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► Protection in Practice

Challenges and perceptions of domestic workers
accessing social protection in Thailand



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The Care Economy Project promotes an integrated approach to investments in the care economy (childcare and long-term care), by addressing both the supply and demand sides and identifying and addressing gaps in policies, investments, service provision, skills and decent work. The project contributes to gender equality by recognizing, reducing, and redistributing unpaid care duties, while also valuing care workers, including domestic workers, by enhancing and accrediting their skills and improving their working conditions, generating a virtuous circle. This project is funded by ILO Regular Budget Supplementary Account resources.

TRIANGLE in ASEAN delivers technical assistance and support with the overall goal of maximizing the contribution of labour migration to equitable, inclusive and stable growth in the Association of Southeast Asian Nations (ASEAN). TRIANGLE in ASEAN seeks to address inequalities and discrimination faced by migrants including women, LGBTQIA+ migrants and those with disabilities. It is funded by the Australian Government through the Australian Government Department of Foreign Affairs and Trade and the Canadian Government through Global Affairs Canada.

► Acronyms and abbreviations

ASEAN	Association of Southeast Asian Nations
IES	Informal Employment Survey
ILO	International Labour Organization
LPA	Labour Protection Act
NSO	National Statistical Office
SSF	Social Security Fund
SSO	Social Security Office

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1. Introduction

Domestic work is commonly perceived as different to other sectors of employment – “work like no other”. Activities related to domestic work include household cleaning, cooking, childcare and personal care and are commonly associated with the traditional household roles of women, roles that would be unpaid if undertaken by a member of the household. But increasingly, domestic work is being recognized as the critical economic contributor that it is, and domestic workers are demanding the same protections and entitlements as other workers and for domestic work to be viewed as “work like any other”.

Thai National Statistics Office data from 2018 estimated that there were 289,760 domestic workers in Thailand, of whom 69 per cent were women and 34 per cent were indirectly employed (i.e., through an agency or service provider).¹ Estimates from a different dataset (the Department of Employment) in 2021 indicated that there were 127,015 migrant domestic workers in Thailand, of whom 84 per cent were women.² The majority of these migrant domestic workers originated from Myanmar. A third set of estimates from a study initiated by the Thai Social Security Office (SSO) in 2018, indicated that there were 1.4 million workers in the domestic work sector in Thailand.³ The discrepancy between these estimates reflects the level of informality in domestic work, which in itself is key to the differential approach taken to providing social protection to domestic workers.⁴

Domestic work is often viewed as distinct from formal work in other sectors. Many workers who work in domestic roles may be seen as extensions of the household or considered “fictive kin”.⁵ This is seen in the conflation between the skills and characteristics of a domestic worker with being a family member.⁶ The perception of domestic workers as not being employees, is carried through to the other key elements of their employment, with the households that employ them not considered employers and the houses themselves not characterized as workplaces.

This differential approach to domestic workers is further evidenced in their exclusion from full protection under Thailand’s Labour Protection Act (LPA) B.E. 2541 (1998) which is outlined in the Ministerial Regulation No. 14 B.E. 2555 (2012). This regulation excludes domestic workers from a number of protections extended to other workers, including minimum wage, limits on normal working hours, compensation for overtime hours, rest periods or special leave and only extends partial coverage of provisions on holidays and sick leave.

In addition, the Royal Decree on Prescribing other activities or employees no subject to the law on social security B.E. 2560 (2017) specifies exclusion of domestic workers, specifically those who are not employed

¹ National Statistical Office of Thailand, 2018. *Thailand Informal Employment Statistics*.

² Department of Employment, 2021, *Statistic of Registered Migrant Workers in Thailand in November 2021*. Available at: https://www.doe.go.th/prd/assets/upload/files/alien_th/427111426d06f1444cae7e5f5a9b2791.pdf

³ In a 2018 study, the Social Security Office estimated 1,220,000 households with domestic workers nationwide and 1,431,000 domestic workers in total. Among the study’s sample, 96.4 per cent of domestic workers were not members of the social security system under Section 39, and 40.6 per cent of them were not aware they could register voluntarily.

⁴ See ILO, 2023. *Policy review on social security for domestic workers in Thailand: Final report*.

⁵ ILO, 2016, *Worker, Helper, Auntie, Maid? Working Conditions and Attitudes Experienced by Migrant Domestic Workers in Thailand and Malaysia*. Available at: https://www.ilo.org/asia/publications/WCMS_537808/lang--en/index.htm

⁶ ILO, 2015. *Employers’ Perspectives Towards Domestic Workers in Jordan*. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_429584.pdf

by a business, from coverage in the Social Security Act B.E. 2533 (1990).⁷ As a result, where most wage earners in Thailand are mandatorily insured through Section 33 of the Social Security Act, domestic workers are specifically excluded and limited to lesser benefits through other sections of the Social Security Act. Migrant domestic workers are excluded from the Act entirely.

The Thai Department of Labour Protection and Welfare in the Ministry of Labour, is undertaking a review of the Ministerial Regulation 14 (2012). This review may provide more scope to extend both labour rights and social protection to domestic workers, both Thai nationals and migrants.

Based on qualitative data collected from 20 domestic workers (Thai nationals and migrants) and four employers in Thailand in 2022, this brief seeks to illustrate some of the lived experiences of domestic workers in Thailand, including migrant domestic workers, and in particular their experiences of trying to access social protection in Thailand. Of the 20 domestic workers interviewed, nine were Thai, and 11 were migrants from Myanmar (six), Lao (three) and Cambodian (two). The majority (15) were women, and five were men. Though small in total number of interviews, the ratios of these demographics are not too dissimilar to likely ratios in reality, an accurate sampling frame notwithstanding, per above discussion on estimates.

2. Key findings from the data

1. The term “domestic worker” when it relates to housekeeping, cleaning, cooking and care roles, covers a wide range of tasks and skills;
2. Women domestic workers have lower wages than men domestic workers, an unjust condition compounded by high working hours;
3. Domestic work of a less feminized nature, performed outside the house (such as security services), attract higher wages;
4. Domestic workers who work in multiple households perceive their work as providing more freedom, while also providing higher pay;
5. Even with social security coverage, many Thai domestic workers demonstrated a lack of understanding of the social security plans and their benefits;
6. Where migrant workers had an irregular status or had regularized after arrival in Thailand, their understanding of, and access to, the only available health scheme - the Migrant Health Insurance - was mixed; and
7. Support for contributing financially towards social security among the respondents was high.
8. Migrant domestic workers demonstrated a lack of trust and/or understanding around the benefits of social insurance, likely reflecting the low level of benefits they see in the schemes available to them.

⁷ Section 3: “The following activities or employees shall not be subject to the law on social security:...(8) employees of employers who are natural persons and the employees’ work does not have any business involvement”.

▶ 2.1 The term domestic work covers a wide range of roles and skills

The ILO's Domestic Workers Convention, 2011 (No. 189) defines "domestic worker" to mean any person, woman or man, engaged in domestic work within an employment relationship.⁸ Broadly, domestic work means work performed in or for a household or households, but specifically this can cover a vast array of roles and skills, including housework, personal health care, gardening and driving.

In the case of work that might be more broadly understood as "**domestic work**", the roles and tasks varied between respondents, including cooking, cleaning the house, washing and ironing the laundry, and general housework. Some comments from respondents include:

My main job is to keep the house clean. My boss has asked me to cook for him and his family if they come. [Myanmar woman domestic worker].

My main task is to cook for the household. When I am not working on my main task, I assist with other household tasks such as cleaning. [Thai woman domestic worker/cook].

I'm a domestic helper. My tasks consist of general housework, laundry, and ironing. [Myanmar woman domestic worker/cleaner].

I worked as a housekeeper and did everything, including taking care of the child. I had to start cleaning, sweeping, mopping, and then preparing tea for my female employer. I made food for the child; and breakfast and dinner for the adult employers. [Myanmar woman domestic worker/elderly carer].

Similarly, the indications were that the tasks involved in roles related to **childcare, personal and elderly care**⁹ were also wide ranging.

I am taking care of [a child] who is four years old. I participate in bathing him, dressing him, washing clothes, feeding. That's all because he is already in kindergarten. [Myanmar woman child carer].

I am in charge of all patient-related matters. I prepare and deliver her meals and clean her room and clothes. [Can the patient care for herself?] Not at all. She is a bedridden patient. [Thai woman caregiver].

She is a woman, she is bedridden, 88 years old. I have to take care of her hygiene, food, and medicine among other basic care routines. [Lao woman domestic worker].

The description of the tasks associated with roles related to maintaining the **garden, security or driving** were more succinct.

I inspect all vehicles entering the compound where only residents are permitted to enter the compound. Other visitors need to seek permission. [Thai woman security guard].

I take care of the residents' properties, ensure residents' security, organize parking spaces, and sometimes I have to catch snakes. [Thai man security guard].

I mow the lawn and water the trees. [Myanmar man gardener].

⁸ ILO, 2011. C189: Domestic Workers Convention (No. 189). Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:12100:0::NO::P12100_ILO_CODE:C189

⁹ Being the provision of routine personal care and assistance, with activities of daily living, to persons who are in need of such care due to the effects of ageing, illness, injury, or other physical or mental conditions.

► 2.2 Domestic work does not attract the full protection of the labour law, meaning domestic workers do not have access to minimum wage protections

The 1998 Labour Protection Act defines an employee as “a person who agrees to work for an employer in return for wages, regardless of the name used”. Subsequent Ministerial Regulations (No. 9 and No. 14) and a 2017 Royal Decree have characterized domestic work as “not involve[ing] business activities”, effectively excluding domestic work from full protection under the labour law. A key impact of this is that domestic workers do not benefit from the minimum wage (at the time of research between 313 - 336 Thai Baht (THB) or around US\$10 per day).¹⁰ ILO estimated in 2016 that 90 per cent of migrant domestic workers in Thailand earn less than the minimum wage.¹¹

The 2022 qualitative data used for this brief found that **wages for women domestic workers were higher than minimum wage overall, however, some dropped below the minimum wage when accounting for monthly deductions, for example for food and lodging.**

*I come in at 8:00 a.m. and stay until 5:00 p.m., with two days off every month. My employer provides me with three meals per day. If there is any food left over, I am permitted to take some home. My monthly salary is THB 10,000 [approximately **THB 344/day**].¹² [Thai woman domestic worker/cook].*

*I start at 7:00 a.m., take a one-hour lunch break, and work until 17:00. I work by cleaning the bathroom, washing the clothes, and sweeping the floor. Each month, I have two days off. They can be any day of the month. I earn THB 10,000 per month. I am given all three meals for free [approximately **THB 344/day**]. [Myanmar woman domestic worker/cleaner].*

*I work for 7–8 hours if the boss is present and work 3–4 hours every day if the boss is not at home. Yes, I work longer hours if my boss has a party at his house. He occasionally offers me some extra cash, but it is all depending on him. Every month, I earn THB 10,000. I am provided free lodging, but I must purchase my own food [approximately **THB 344/day**]. [Myanmar woman domestic worker].*

*I start working at six o'clock, until half-past five. I have Sunday off, but it is unnecessary to take the day off. My daily wage is THB 400. If I do not work that day, I will not be paid. [I also don't get overtime payment.] The employer rents space in the adjacent building. My rent payment is reasonable, at around THB 2,000 per month, including water and electricity bills, which are typically between THB 400 and 600. If we have a day off, we won't get paid. If it is New Year, the employer will give a bonus of about THB 2,000 – 3,000 [approximately **THB 307/day after deductions**]. [Myanmar woman child carer].*

Because domestic workers are also excluded from labour law protections related to compensation for overtime hours, as well as rest periods, **the lower wages of domestic workers are compounded by**

¹⁰ Accounting for regional variations. In October 2022 following the finalization of this research, Thailand increased minimum wages to between 328 – 354 Thai Baht (THB).

¹¹ ILO, 2016. *Worker, Helper, Auntie, Maid? Working Conditions and Attitudes Experienced by Migrant Domestic Workers in Thailand and Malaysia*. Bangkok.

¹² Where wages are given on a monthly basis, the daily rate is calculated on the basis of a 31-day month, minus any regular weekly or monthly days off.

high working hours. An Informal Employment Survey (IES) 2018 report from the National Statistical Office (NSO) stated that the average working hours a week for domestic workers was 4.1 hours more than other workers, at 46.7 hours a week.¹³ The qualitative data also supports this finding.

*I work every day, and I've recently been unable to take a day off because I've been asked to work overtime. I can request leave, but this is subject to negotiation with the household employer. I **work all day, almost 24 hours a day**. I can only take a break if the patient is sleeping. [Thai woman caregiver].*

*Currently, I earn over THB 10,000 a month. I **work twenty-four hours a day**, with one day break. I am entirely accountable for one patient. I have a day off every Sunday. If I do not take the day off, I will get overtime. [I get] about THB 18,600 [a month]. I have to pay THB 120 per day [for meals]. [Lao woman elderly caregiver].*

*There are two shifts available, but I only work the night shift. **My shift begins at 19:00 and ends at 7:00 the next day**. I'm paid THB 500 per day. I will not be paid for my day off or holiday leave. [Thai, Woman, Security Guard].*

*I **start working at 7 a.m. and finish at 9 p.m.** Some days, I finish earlier. I get two days off every month. If I work on the days off, my payment will be doubled. I make THB 15,000 per month in cash from the employer. I began with a salary of THB 10,000, which was gradually increased at THB 500 per year. It does not include meal benefits, which cost THB 1,500 per month. [Lao woman domestic worker].*

The IES also found that men domestic workers earned on average more per month than women in the sector. This is supported by the qualitative data. But it is also notable that these **higher paying jobs are for non-traditionally feminized roles and roles that are not performed within the home itself**. This may indicate a departure in the way these roles are perceived, as different to the traditionally feminized tasks encapsulated within domestic work performed in the home.

*I am paid daily – **THB 550 per day, and I am given THB 50 as a daily allowance**. [Thai man security guard].*

*I start at 8:00 a.m. and take one hour break during lunch time (12:00 – 13:00). I normally finish work at 5:00 p.m.. **I am paid THB 500 per day. There is an annual bonus**. There is free accommodation and free meals (three meals a day) [Cambodian man gardener].*

*I work from 07:30 to 17:00 and take a lunch break from 12:00 to 13:00. I work six days a week, Monday through Saturday, with a day off on Sunday. **I earn THB 15,000 per month**. I get a free lunch. When the employer is away for a week, I don't have to work and still receive my full pay [approximately THB 555/day]. [Thai man driver].*

*[I work] from Monday to Saturday, and I have Sunday off [and get paid] **THB 15,000** [approximately THB 555/day]. [Thai man driver].*

Another reason for these higher wages may be that employment is mediated by a third party. Increasingly, domestic workers in Thailand - in particular security guards and drivers - are hired and placed by service agents. This removes the dynamic of the "householder as employer". If the householder is not directly employing the domestic worker and where the work is not full time or live in, the employer's view on the characteristics of the worker may play less of a role, which may result in more emphasis on skills, rather than characteristics of the worker. In the case of the qualitative data, the domestic workers in more feminized in-house roles, who were **working for multiple households (either through an agency or an online platform) not only earned more than those domestic workers working for one household, they also spoke of multiple benefits** including managing their own time, earning extra for

¹³ National Statistical Office of Thailand (NSO). 2018. *Informal Employment Survey*.

work well done or extra work, and greater freedom. This may speak to a higher value placed on the skills of domestic workers where they are not seen as an extension of the home.

*I started as an independent part-time worker for roughly 6-7 years. Since then, I have been working every day and have no day off unless I have urgent matters. I usually begin work at 9:00 a.m. and end around 5:00 p.m., but this is not always the case. I have to manage my time to do the work for several houses. **Every month, I make around THB 30,000.** I charge from THB 800 (normally for a two-room condo, working less than three hours) to THB 1,000-1,200 for the larger house. For some houses, I charge THB 5,000-6,000 per month. **Some clients also give extra money if they are satisfied with the quality of work done.** [Thai woman domestic worker].*

*There are a total of nineteen rooms. Every week, I spend about an hour in each room. I can clean roughly six rooms in a day. I usually start working at 8:00 a.m. and end at 5:00 p.m. I work six days a week and get Sunday off. I earn THB 13,600 a month for 19 rooms which belong to one employer. I have the ability to take time off whenever I need it. I merely need to notify my employer ahead of time. **I believe part-time work provides me more freedom. When I'm done, I'll be able to leave the job. I don't need to be on standby for any work. I can better manage my own time. In addition, I can get more part-time work in my spare time if I need it. I'm sure I can make more money.** Normally, all of the extra work is done on Sunday, and I charge roughly THB 300-400 per room. [Thai woman domestic worker].*

*I work part-time in various compounds and buildings. I work six days a week from 9 a.m. to 4:30 p.m., with one day off every Sunday. **I am paid THB 700 per day.** However, **if the house is quite large and there are numerous tasks to complete, I will charge around THB 1,000 per day.** I only receive wages, not meals. [Lao woman domestic worker].*

***We are confident that the Centre will provide us with an A-grade worker.** However, if he/she does not perform well, we have an option of rejecting and returning him/her to the Centre. [Thai woman employer of migrant elderly carer].*

The importance of “characteristics” over “skills” is demonstrated in this contribution from an employer in answering why they hired a migrant worker.

***Thai workers in my opinion have some characteristics that I dislike.** They are not considerate and often behave inappropriately. In my case, a Thai worker ate my food without asking me. Thai workers, when compared to migrant workers, are not working hard to complete the tasks assigned.*

***Migrant workers are honest and work hard.** [Thai woman employer of part-time migrant domestic worker].*

*I prefer a Lao worker because **the vast majority of Thai workers are lazy** and unable to reach their full potential. **Workers from Laos, on other hand, come with intention.** They come to make money, whereas Thai young workers, for example, in Klong Toei, have a boyfriend. [Thai woman employer of migrant elderly carer].*

***As far as I can see, she is quite skilful.** She has probably done it in many cases. It is not the pricing plan that matters. It is the cleanliness and privacy of the customers because only people with a certain income level will use the service. Therefore, the lowest price might not always be the best option. [Thai man employer of part-time agency domestic worker].*

*She is ready to start work right away. She used to be a mother. She is doing work that she is already familiar with. There is no language barrier. **She is treated as if she is a member of the family in our home.** [Thai woman employer of migrant child carer].*

► 2.3 Thai domestic workers are excluded from mandatory social insurance for wage earners in Thailand

While most wage earners in Thailand are mandatorily insured through Section 33¹⁴ of the Social Security Act, the 2017 Royal Decree specifically excludes domestic workers. Section 39¹⁵ is available for all persons previously covered by Section 33 who no longer have an employer and choose to continue voluntary payments to social security. With regards to the domestic work sector, Section 39 only covers Thai nationals who previously had a formal sector employer and then moved to domestic work. Under Section 39, however, they are not eligible for unemployment benefits.

All other persons not included in Sections 33 and 39 are recommended by the Social Security Office to enrol voluntarily under Section 40.¹⁶ This section primarily is intended to cover persons who are self-employed. With regards to domestic work, Section 40 can cover Thai domestic workers who did not previously have a formal sector employer. Although Section 40 workers benefit from Thailand's universal health care, the 2017 Royal Decree effectively restricts domestic workers to lesser rights and guarantees, leaving them vulnerable in the event of work injuries, maternity and unemployment. Further, notwithstanding government contribution across all Sections, workers are the sole contributors to Section 40, whereas both workers and employers contribute to Section 33. The 2018 IES data found that only 20 per cent of domestic workers were covered by social insurance. **All of the Thai workers interviewed for the qualitative study considered themselves to be covered by one of the social insurance schemes.** While this has no statistical weight it is an important observation.

Yes [I have a social security card]. However, I am currently covered under Section 39. The employer is now attempting to register me under Section 33. I'm not sure [when I will be registered under Section 33 again]. All paperwork has already been delivered to the employer to process the registration. [Thai woman domestic worker/cook].

¹⁴ Social Security Act (2015), Section 33. "The employee who has been over fifteen years of age and not more than sixty years of age, shall be insured person.

The insured person under paragraph one who has become sixty years of age and has continually been an employee of the employer under this Act, shall be deemed to be an employee who is an insured person."

¹⁵ Social Security Act (2015), Section 39. "Any person who is an insured person under Section 33, has paid contribution for a period of not less than twelve months and, subsequently ceases to be insured person in pursuance of Section 38(2), if such person wishes to continually be insured person, he or she shall, within six months from the date of his or her termination to be insured person, notify his or her statement to the Office according to the regulations prescribed by the Secretary General. The amount of money used as the basis for the calculation of the contributions required to be remitted by the insured person under paragraph one to the Fund according to section 46, paragraph three shall be in accordance with the rates prescribed in the Ministerial Regulations, taking into account also suitability with the current economic situation."

The insured person under paragraph one, shall pay monthly contribution to the Fund within the fifteenth day of the following month.

The insured person under paragraph one, who does not pay contribution or cannot pay full amount of contribution within the prescribed time under paragraph three, shall pay an additional amount at the rate of two per cent per month of the unpaid contribution or of the late payment contribution starting from the day following the due date. For any fraction of the month, if it is fifteen days or more, it shall be counted as a month, if less, it shall be disregarded."

¹⁶ Social Security Act (2015), Section 40. Any other person who is not an employee under section 33 or not subject to this Act may apply to be an insured person under this Act by expressing his or her intention to the Office. Qualifications of such person shall be as prescribed in the Royal Decrees.

Criteria and rates of the contributions remitted by insured persons, types of benefits entitled to under section 54 and criteria and conditions of benefit entitlement shall be prescribed in the Royal Decrees.

The Government shall make contributions to the Fund at the rate prescribed in the Ministerial Regulations but shall not exceed one-half of the amount of contributions received from the insured person under paragraph one."

Yes, I am. **I continue to pay social security contributions under Section 39.** [Thai woman domestic worker].

Yes [I am still contributing to the social security fund], but **I'm now under Section 39**, because I no longer work for the company. I also requested that the employer pay half of my total contributions. We each pay roughly THB 200 [to social security]. [Thai woman domestic worker]

Right now, **I'm using Section 40.** In the past, I used to use Section 33. [Thai man driver].

I'm enrolled in Section 40, which is a voluntary scheme. Even if it is voluntary, I believe it at least ensures that I receive the minimal benefits to which I am entitled. However, I think that domestic workers should be treated the same as other types of workers, as well. Currently, when it comes to retirement, all formal workers are eligible for a pension, but domestic workers are not. So, I strive to save more since I don't want to be a burden to anyone. [Thai woman domestic worker].

Even with access to Section 39 or 40 social protection, however, **the level of knowledge and understanding around contributions and benefits was mixed**, with many Thai domestic workers relying on alternate methods to support themselves.

I believe it is beneficial [to provide social security to employees]. **However, it isn't easy to get medical treatment because the hospital you registered with [under social security] isn't going to let you change.** My job requires me to travel from place to place, and there is no way I could travel to the hospital where I registered in Nonthaburi. **In the event of illness [and treatment at a different hospital], I am required to pay for medical treatment out of my own pocket.** The reimbursement process is very discouraging, and I'm not sure I'll be able to reimburse all of my medical treatment expenses. [Thai woman caregiver].

I haven't made any plans yet. **There are still a lot of things I don't understand about social security's pension benefits. I don't believe the money I'll get from the fund will be adequate.** So, I started saving. I'd rather have the pension than the lump sum because it will provide me with a consistent monthly income for the rest of my life. [Thai woman domestic worker/cook].

All I know is that I will receive treatment for free. But otherwise, I'm not sure [what the benefits are]. [Thai woman domestic worker].

► 2.4 Migrant domestic workers are excluded from nearly all social security

Because Section 33 is not available to domestic workers, and Sections 39 and 40 are only available to Thai domestic workers, **there is no path to social security for migrant domestic workers, who make up a significant number of workers in this sector. The exception is social health protection.**¹⁷ Under the Health Examination and Health Insurance of Foreign Workers Act B.E. 2562 (2019), regular migrant workers are eligible to purchase migrant health insurance as part of the work permit application process. The insurance is only available at public hospitals and must be purchased from the public hospital where the worker undergoes their medical check-up on arrival. They are then linked to the same hospital service

¹⁷ Designed to alleviate the burden caused by ill health and reduce the indirect costs of disease and disability, social health protection - it is normally provided through universal access to affordable health care and financial protection in case of sickness.

provider, which can be a challenge for workers who change employers and locations. Benefits include an annual health check-up; general medical treatment including maternity and dental care; emergency medical treatment; communicable disease prevention; and HIV/AIDS medication.

*I'm not sure [if it is possible to seek free medical treatment if ill]. When I acquired my passport and work permit, **I understood that I must purchase migrant health insurance coverage that I can utilize if I become ill. I've already paid for the card, but I haven't yet received it.*** [Myanmar woman domestic worker].

*Yes [I am familiar with the benefits of migrant health insurance]. I believe the benefits are health and maternity benefits. I am the mother of an eight-year-old son. He was born in Thailand. However,... **[at that time] I had to pay for the labour and delivery cost of THB 2,000 myself [out of pocket].** My son is currently in Cambodia with my mother-in-law.* [Cambodian woman domestic worker].

*[Do you have a plan for taking care of yourself?] Nopparat Hospital. This is because I already have social security.¹⁸ But **I have never been to the hospital, so I still don't know if I will have to spend money or not.*** [Myanmar woman child caregiver].

*We do have social security. Yes, we went to get a pink card at the time. They also had health insurance for a total of about THB 7,000-8,000. [Are you interested in social security, health insurance?] **I haven't done it [health insurance] yet, but my husband has it all, he has everything.*** [Myanmar woman child caregiver].

*I did [have social security]. **Do they call it the "30 baht" [scheme]? or not? I did not pay a lot of money when I went to the hospital.*** [Myanmar woman domestic worker/elderly caregiver].

The qualitative data indicated **that there is a high level of misunderstanding or confusion around health insurance among the migrant workers interviewed.**

*It is possible that I will request sick leave, it is possible. I used to get sick, but I've never been to the hospital. I took a two-day break. There is no overtime work. The employer provides a food allowance of THB 1,500 per month. I'm living-in. If I need to be off for sick leave for several days, I will go to see my relatives in Ramkhamhaeng. But **if I really have to go to the hospital. I will go to Rajavithi Hospital and pay cash instead of using social security.*** [Lao woman domestic worker].

*[Do you have a social security card?] I have only a passport, no social security card. **My previous employer didn't give me a health insurance card.** The current employer is assisting me to obtain a new passport.* [Myanmar woman domestic worker/cleaner].

*[Does the agency pay the social insurance on behalf of the employer?] Yes. [Have you ever used social security?] No. **I don't know [about the social security rights I am covered for]. I just know that it was deducted [from my salary] again.** If I do need it, I will ask the agency.* [Lao woman elderly caregiver].

***If I go to the doctor, I will pay whatever I am charged.** I'm not sure [where I would go] because it hasn't happened yet, but I think I would go to the closest place. I think the employer may be able to help. Normally, it is acceptable to leave for half an hour or two or three and then return to work without taking time off.* [Myanmar woman child caregiver].

¹⁸ It was indicated by the interviewer that the respondent here was likely referring to migrants' health insurance even though they said "social security".

The differentiated access and understanding around migrant health insurance can be attributed to the different nature of the workers' documentation status. When asked about their social security coverage, migrant domestic workers in Thailand answered as below.

*I do not qualify for social security. **I arrived in Thailand on a tourist visa and was not hired through the MOU.** The Government, however, announced the registration during the COVID-19 pandemic. I asked the broker for assistance in registering and obtaining the pink card. I'm currently waiting for the card. I paid the broker between THB 16,000 and THB 17,000 to obtain the pink card. [Lao woman domestic worker].*

***I arrived in Thailand without proper documentation.** At the time, the broker brought me in for THB 3,000, and I worked as a domestic worker in Hua Lumphong, where I was mistreated. I went to work in Samut Prakan after that. No [I am not still undocumented]. When the Government announced the amnesty, I went straight to the registration window. [Cambodian woman part-time domestic worker].*

***I have been on a tourist visa since I came.** Before the COVID-19 pandemic, I had to renew it every month. I talked to the employer about obtaining a proper work permit, but it was during the COVID-19 outbreak. So, I didn't do it. I have to wait for the opening of the MOU, as I must first wait for the Lao side to open up the MOU registration. I did speak with the employer, but they had a negative experience regarding a work permit. The previous worker who was given the card by the employer left to work somewhere else, making the employer hesitant to do so. However, the employer saw us working with them for many years and decided to apply for it. [Lao woman domestic worker].*

*I paid about THB 4,000 for the agency to facilitate me to Thailand. Due to the COVID-19 pandemic, it now costs around THB 10,000 – 30,000, and it is very difficult to come to Thailand. It was easier to come to Thailand before COVID-19. **When I came in, I didn't have anything.** My employer took me to get the document. The employer paid half of the two-year work permit fee (approximately THB 8,000-9,000). [Myanmar woman child caregiver].*

► 2.5 Contributory capacity is seen as a barrier to incorporating domestic workers into social insurance schemes

One of the key challenges identified in incorporating domestic workers into social insurance schemes is the limited perceived contributory capacity of the sector. The qualitative data indicates, however, that **domestic workers and employers are largely positive about making contributions towards social security.**

***I think it is worth it (social security fund contribution).** I can get cured for free as I am covered under social security. I am often sick as I have depression as a result of the death of my mother ten years ago. The cost of medicine is also covered. [Thai man security guard].*

*Of course, **I will [be willing to pay a small contribution]** in the event of medical treatment, accidents, unemployment, etc. [Myanmar man gardener].*

***I am willing to pay.** Most of my friends have been covered under the social security scheme. I am told the scheme is very useful. The boss is kind. I believe he is willing to pay the contribution, but as he has employed many workers, he may be unable to pay. [Myanmar woman domestic worker/cleaner].*

*If this [contribution to the fund] is necessary and I am eligible for the benefits, **I am willing to pay the contribution.*** [Lao woman domestic worker].

I'm willing to pay contributions, and I believe the company will as well. [Thai man driver].

*Like other types of workers, there should be social protection. **The platform, the employer, or the client should all be involved in paying social security contributions [for] domestic workers.** The Government should set the wage rate in stages to figure out how much the contributions should be made.* [Thai woman domestic worker].

***If we have to pay, we have to pay.** It is not about the money; it is about the necessities.* [Thai woman employer of migrant elderly carer].

*Yes, definitely [I am willing to pay social security contributions]. **I think if a domestic worker becomes ill or has an accident, these can also affect me.*** [Thai woman employer of part-time migrant domestic worker].

*I believe that individuals who employ housekeepers must earn a certain amount of money, as cleaning is a secondary task that we might perform on our own but choose not to for the sake of comfort. **This indicates a willingness to pay, which, in my opinion, should be adequate to finance social security.*** [Thai man employer of part-time agency domestic worker].

The response from the migrants towards the idea of contribution was more mixed. On one hand, there is an element of responsibility that emerges - with the migrant expressing a need to be responsible for costs related to their illness or accident. This sense of self-reliance may be more related to their lack of regular migration status and integration, meaning that the idea of asking for help or support may put the employment itself at risk. On the other hand, there is a question over the benefit of social insurance and how it differs from savings. In this case there is a lack of understanding, perhaps that the insurance benefits have the potential to be more than the contributions. In both cases, however, this mixed view on social insurance is likely a reflection of the perceived benefits of social protection, which is reasonable where the only available protection is a voluntary health insurance scheme that is only available to migrants with a work permit.

*I'm not sure [how I would handle it if an accident occurred]. I wouldn't [notify my boss of an accident], because I wouldn't dare. **As the one who caused the accident, I believe I should bear responsibility for the costs.*** [Myanmar man gardener].

*I don't agree with you [that domestic employees should be covered by social security and share the cost of contribution]. My friends [in manufacturing] told me about social security. **The majority of them believe they receive no benefits at all and have never been sick.** Nonetheless, they must pay a monthly payment of THB 500. The majority of my friends are opposed to it.* [Myanmar woman domestic worker].

[Would you be willing to have a THB 400-500 deduction?] It's the same thing (chuckle). It's the same as keeping money on our own. We keep our own money in the same way that we keep social insurance. [Myanmar woman child caregiver].

[Could you be interested in contributing?] I don't know. I think that I will not do it right now. However, that depends on what the Government has determined. Personally, I don't think that I would do it. [About employer contribution] I think it's about myself. I should pay. [Myanmar woman child caregiver].

3. Conclusions

1. The term “domestic worker” when it relates to housekeeping, cleaning, cooking and care roles covers a wide range of tasks and skills commonly associated with traditional feminized roles that would be unpaid if undertaken by a member of the household. This can mean that there is conflation between these different tasks and the skills involved. The close nature of the worker to the household can also mean that characteristics of workers are considered more important than skills.
2. Exclusions from the labour law mean that the lack of a minimum wage and overtime protection are reflected in women domestic workers’ lower wages being compounded by high working hours.
3. Domestic work of a less feminized nature performed outside the household (for example, driving) attracts higher wages. This may be due to the increasing role of agencies and service providers, meaning that the household is not the employer. It may be due to a higher value being attached to more traditionally male roles. In any event, in the case of domestic workers who work for multiple employers, this finding may point to the importance of de-linking skills from characteristics in order to change perceptions of domestic work.
4. Even with social security coverage, many Thai domestic workers demonstrated a lack of understanding of the social security plans and their benefits.
5. Where migrant workers had an irregular status or had regularized after arrival into Thailand, their understanding of and access to the only available health scheme - the Migrant Health Insurance - was mixed. This is likely reflective of the low level of coverage available to migrant workers, and mixed experiences in securing support from employers.
6. Support for contributing to social security among the respondents was high. Migrants demonstrated greater lack of trust and/or understanding around the benefits of social insurance, likely reflecting the low level of benefits they see in the scheme available to them.

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Protection in Practice: Challenges and perceptions of domestic workers accessing social protection in Thailand

Where most wage earners in Thailand are mandatorily insured through Section 33 of the Social Security Act, domestic workers are limited to lesser benefits through other sections of the Social Security Act. Migrant domestic workers are excluded from the Act entirely. This brief illustrates domestic workers' experiences of trying to access social protection in Thailand. Based on qualitative interviews with employers as well as with Thai nationals and migrant domestic workers, the study details the following key findings from the data:

1. The term "domestic worker" when it relates to housekeeping, cleaning, cooking and care roles, covers a wide range of tasks and skills.
2. Women domestic workers have lower wages than men domestic workers, an unjust condition compounded by high working hours.
3. Domestic work of a less feminized nature, performed outside the house (such as security services), attract higher wages.
4. Domestic workers who work in multiple households perceive their work as providing more freedom, while also providing higher pay.
5. Even with social security coverage, many Thai domestic workers demonstrated a lack of understanding of the social security plans and their benefits.
6. Where migrant workers had an irregular status or had regularised after arrival in Thailand, their understanding of, and access to, the only available health scheme - the Migrant Health Insurance - was mixed.
7. Support for contributing financially towards social security among the respondents was high.
8. Migrant domestic workers demonstrated a lack of trust and/or understanding around the benefits of social insurance, likely reflecting the low level of benefits they see in the schemes available to them.

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