



IOM International Organization for Migration

MIGRANT INFORMATION NOTE

Issue # 13 – October 2011

The latest round of registration for migrant workers closed in August 2011, with a total of 1,011,443 migrant workers having registered (657,024 from Myanmar/Burma, 105,364 from Lao PDR, and 249,055 from Cambodia). Work permit applications were ongoing until 12 October 2011. In an important development, the Ministry of Labour (MOL) announced the details of a private insurance fund covering those migrant workers who registered in cases of work-related accidents or illness. The Thai Government is now in the process of negotiating with sending countries as to whether and how these migrants will go through nationality verification (NV).

This Migrant Information Note details the latest developments in policy and legislation affecting migrants in Thailand, together with updated statistics on registered, NV and MOU migrant workers.

Private insurance for migrant workers

In late June 2011, MOL issued two announcements on private insurance for migrant workers. The details are as follows:

- ☐ Private insurance is applicable to migrant workers who registered in the latest registration round only.
- ☐ MOL's announcement stipulated that if an employer does not buy the insurance and a migrant worker employee suffers any work-related accidents/ailments, the employer will be responsible for compensation equal to the benefits set forth in the Worker's Compensation Act. Therefore, the announcement clarifies that buying private insurance is optional for employers.
- ☐ The Social Security Office will oversee the payment of benefits to migrants and ensure that decisions on the benefits to be paid are made in accordance with the Worker's Compensation Act. In theory, it is guaranteed by law that migrants who are insured under this private insurance will receive benefits equal to the Act.

According to the Department of Employment's (DOE) circular letter dated 2 August 2011, the Dhipaya Insurance Company has been authorized to sell insurance to employers. The website is:

<http://www.dhipaya.co.th/insurance/insurance.asp?ID=451&idMenu=345>

About Dhipaya Insurance Company

- ☐ Address: 63/2, Rama IX Road, Huaykwang, Huaykwang, Bangkok 10310
- ☐ Tel: 02-248-0059 ext. 1202

- <http://www.dhipaya.co.th/insurance/HomeEng.aspx> (English website)

How to buy insurance

- Insurance can be bought online at the Dhipaya Insurance website. The employer must fill in the on-line form and print out a payment sheet. Then, the employer must bring the payment sheet to the “Government Savings Bank” (known in Thai as the “Om Sin” bank).
- Dhipaya Insurance will expand their services to some employment offices, allowing the employer to buy insurance at some employment offices.

Benefits of the insurance

- Compensation for work-related ailments and injuries, as guaranteed by the Worker’s Compensation Act 1994.
- Coverage period: 15 June 2011 – 14 June 2012 (1 year). The company will pay compensation retrospectively if any work-related illnesses or injuries occur during the coverage period.
- Fee: THB 500 per person per year.

Ministry of Labour drafting ministerial regulation specifying the occupations that “alien” workers (non-Thais) are allowed to perform in Thailand

Pursuant to the Working of Aliens Act 2008, the Ministry of Labour is now drafting a ministerial regulation specifying the list of occupations that regular migrants are permitted to perform. The draft regulation will specify the occupations permitted for three categories of migrants: migrant workers employed under the MOUs with Myanmar/Burma, Lao PDR and Cambodia; migrant workers who have been granted permanent residency in Thailand; and all other regular migrant workers.

Low-skilled migrants from Myanmar/Burma, Lao PDR, and Cambodia who enter and work in Thailand irregularly will not be included as a category in this ministerial regulation because a cabinet resolution is required to grant irregular migrants permission to temporarily stay and work in Thailand. Jobs that irregular migrants with temporary stay and work permits can perform are determined by Cabinet resolutions.

Expanded role for National Committee on Alien Workers Administration

The National Committee on Alien Workers Administration is now considering expanding its role to be responsible for migrant workers from all countries, not just those from Myanmar/Burma, Lao PDR and Cambodia. The Committee will operate under the purview of the Prime Minister’s Office and the National Security Council. However, this does not mean that Thailand will issue work permits to low-skilled migrant workers from countries other than Myanmar, Lao PDR and Cambodia. Rather, the Committee will be concerned with preventing low-skilled workers from other countries coming to work in Thailand irregularly.

The Committee is also investigating the possibility of delegating greater authority to provincial level. This proposal would see provincial committees established, with provincial governors acting as committee presidents. Such provincial committees would

have greater authority to decide on the employment of migrant workers at the local level. However, the proposal has not yet been approved by Cabinet.

Myanmar/Burmese Deputy Labour Minister discusses protection of Myanmar/Burmese migrants in Thailand with Thai Minister of Labour

On October 12, 2011, a Myanmar/Burma delegation led by Mr. U Myint Thein, the Deputy Minister of Labour, met with Mr. Phadoemchai Sasomsap, the Thai Minister of Labour in Bangkok. A range of issues were discussed as follows:

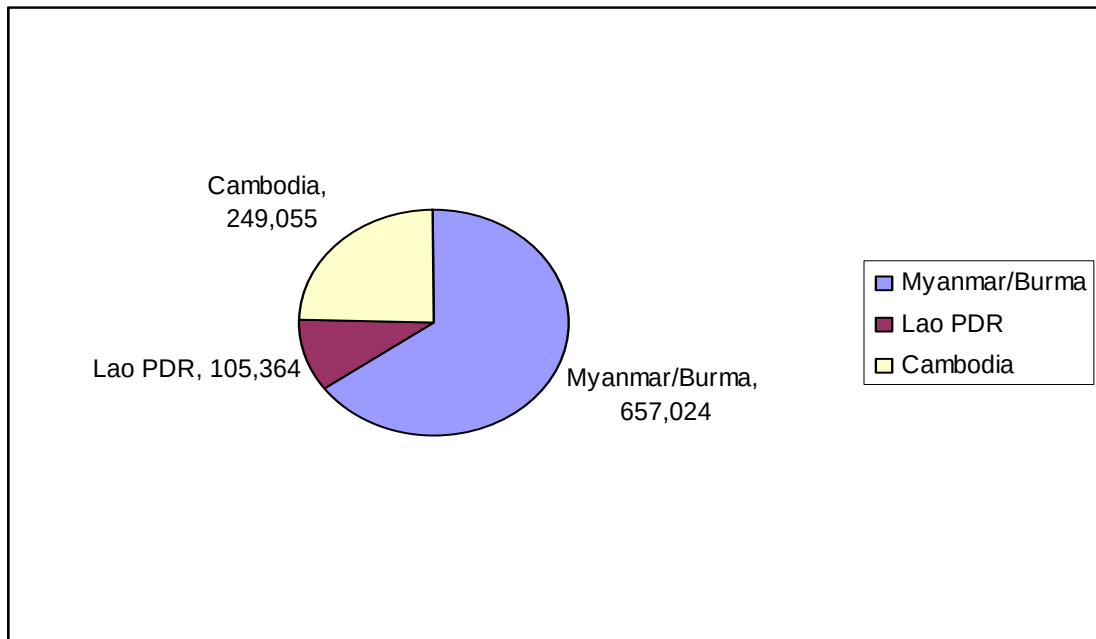
- Myanmar/Burma requested Thailand open a new round of registration for migrant workers to enable those migrant workers who remain unregistered or are smuggled into Thailand to register and request work permits. The Myanmar/Burma delegation considered previous timelines for migrant registration too short to enable the comprehensive registration and management of irregular migrants in Thailand, and expressed concern that there are clearly many Myanmar/Burmese migrants in Thailand who remain unregistered.
- Myanmar/Burma's Deputy Labour Minister suggested a Labour Attaché be brought into Thailand and attached to the Myanmar/Burmese Embassy in Bangkok. The Labour Attaché would have the role of assisting and protecting Myanmar/Burmese migrants working in Thailand, and ensuring that these workers are treated equally to Thai workers and receive their rights in accordance with Thai labour law.
- The Myanmar/Burma Deputy Minister also proposed the establishment of nationality verification (NV) centres in central regions of Thailand, for example in Bangkok or its perimeter, where many Myanmar/Burmese migrant workers reside. This would save transportation costs for Myanmar/Burmese workers who otherwise have to travel to NV centres in Ranong and Mae Sai. The Myanmar/Burma government is also willing to send five teams to Thailand to the proposed NV centres to install an online shared data system between Myanmar/Burma and Thailand in order to reduce working procedures and time.
- The Myanmar/Burmese delegation also emphasized that Thai employers should be responsible for the Social Security contributions of Myanmar/Burmese workers who have passed NV and are legally employed. The Thai side acknowledged this request and explained that social security benefits will be accorded to migrant workers in accordance with Thai law.
- The different suggestions put forward by the Myanmar/Burmese delegation were considered by the Minister of Labour to be beyond the Ministry's decision-making powers alone. The issues raised will need to be discussed with all agencies party to the National Committee on Alien Workers Administration, in particular the National Security Council and the Ministry of Foreign Affairs, and decisions must receive approval from all involved authorities.

STATISTICS

**Number of migrant workers for whom employers have submitted registration documents:
15 June 2011 to 15 September 2011**

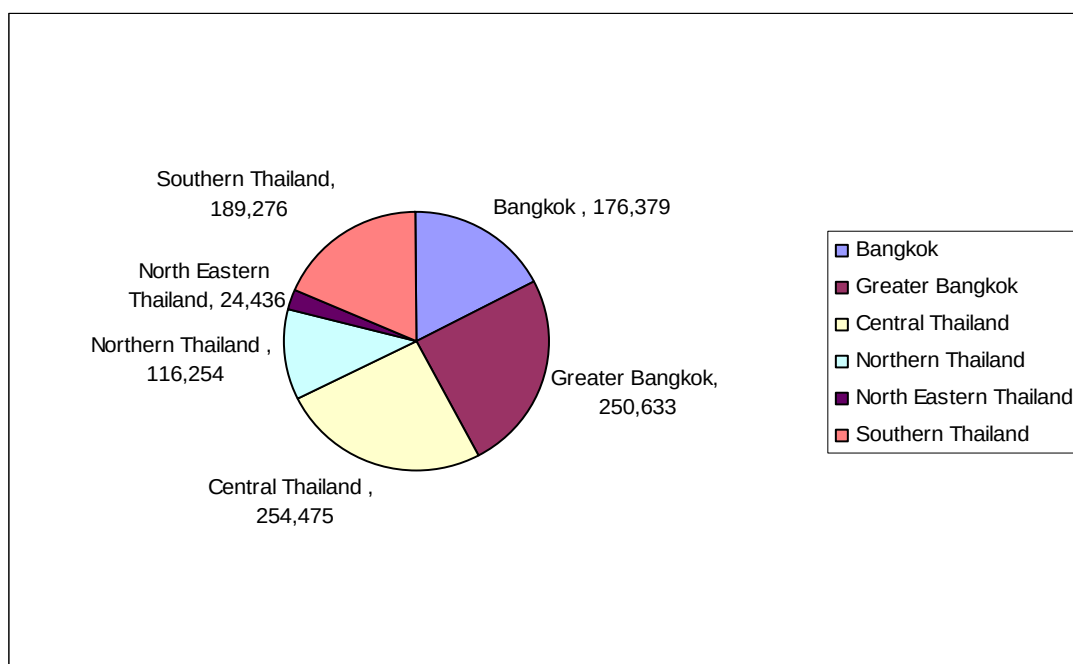
By nationality

Myanmar/Burma	Lao PDR	Cambodia
657,024	105,364	249,055



By area

Bangkok	176,379
Greater Bangkok	250,633
Central Thailand	254,475
Northern Thailand	116,254
North Eastern Thailand	24,436
Southern Thailand	189,276



Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand

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

Nationality	Number of workers granted permission to work in Thailand
Cambodia	44,953
Lao PDR	8,532
Myanmar/Burma	5,420
Total	58,905

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.

* Figures updated as of August 2011

- **NV processing status in 2011**

Nationality	Number of migrants eligible for NV as of February 2010	Number of migrants who have completed NV March 2010 – August 2011	Number of migrants who haven't yet completed NV
Cambodian	56,479	29,872	26,607
Laotian	62,792	34,999	27,793
Myanmar/Burmese	812,984	494,944	318,040
Total	932,255	559,815	372,440

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.

* Figures updated as of August 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

The Migrant Information Note is available online at

http://203.155.51.53/iomthailand/index.php?option=com_docman&task=doc_details&gid=58&Itemid=4