

Summary of preliminary guidelines for migrant worker registration 2011

Target group of registrants

Migrant workers from Myanmar, Laos and Cambodia who are working without authorization for identifiable employers and have children not exceeding 15 years of age as dependents.

Period of authorization to stay and work in Thailand

Less than 1 year

Registration steps (Preliminary)

1. Employers request quota to employ migrant workers and Tor Thor 1 form at the Department of Employment (Tentatively from 15 June to 14 July)
2. Submit quota document and Tor Thor 1 at Amphoe, Sub-Amphoe, Municipality or District office. These authorized offices then will return Section 3 of Tor Thor 1 and set up an appointment for migrant workers to take photos for registration (Fee of 80 Baht). The period of this process is tentatively from 15 June to 14 July.
3. Bring a copy of Tor Thor 1 and a section of document provided by Amphoe to make appointment at the hospital and apply for health insurance card. Fees for health check-up and insurance will be charged during this stage (Health check-up costs 600 Baht and health insurance costs 1,300 Baht). The period of this process is tentatively from 15 June to 14 July.
4. Apply for work permit by bringing section 3 of Tor Thor 1, health check-up appointment paper and other relevant documents to the area's Employment Office. The work permit fee will be charged at this stage. (The fee is between 900-1,800 Baht depending on the industry type and working area. Additionally, the form costs 100 Baht. Altogether the work permit request will cost 1,000-1,900 Baht per person.) The Employment Office then issues a proof of registration request and make appointment for the migrant workers to scan facial and fingerprint identification. This process is tentatively from 15 June to 12 October)

During the entire process, employers do not need to bring along the workers (The expense for the overall process is 2,980-3,880 Baht)

5. The migrant workers proceed for Tor Ror 38/1 at Amphoe/ District and follow the appointments as stated above including health check-up at the hospital and facial and fingerprint identification scanning at Employment Office.
6. Bring Tor Ror 38/1 and doctor certificate to be granted the work permit.

For migrant workers in open sea fishery, a special process is applied including the period of registration, employment conditions and employment area.

The Post-Registration Administration

1. Once a worker is granted with the work permit, the authority will be in accordance with provincial administration. Travelling outside of the province must be permitted by the

Governor except for open sea fishery, sea freight transportation and domestic work. (waiting to be affirmed by the Notifications of the Ministry of Interior)

2. Transferring the workers to other areas must be permitted by Employment Office and travelling outside of the province must be permitted by the Governor.
3. Employers must report the employment of migrant workers every 3 months to monitor the movement of migrant workers. In case that the workers run away, employers must notify the police within 7 days. If the employers do not comply, the employment quota will be revoked and the Department of Provincial Administration will remove the employers from database.
4. Employer names can be changed but only among those in the same industry and under specific circumstances which are;
 - The employer is deceased;
 - The employer lays off employees or goes out of business;
 - The employee is abused by employer;
 - The employer does not comply with labor protection laws or;
 - The employer approves of the change.
5. Local Administration Offices, Municipalities, Tambon Administration Office, Kamnan, Village Head and local people take part in monitoring and notifying any lead to possible fleeing and movements of illegal migrant workers in the area.

Protection and Benefits

1. To provide protection to the workers according to the laws, Department of Labor Welfare and concerned agencies verify the company sites and ensure that the benefits in health insurance and other welfares according to the laws are granted to the migrant workers.
2. Employment offices hold meetings to keep all stakeholders informed about the rights and responsibilities of employers and migrant workers along with other relevant regulations.

Administration and Restructuring of The Illegal Migrant Workers' Administration Committee (Kor Bor Ror)

1. **The central Kor Bor Ror is restructured into 5 sub-committees as follows:**
 - **Prevention and Interception Sub-Committee (Army as the main responsible agency)**
 - **Suppression, Arrest and Prosecution Sub-Committee (Police as the main responsible agency)**

- Deportation Sub-Committee (Immigration Department as the main responsible agency)
 - Employment System Management Sub-Committee (Ministry of Labor as the main responsible agency)
 - Social and Quality of Lives Sub-Committee (Ministry of Health as the main responsible agency caring for health check-up, health insurance, medical care benefits and quality of lives)
6. **Additional Sub-Committee in the provincial level is chaired by the Governor and the Provincial Employment Office acts as the secretary. The Sub-Committee defines administration, suppression, interception, social welfare and quality of lives measures, etc. in the provincial level under the authorization of sub-committees and reports to the main committee.**
 7. **Leverage the level of Alien Workers' Administration Office into a department under the Ministry of Labor with central and provincial offices. The department will have the authority in administering the illegal and legal migrant workers. Consideration in setting up the department will be given to the Ministry of Labor and the Kor Por Ror Committee.**

Phase 1: Registration of illegal migrant workers 2011 A.D.

1. Reporting number of migrants

Area's/ Provincial Employment Office (15 June – 14 July)

- Employers pick up migrant employing forms (Quotas) and Tor Thor 1

Area's/ Provincial Employment Office

- Employers submit Tor Thor 1
- The office issues written document. (Officer will return original Tor Thor 1 and a copy of migrant employing form.)

1. Fill in Quota document and Tor Thor 1
2. Attach 2 photos of migrants in section 1 and 3 of Tor Thor 1
3. Make 2 copies of Tor Thor 1
4. Make 2 copies of migrant employing form

1. Migrant employing form
2. A copy of employer's identification card and house registration
3. A copy of company registration document
4. Original of Tor Thor 1 with 2 photos of the migrants attached
5. Make 2 copies of Tor Thor 1 according to the number of registering migrants

2. Submitting Tor Thor 1 form to register migrants

Registration office (15 June – 14 July)

- Registration office receives Tor Thor 1 (Original)
- A copy of migrant employing form
- Registrar signs and stamps section 2 and 3 and return section 3 to employers.
- Make appointment for profiling and photo taking and set an 13-digit identification number. (Employers make 2 copies of Section 3 of Tor Thor 1)

1. Original of Tor Thor 1 with 2 photos of the migrants attached
2. A copy of migrant employing form
3. Employer's identification card and a copy
4. Employer's house registration and a copy
5. Fee of 80 Baht

3. Request for appointment for health check-up

Hospital (15 June-12 Sept)

- Employer bring along a copy of Tor Thor 1
 - Section 3 of Tor Thor 1
 - A copy of migrant employing form
- (Hospital officers collect health check-up and insurance fee and issue appointment paper)

1. A copy of Tor Thor 1
2. Section 3 of Tor Thor 1 and a copy
3. A copy of migrant employing form
4. Health check-up fee of 600 Baht and Health insurance of 1,300 Baht

4. Request for work permits

Area's/ Provincial Employment Office (15 June – 12 October)

- Fill in Thor Tor 8 and bring along Thor Tor 8
- Original of section 3 of Tor Thor 1 and a copy
- Health check-up appointment paper
- Employers' documents

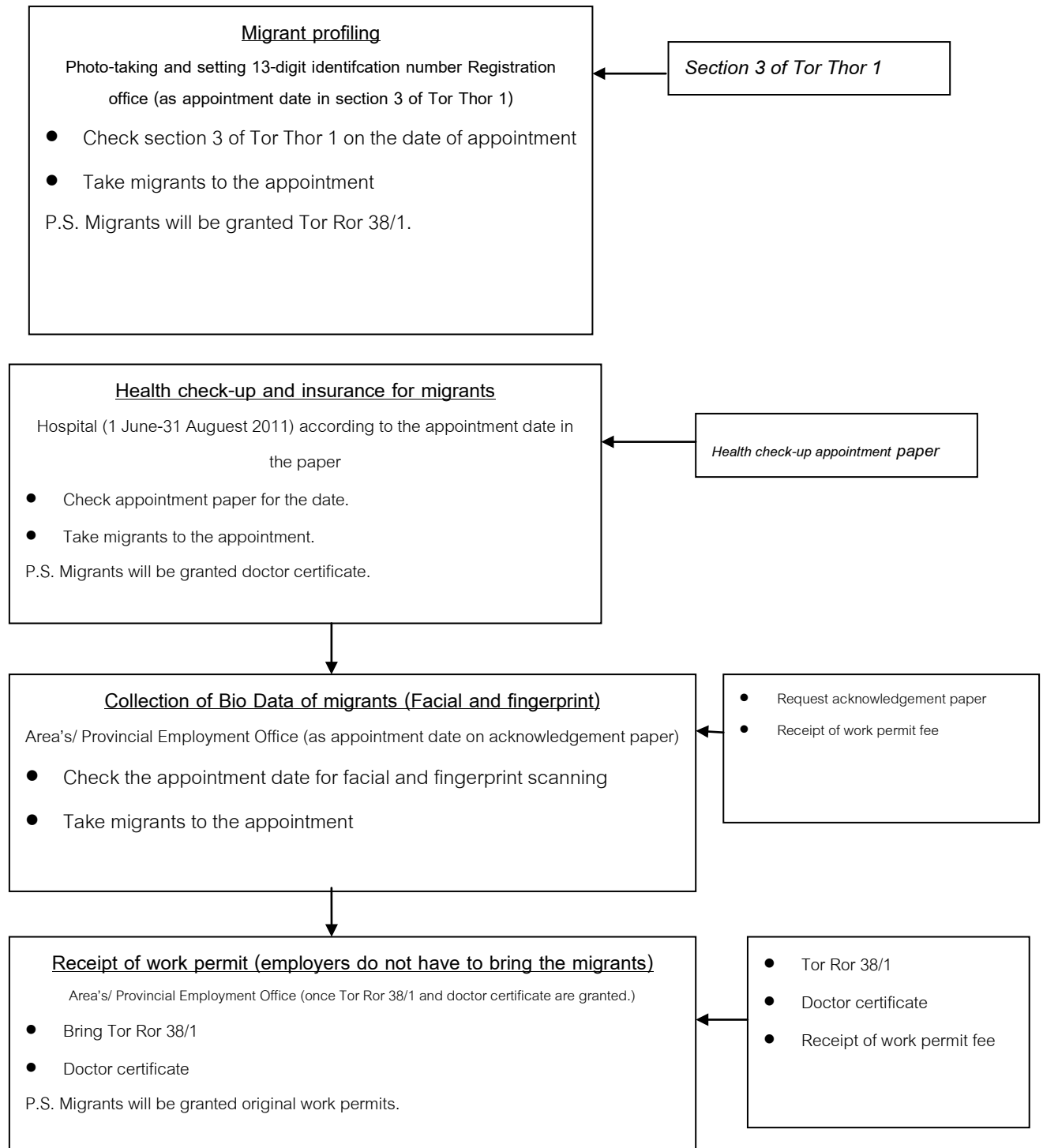
Officers

- Make consideration to issue work permits
- Collect fee
- Issue receipts and request acknowledgement paper
- Make appointment for migrants to scan facial and fingerprint identification

1. A Thor Tor 8
2. A copy of section 3 of Tor Thor 1 and original
3. Health check-up appointment paper
4. Employer's identification card and a copy
5. A map showing the work site of migrants
6. A request form costs 100 Baht
7. A fee for work permits of 900-1,800 Baht per form depending on the area and industry

Phase 2: Registration of illegal migrant workers 2011 A.D.

(After completing the first 4 steps, employers must take the migrants to go through the process as appointed.)



Remarks:

- For migrant workers in open sea fishery, a special process is applied including the period of registration, employment conditions and employment area.
- In the case of migrant workers' dependents who are children of less than 15 years of age, the process for notification and detailed documents is pending.