



LABOUR RIGHTS IN THAILAND

Decent Work, Living Wages and Social Protection for All Workers

Brief Assessment of the Implementation of the 3rd Cycle UPR Recommendations

Thailand's labour force comprises approximately 40.1 million workers, of whom only 47.7% are in formal employment while over 52.3% are engaged in informal work without full access to labour protections and social security. WIEGO data for 2024 confirms that at the national level, informal employment reached 65% of total employment. Women constitute approximately 10 million out of 20 million independent workers in the informal economy. This factsheet focuses on the structural labour framework applicable to Thai formal and informal workers. For migrant workers, whose residence status is tied to employment and who face distinct legal, administrative and structural barriers, please refer to the companion factsheet on the Rights of Migrant Workers in Thailand.

During the 3rd UPR cycle in November 2021, Thailand received at least twenty recommendations related to labour and workers' rights, of which seventeen were supported. Key recommendations remain unimplemented: ratifying ILO Convention No. 87 (Freedom of Association), ILO Convention No. 98 (Collective Bargaining), ILO Convention No. 131 (Minimum Wage Fixing), ILO Convention No. 183 (Maternity Protection) and ILO Convention No. 189 (Domestic Workers). The National Action Plan on Business and Human Rights (2019-2022) has expired without producing effective outcomes for informal workers, and the second-generation NAP-BHR remains stalled. The Draft Act on Promotion and Development of the Quality of Life of Informal Workers has yet to be enacted.

This assessment shows that Thailand has partially implemented a small number of 3rd cycle recommendations and persistently failed to implement most. The 2025 amendments to the Labour Protection Act extended maternity leave from 98 to 120 days and introduced 15 days of paid paternity leave (effective 7 December 2025) and one day of menstrual leave, but informal workers remain excluded. The mandatory Employee Welfare Fund contribution scheme, delayed from October 2025, is due to commence on 1 October 2026 for employers with 10+ formal employees. On the ground, formal workers continue to face wage theft and misuse of bankruptcy procedures; 21 million informal workers (65% of employment nationally) remain structurally excluded from equal social protection; and sex work remains criminalised despite the CEDAW Committee Concluding Observations to Thailand (2025) calling for its decriminalisation. (For the specific situation of Indigenous workers, please refer to the companion factsheet on Indigenous Peoples' Rights; for people living with HIV and people who use drugs in employment, see the companion factsheet on the Rights of PLHIV and PWUD.)

21 MILLION
informal workers
around 65% of employment nationally
remain structurally excluded from equal social protection

5 KEY ILO CONVENTIONS
still not ratified

- Freedom of Association
- Collective Bargaining
- Minimum Wage Fixing
- Maternity Protection
- Domestic Workers



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Challenge 1: Non-ratification of core international labour standards and structurally unequal domestic framework

Thailand is a State party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) but has not ratified core international labour standards essential to equal labour protection:

The Thai labour movement has campaigned for ratification of ILO 87 and 98 for over three decades. The ILO 87-98 Driving Network, a coalition of 26 labour organisations led by IndustriALL Global Union affiliates in Thailand, has escalated its campaign for ratification.

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ILO Convention No. 87 (Freedom of Association); ILO Convention No. 98 (Collective Bargaining); ILO Convention No. 131 (Minimum Wage Fixing); ILO Convention No. 183 (Maternity Protection); and ILO Convention No. 189 (Domestic Workers).

The domestic legal framework is fragmented and provides unequal levels of protection depending on workers' status:

- the Labour Protection Act B.E. 2541 (1998) regulates wages, working conditions and termination for formal workers only;
- the Social Security Act B.E. 2533 (1990) creates a two-tier system between Section 33 (mandatory, formal) and Section 40 (voluntary, informal, inferior benefits);
- the Labour Relations Act B.E. 2518 (1975) governs trade unions but excludes several worker categories from leadership; and
- the Bankruptcy Act B.E. 2483 (1940) prioritizes secured creditors over workers.

Under Section 88 of the Labour Relations Act, only Thai nationals may register as founders of a trade union, a restriction that excludes migrant workers from union leadership. (See the companion factsheet on the Rights of Migrant Workers for the migrant-specific dimensions of this restriction.)

Case, Facts, and Comments

On 22 October 2025, network representatives noted that the Ministry of Labour has repeatedly cited political transitions and concerns over labour unrest as reasons for delay. Successive government-commissioned “feasibility studies” since at least 2012, most recently the tripartite committee established in 2023, have produced no fixed ratification date. The coalition is now pressing for ILO 87 and 98 ratification to be included as a prerequisite for the EU-Thailand Free Trade Agreement.

CEDAW (2025) urged expansion of labour protection to all workers.

In its 2025 Concluding Observations (para 39(b)-(c)), the CEDAW Committee called for expansion of labour and social protection to all workers, particularly women in informal employment, domestic workers, and migrant workers, and for the ratification of ILO 189.

Platform workers excluded by legal classification.

Platform workers in Thailand are classified as “independent workers”, excluding them from protection under labour laws. They are not entitled to basic rights such as minimum wage, rest days, or occupational injury protection. Despite being labelled as “partners”, platform companies exercise significant control over working conditions through algorithmic systems, penalties and account deactivation, resembling an employer-employee relationship without corresponding legal responsibilities. Platform workers cannot form labour unions under current law.

Challenge 2: Weak enforcement, wage theft, and misuse of bankruptcy and rehabilitation procedures against formal workers

Whilst the Labour Protection Act B.E. 2541 (1998) provides legal protection for formal workers, significant gaps in enforcement and legal design undermine these protections in practice. In cases involving manufacturing companies in industrial areas such as Samut Prakan and Chonburi, hundreds of workers were dismissed without receiving legally mandated compensation after employers entered rehabilitation proceedings.

Under Section 130 of the Bankruptcy Act B.E. 2483 (1940), secured creditors are given priority in the distribution of a bankrupt company's assets. When company assets are sold during bankruptcy proceedings, most proceeds may be used to repay secured creditors first, leaving little or no funds for workers' wages or severance. Employers sometimes misuse bankruptcy procedures by transferring assets before filing, making the company appear unable to pay wages or severance.

The Labour Protection Act (No. 9) B.E. 2568 (2025), which entered into force on 7 December 2025, extended maternity leave from 98 to 120 days (60 days fully paid), introduced 15 days of paid paternity leave, 15 days of additional childcare leave at 50% wage for newborns with health complications, and one day of menstrual leave per cycle. However, these gains do not apply to informal or independent workers (see Challenge 3).

The mandatory Employee Welfare Fund contribution scheme, established under Section 126 of the Labour Protection Act, was postponed from 1 October 2025 to 1 October 2026 by Cabinet decision on 26 August 2025. It applies only to employers with 10 or more employees.

One case: 350 to 400 workers dismissed, owed 70 million baht in compensation, receiving 500 baht per month five years later.

In one representative case, approximately 350 to 400 workers were dismissed and owed around 70 million baht in compensation, but the debt was placed into the company's rehabilitation plan, delaying payment indefinitely. More than five years after dismissal, workers have not received legally mandated compensation and have only been given about 500 baht per month, far below what is required and insufficient for basic living expenses.

Forced “voluntary resignation” schemes to avoid severance.

Some employers pressure workers to resign with promises of higher-than-statutory compensation. These promises are often unfulfilled, leaving workers without legal protection or income.

Minimum wage held at THB 337-400 through 2025 and 2026.

Effective 1 July 2025, minimum daily wage rates range from THB 337 to THB 400 depending on province, with Bangkok added to the top tier alongside Phuket, Chonburi, Rayong, Chachoengsao and Koh Samui. The THB 400 rate also applies nationwide to Category 2-4 hotels and licensed entertainment venues. The THB 600 target by 2027 is politically stated but structurally uncertain. Rates were reconfirmed under Notification No. 14 effective 1 July 2026. In practice, wages remain insufficient against 2022 inflation of 6% and rising costs.

CEDAW (2025) on gender pay gaps.

The CEDAW Committee (2025) highlighted persistent gender pay gaps and unequal working conditions affecting women workers, particularly in low-paid sectors.



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Challenge 3: Structural exclusion of informal workers, home-based workers and care workers, and disproportionate impact on women

Recent OECD data (2025) indicates that out of approximately 40.1 million workers nationwide, 52.3% are engaged in informal employment. National Statistical Office data shows informal workers number over 21 million people, exceeding the formal workforce.

WIEGO data for 2024 shows that at the national level informal employment reached 65% of total employment. Informality is highest in the Northeast (over 75% of the workforce) and North (nearly 70%). Informal workers constitute approximately 42% of the workforce in Bangkok.



Women home-based workers in Nong Chok produce goods from their homes while organising for recognition, labour protection and social security.

SOURCE: HomeNet Thailand (2024)

Thailand has adopted limited legislation addressing informal workers, most notably the Home Workers Protection Act B.E. 2553 (2010). This law was the result of long-standing advocacy by informal worker networks, including HomeNet Thailand, and formally recognises home-based workers by providing protections such as wage guarantees and equal treatment. However, more than a decade after its adoption, the law remains largely ineffective in practice. Key limitations include:

- the absence of secondary legislation on piece-rate wages,
- weak enforcement mechanisms,
- limited labour inspection capacity, particularly for home-based workplaces,
- lack of integration with broader social security systems.

The Ministry of Labour's Regulation No. 14 of 2012 does not ensure protection in terms of maternity leave, working hours, overtime, or minimum wage.

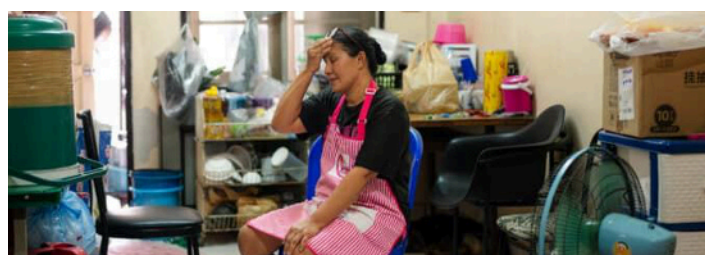
Under Section 40 of the Social Security Act, informal workers may voluntarily enrol but the scheme requires individual contributions and provides only limited benefits, particularly for maternity protection, unemployment benefits and long-term social security. This creates a two-tier system where informal workers are formally recognised but substantively excluded.

10 MILLION WOMEN
work in Thailand's informal economy

Ten million women workers in the informal economy remain excluded from equal maternity protection. Thailand has approximately 20 million independent workers not covered by the Social Security Fund, of whom approximately 10 million are women. The 2025 Labour Protection Act amendments (120-day maternity leave, 60 days full pay) do not automatically apply to informal workers under Section 40. The CEDAW Committee (2025) noted that women in the informal economy are not adequately protected from dismissal during pregnancy.

Unpaid care work: 13 million elderly, 2-2.5 hours daily by women.

Thailand's ageing population of around 13 million elderly is largely served by unpaid family caregivers, mainly women, who spend 2 to 2.5 hours daily on elder care. The Ministry of Public Health's caregiver certification scheme provides a monthly allowance of THB 2,000 for certified caregivers of bedridden patients, but home-based workers who also perform care duties are excluded because they cannot meet the 180-hour training requirement.



Chaninporn Duangnguen, a market trader, takes shelter from the heat inside her home in Bangkok, Thailand

SOURCE: Chanakarn Laosarakham / WIEGO (2025)

Extreme heat and climate impacts on informal workers.

WIEGO and HomeNet Thailand research based on over 1,000 workers found that 78% of vendors and 81% of home-based workers had to reduce working hours because of heat; 73% of vendors and 80% of home-based workers reported heat-related illness; 53% of vendors and 67% of home-based workers required medical attention; and 95% of vendors and 88% of home-based workers reported additional costs to stay cool.

Street vendors: 16,200 THB monthly income, borrowing at 20% monthly interest.

A typical street vendor earns approximately 16,200 THB per month. Nearly half of vendors report borrowing money, often through informal lenders charging interest rates of up to 20% per month.



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Challenge 4: Gaps in business and human rights, cross-cutting discrimination, and absence of comprehensive anti-discrimination law

Thailand is drafting the Act on the Promotion of Responsible Business Conduct which would impose mandatory human rights and environmental due diligence obligations.

The 2025 draft was not publicly shared and affected communities including workers were not invited to participate in early consultations held in 2025. The draft framework does not adequately ensure meaningful participation of workers and affected communities in due diligence processes, including risk assessment, monitoring and remediation.

The absence of a comprehensive anti-discrimination law leaves workers unprotected against intersectional discrimination based on sex, gender, national origin, ethnicity, health status, HIV status, sexual orientation, gender identity, disability and age.

The Gender Equality Act B.E. 2558 (2015) applies only to gender-based discrimination and Section 17(2) allows exceptions on grounds of religion, national security or public safety.

HIV infection is classified as a prohibited condition for police service under the Regulation of the Police Commission on Qualifications and Prohibited Characteristics for Appointment as a Police Officer B.E. 2566 (2023), Clause 2(14).

Documented workplace discrimination on grounds of HIV status.

A woman living with HIV was denied employment despite meeting all qualifications, successfully passing the recruitment examination and interview, and being instructed to report for work as a temporary (daily) employee. She was later informed that she had failed the medical examination due to her HIV status. An LGBTQ+ person living with HIV was suspended and effectively dismissed from a company where they had worked for seven years after their HIV status was discovered. A girl without civil registration status and living with HIV was denied admission or asked to withdraw from four schools.

CEDAW (2025) on intersecting discrimination.

The CEDAW Committee (2025) emphasised the need to address intersecting forms of discrimination affecting women, including migrant women, rural women and women in informal employment.



Labour shortage of 400,000+ workers due to the Thailand-Cambodia border conflict.

The Thailand-Cambodia border conflict and checkpoint closures have caused a severe labour shortage in agriculture and fisheries. Government policies have not been flexible enough to extend deadlines or provide relaxation measures for workers under Section 64 or other temporary exemption groups, resulting in a sudden labour shortage of more than 400,000 workers.



Challenge 5: Criminalisation of sex work as labour and denial of labour rights to sex workers

Sex work remains criminalised under the Prevention and Suppression of Prostitution Act B.E. 2539 (1996), depriving an estimated one million sex workers of labour protections. Sex workers are excluded from the Labour Protection Act, Social Security Act, and Workers' Compensation Act, and cannot form or join trade unions in relation to their work.

Criminalisation exposes sex workers to police harassment, arbitrary arrest, extortion and violence, and prevents them from accessing effective remedies for labour rights violations.

On 28 May 2026, the Empower Foundation submitted a draft Sex Service Provider Protection Act to the House of Representatives, backed by MPs from the People's Party and Pheu Thai Party. The bill would repeal the 1996 Act and recognise sex workers as legitimate workers, entitling them to labour protections, social security benefits, and safe working conditions equivalent to other recognised professions.

In July 2026, Parliament voted 17-6 to classify the bill as a financial bill, placing its future in the hands of Prime Minister Anutin Charnvirakul. Rights groups and opposition MPs have warned that this could stall the reform indefinitely without ever reaching a House debate.

CEDAW Committee (2025) on decriminalisation.

The CEDAW Committee (2025) called for decriminalisation of sex work and for access to labour protections, social security, and protection from violence and exploitation.

Estimated one million sex workers denied labour protections.

Empower Foundation estimates approximately one million sex workers nationwide, based on Ministry of Interior figures of more than 10,000 registered entertainment establishments. Bringing sex workers into the formal labour system would strengthen the contribution base of the Social Security Fund rather than weaken it. Under the current framework, sex workers cannot claim severance, unemployment benefits, maternity protection, or unionise.

OHCHR and civil society call for immediate reform.

The Human Rights Research Center and multiple UN human rights mechanisms have called on the Thai government to endorse and pass the Sex Service Provider Protection Act. Advocacy groups underscore that criminalisation drives sex workers underground, makes them vulnerable to exploitation by police, traffickers and clients, and denies them the labour rights afforded to workers in other sectors.



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On 5 August 2026, the Cabinet acknowledged the CEDAW Committee's concluding observations (2025), and approved a proposal by the Ministry of Social Development and Human Security directing relevant State agencies to expedite implementation of priority recommendations, including the decriminalisation of women engaged in sex work to protect them from stigma and measures for those wishing to change occupations. Despite this explicit commitment, the 1996 Act remains in force and comprehensive legislative reform has yet to be completed.



RECOMMENDATIONS



1. On Challenge 1: Non-ratification of core international labour standards and structurally unequal domestic framework

1.1

Ratify ILO Convention No. 87 (Freedom of Association) and ILO Convention No. 98 (Collective Bargaining) simultaneously, and set a fixed public ratification date rather than continuing successive “feasibility studies”, as consistently demanded by the ILO 87-98 Driving Network of 26 Thai labour organisations.

1.2

Ratify ILO Convention No. 131 (Minimum Wage Fixing), ILO Convention No. 183 (Maternity Protection), and ILO Convention No. 189 (Domestic Workers), as called for by the 2025 CEDAW Concluding Observations.

1.3

Amend the Labour Relations Act B.E. 2518 (1975) to guarantee the right to form and lead trade unions for all workers, including through the amendment of Section 88 addressed in the companion Migrant Workers factsheet.

1.4

Enact the Draft Act on Promotion and Development of the Quality of Life of Informal Workers, and reform the legal classification of platform workers to guarantee them access to labour law protections including minimum wage, rest days, occupational injury protection, and the right to form unions.

1.5

Reform Section 40 of the Social Security Act B.E. 2533 to ensure informal workers receive benefits equivalent to Section 33.



2. On Challenge 2: Ensure effective enforcement, access to justice and adequate remedies for formal workers

2.1

Reform the Bankruptcy Act B.E. 2483 (1940), including Section 130, to prioritise workers' claims for wages and severance over secured creditors, and prevent misuse of rehabilitation procedures to avoid compensation.

2.2

Establish a Workers' Compensation Guarantee Fund to ensure immediate payment of wages and severance in cases of company closure or insolvency, addressing cases such as the 350-400 workers still receiving only THB 500 per month five years after dismissal.



RECOMMENDATIONS

2.3

Strengthen enforcement mechanisms to prevent forced resignations, wage theft and delayed compensation, in line with Supreme Court Decision No. 22326-22404/2555, and increase Labour Court capacity and legal aid access for collective claims.

2.4

Raise the minimum daily wage to a genuine living wage in line with cost-of-living data, with a clear public timeline for the government's stated THB 600 target, and ensure enforcement in all provinces and sectors, including against subcontracting arrangements.

2.5

Ensure that the Employee Welfare Fund contribution scheme entering into force on 1 October 2026 is not further postponed, and extend its coverage to employers with fewer than 10 employees and to informal workers.



3. On Challenge 3: Expand labour rights and social protection to informal workers, especially women

3.1

In line with the 2025 CEDAW Concluding Observations (para 39(b)-(c)), extend full labour protections and social security coverage to the 21 million workers in the informal economy, including the 10 million women workers in the informal economy.

3.2

Extend the 2025 amendments to the Labour Protection Act, including 120-day maternity leave, paid paternity leave and menstrual leave, to informal workers, through parallel legislative action.

3.3

Adopt piece-rate wage standards and improve labour inspection adapted to home-based work under the Home Workers Protection Act B.E. 2553 (2010), and revise the Ministry of Labour's Regulation No. 14 of 2012 to guarantee maternity leave, regulated working hours, overtime and minimum wage protection for home workers.

3.4

Recognise and support unpaid care work, including by expanding caregiver allowances, introducing flexible certification pathways that do not require the 180-hour training requirement, and integrating care work into social protection systems.

3.5

Integrate climate-related occupational risks into labour and public health frameworks, ensuring rights-based protection for informal workers exposed to extreme heat and environmental hazards, in line with WIEGO and HomeNet Thailand findings that up to 88% of home-based workers face additional costs to stay cool.



4. On Challenge 4: Close business and human rights gaps and adopt comprehensive anti-discrimination law

4.1

Ensure that the Act on the Promotion of Responsible Business Conduct guarantees meaningful participation of workers, women, informal workers and affected communities in mandatory human rights and environmental due diligence processes, including risk assessment, monitoring and remediation, and covers transboundary supply chains.



RECOMMENDATIONS

- 4.2 | Adopt a comprehensive anti-discrimination law covering employment discrimination on all grounds, including sex, gender, HIV status, sexual orientation, gender identity, disability, national origin, ethnicity and age.
- 4.3 | Amend Section 17(2) of the Gender Equality Act B.E. 2558 (2015) to remove the exception on grounds of religion, national security or public safety, and repeal the 2023 Police Commission Regulation classifying HIV as a prohibited condition for appointment.
- 4.4 | Adopt targeted measures to address intersecting forms of discrimination affecting women workers, particularly rural women, Indigenous women, women in informal employment and women living with HIV, and integrate a gender-responsive worker-centred approach in climate, labour and economic policies.
- 4.5 | Adopt flexible measures for Section 64 border-area workers and other temporary exemption groups to address the 400,000-worker labour shortage in agriculture and fisheries caused by the Thailand-Cambodia border conflict.



5. On Challenge 5: Decriminalise sex work and extend labour rights to sex workers

- 5.1 | In line with the 2025 CEDAW Concluding Observations, endorse and pass the Sex Service Provider Protection Act submitted to Parliament by the Empower Foundation on 28 May 2026, without allowing the July 2026 procedural classification as a “financial bill” to stall the reform indefinitely.
- 5.2 | Repeal the Prevention and Suppression of Prostitution Act B.E. 2539 (1996) and recognise sex work as legitimate labour, entitling sex workers to labour protections, social security benefits, and safe working conditions equivalent to other recognised professions.
- 5.3 | Ensure that sex workers have access to the Labour Protection Act, Social Security Act (Sections 33 and 40), Workers’ Compensation Act, and to the right to form and join trade unions and collectively bargain, with anti-discrimination protection specifically covering criminal record for sex work.
- 5.4 | End police harassment, arbitrary arrest, extortion and violence against sex workers pending full decriminalisation, and provide effective remedies for sex workers who have experienced abuse.
- 5.5 | Ensure that any legislative reform on sex work is developed in consultation with and with the meaningful participation of sex workers themselves, including the Empower Foundation and other sex worker-led organisations.



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NOTES