

Maternity Protection



IN THAILAND

MATERNITY PROTECTION SHOULD COVER:

Maternity, paternity and parental leaves

Cash and medical benefits

Health protection at the workplace
for mothers and their children during pregnancy and during breastfeeding

Employment protection and non-discrimination

Breastfeeding arrangements and nursing facilities

Reproductive healthcare
for all women and men during the reproductive age



MATERNITY



PROTECTION

ensures income security for pregnant women and mothers of new-born children and their families

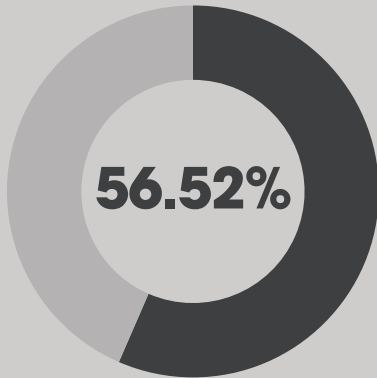
ensures effective access to quality maternal and child health care

promotes equality in employment and occupation

contributes to better redistribution of childcare responsibilities

OVERALL PICTURE

Labour force
(2020): **39,450,000**



OF THE POPULATION
(69,799,978)

Illiterate population
rate in Thailand:

6.1% (2021)

Informal workers:
19.6 MILLION (2021)

52%
of the workforce

Maternal
mortality ratio
(deaths per 100,000 live births):

37
(2017)

Unemployment
rate:

1.49 (2020)

Infant mortality
rate:



6.882

1,000
(A 3.07% DECLINE
FROM 2021)

THE GAPS

Formal Workers



313-336 BAHT
(10.03-10.77 US\$/DAY)
(May 4, 2021)

Informal workers



In case of the same work,
home workers must receive
THE SAME WAGE
as workers in the factories.
(Home Workers Protection Act. B.E. 2553)



However, other
informal groups are
EXCLUDED
from the Minimum
wages policies.

The Minimum Income must be

THB 7,194
(USD 218)

/person/month (in the family with two generation)
(Thailand Development Research Institute)

The poverty line income is less than

THB 3,000
(USD 90)

/person/month

Minimum Wage

Minimum Income

International Standard

At least

98 DAYS

(ILO Maternity Protection Convention 2000 No. 183)

At least

126 DAYS

(ILO Maternity Protection Recommendation 2000 No. 191)

At least

2/3

of the woman's earnings before taking leave (Convention No. 183)

Encourage

100%

of previous earnings (Recommendation No. 191)

Formal Workers

98 DAYS

of maternity leave with pay (**government & state enterprise officers**) (Jan 11, 2022)

90 DAYS

of maternity leave with pay (**other formal workers**)

30 DAYS

of paternity leave (15 days with pay) (**government & state enterprise officers**)

15,000 THB
(451 USD)

per time for birth giving as flat rate

50%

of the salary (the highest rate of the salary is 15,000 THB (451 USD))

Total pays for 5 stages of the antenatal care not more than

1,500 THB
(45 USD)

800 THB
(24.24 USD)

/month/child for child allowance of age 0-6-year-old (not more than 3 children/time)

Informal Workers

Agricultural women workers have a right to have the maternity leave for not more than

98 DAYS

Other informal workers groups (domestic workers, homebased workers,...)

HAVE NO MATERNITY LEAVE.



600 THB
(18.18 USD)

/month/child for child allowance of age 0-6 (for those whose annual income is not more than THB 100,000 (USD 3,030))

200 THB
(6.06 USD)

/month/child for child allowance of age 0-6 (for those who is under Social Security Scheme Art. 40 (Option 3, who pay THB 300 (USD 9.01) monthly for the contribution))

Medical benefit is free of charge under Universal Healthcare Coverage.



SPECIAL WORKPLACE PROTECTION IS REQUIRED:

prohibits night work, overtime and work prejudicial to the health of mother and child



Prohibits pregnant women from night work (22:00-06:00), overtime, work on holidays and other work prejudicial to the health of them



Pregnant women have a right to ask employers for changing their work during their pregnancy (requiring medical certificate)

PROHIBIT

Agricultural woman workers from:

- work during 24:00-06:00
- work with machines/vibrating engines
- carrying/dragging/leading/carting things over 15 kg

Construction woman workers from:

- underground, under water in tunnels, on scaffolds, etc. work
- work with machines/vibrating engines
- carrying/dragging/leading/carting things over 15 kg

Other groups of informal workers (domestic workers, homebased workers, etc.) **are not protected.**

Pregnant women and young mothers are **LEGALLY GUARANTEED** that they will not lose their jobs

as a result of pregnancy, absence on maternity leave or the birth of a child.



PROHIBIT

employers from dismissing any women due to their pregnancy

IN AGRICULTURAL SECTOR:

- Prohibit the termination of women workers due to their pregnancy
- Equal employment between men and women
- Prohibit sexual harassment

(Ministerial Regulation for Agricultural Workers Protection B.E. 2547 (2004) and Ministerial Regulation No. 14 for Domestic Workers Protection)

No law/regulation protecting other groups of informal workers

Maternity, paternity and parental leaves

Cash and medical benefit

Health protection at the workplace for mothers and their children during pregnancy and during breastfeeding

Employment protection and non discrimination

International Standard



Women shall have the right to one or more daily breaks or a daily reduction of hours of work for breastfeeding.

Formal & Informal Workers



Employees' breastfeeding rights are **NOT PROVIDED** under the Labour Protection Act B.E. 2541.

International Standard



the safeguarding of the function of reproduction for both women and men



appropriate reproductive services and healthcare especially in connection with pregnancy, confinement and the post-natal period



reproductive choice in abortion and family planning



available and accessible information

Formal Workers



The Bureau of Reproductive Health, Department of Health, Ministry of Public Health

IS RESPONSIBLE

for reproductive healthcare for all women and men during reproductive age. ((Social Security Scheme Art. 33)

Informal Workers



are

PROTECTED

through Universal Healthcare Coverage (UHC) and Social Security Art. 39

Pregnant women with less than 20 months conceptual age **have right to do abortion.**

RECOMMENDATIONS

1

All workers, formal or informal, regardless of their nationality, gender and immigration status should be protected by the Labor Protection Act.

2

All Social Protection Schemes should be "universal".

3

All women both formal and informal workers, regardless of their nationality and immigration status must be equal to get maternity protection.

4

Quality on healthcare services of the government hospital should be developed in term of being friendly, non-discrimination, time management, and quality of medicine, etc.