only permitted amongst employers within the same industry and only under specific circumstances such as:
 1. The death of the employer;
 2. The cancellation of an employment contract due to lay-offs or a business closing down;
 3. An employee is abused by the employer;
 4. Non-compliance of the employer with the Labour Protection Law;
 5. Consent of the employer to the change of employment.

The registration of migrants' children not exceeding 15 years of age

The children of migrant workers not exceeding 15 years of age are entitled to register as dependents of their migrant parents. However, this does not give them a right to work in Thailand as with registered adult migrants. The registration of children of migrant workers aims to record profiles of these children. The Thai Government has already

cooperated with the Governments of neighbouring countries (Myanmar/Burma, Cambodia and Lao PDR) to arrange a Certificate of Identity (CI) for children of migrant workers who are registered. The CI is proof of identity certifying the nationality of registered children of migrant workers by the governments of countries of origin. This will ensure that the children of migrant workers will be able to return to their home countries. In addition, the registration of children of migrant workers will provide them with a 13 digit identification number for the purposes of accessing health care and education services in Thailand.

Procedures for registering the children of migrant workers

Step 1: The employer submits a request form for an appointment to register the children of migrant workers to a District Registrar Office/Local Registrar Office/Bangkok Employment Office (area 1-10), between 15 June 2011 and 14 July 2011.

Required documents:

1. A Tor Thor 1 (form of the registration of migrant workers – there is a specific form for the registration of children of migrant workers), and 2 photos of the children of migrant workers (size 1x1 inch).

Fee: THB 80 for registering a child of a migrant worker.

Step 2: The employer takes the children of the migrant workers to their appointment at the District Registrar Office/Local Registrar Office/Bangkok Employment Office (area 1-10) for photo-taking and finger printing as part of migrant profiling. A Tor Ror 38/1 will also be given at this appointment, which will take place between 15 June 2011 and 14 July 2011.

Required documents for employers and migrant workers:

1. Part 3 of the Tor Thor 1 (form of the registration of migrant workers), authorised by a Local Registrar Office / District Registrar Office.

Fee: no fee required

Step 3: The employer submits an application form for a health check-up and health insurance for the children of migrant workers to a designated hospital between 15 June 2011 and 12 September 2011.

Required Documents:

1. The Tor Ror 38/1, provided by the Local Registrar Office/ District Registrar Office.

Fee: THB 600 for health check-up and THB 1,300 for health insurance. Health insurance is optional for children of migrant workers.

For further information, please contact a Provincial Employment Office or a Bangkok Employment Office (area 1-10)

Tak Province

Tak Provincial Employment Office (Mae Sot Branch), Tel: 055-534-639-40 (Burmese and Thai languages)

Tak Provincial Employment Office (Amphor Muang Branch), Tel: 055-5145-69/70 (Thai)

CBOs in Mae Sot District, Tak Province

- ALC 08-7732-5909 (Arakan and Burmese)
- BWN 08-9641-1187 (Burmese)
- FED 08-8158-6191 (S’Gaw Karen and Burmese)
- OIA 08-3625-1439 (Burmese)
- PKGWA 08-8905-9875 (Mon and Burmese)
- SHDA 08-8413-7400 (Burmese)
- LLC 055-535994 (Por Karen and Burmese)
- MAP 083-6210944 (Burmese)

Pha Nga and Ranong Provinces

Phanga Provincial Employment Office, Tel: 076-460-671 (Thai)

Ranong Provincial Employment Office, Tel: 077-862-026, 077-862-027 (Thai)

Alternatively, please contact concerned organisations in other provinces:

- UNIAP Hotline: 080-456-5560 (Burmese)
- HRDF (Samut Sakorn): 034-414087, 086-7560835 (Mon and Burmese)
- HRDF (Chiang Mai): 034-414087, 081-5957578 (Shan and Burmese)
- LWC (Bangkok): 081-452-7211 (Sgaw Karen, Pwo Karen and Burmese)
- MAP (Chiang Mai): 053-811202, 081-7064468

STATISTICS

- **Total number of migrants who have been recruited through MOU from October 2010 to April 2011**

Nationality	Number of workers requested by employers	Number of migrants allowed to enter Thailand for work and already received work permit
Cambodia	48,546	25,323
Lao PDR	10,159	5,325
Myanmar/Burma	16,706	800
Total	75,411	31,448

*Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.
* Figures updated as of 25 April 2010*

- **NV processing status in 2011**

Nationality	Number of migrants eligible for NV as of February 2010	Number of migrants who have completed NV as of April 2011	Number of migrants who haven't completed NV yet
Cambodian	56,479	28,738	27,741
Laotian	62,792	34,999	27,793
Myanmar/Burmese	812,984	456,258	356,726
Total	932,255	519,995	412,260

*Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.
* Figures updated as of 25 April 2011.*

- **Renewal of work permits in 2011**

Nationality	Number of migrant workers who renewed work permit Jan–Feb 2011
Cambodian	20,647
Laotian	13,549
Myanmar/Burmese	362,038
Total	396,234

*Source: Department of Employment, Ministry of Labour, Thailand.
* Figures updated as of 25 April 2011.*

The Migrant Information Note is produced by the Labour Migration Programme, IOM Thailand Office. For further information, please contact us by tel.: 02-3439300, fax: 02-3439399, or e-mail: migrantnews@iom.int

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