Summary of Essential Contents on MOL Domestic Worker Protection

Ministerial Regulation (B.E. 2541) issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998)

In the past, domestic workers are protected according to Ministerial Regulation (B.E 2541) issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998) which is applied to employers employing workers to perform domestic work which does not involve business operations. Essential contents of protection arrangements rendered to domestic workers pursuant the said Ministerial Regulation are as follows: employers shall not demand or accept deposit for an employment (Section 10), change of employers (Section 13), treatment of employees pursuant to the Civil and Commercial Code (Section 14), equality in the employment of male and female employees (Section 15), prohibition employers from performing an act of sexual harassment against an employee (Section 16), prior notification of employment contract termination (Section 17), calculation of period of employment (Section 19), annual holiday arrangements (Section 30), equality in wage determination between male and females employees (Section 53), payment of wages in the Thai currency (section 54), the determination places of wage payment
(section 55), and the payment of Wages, Overtime Pay, Holiday Pay and Holiday Overtime Pay (Section 70).

Ministerial Regulation No. 14 (B.E. 2555) issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998)

Labour Ministry through its The Department of Labour Protection and Welfare, has issued the Ministerial Notification No. 14 issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998) which repeals the provisions of (2) of the Ministerial Regulation B.E. 2541 (A.D. 1998) issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998). This Ministerial Regulation prescribes that domestic workers shall be protected in accordance with (2) in the previous Ministerial Regulation, receive additional protection as proposed by the network, as well as be protected by the provisions regarding the payment of wages for work on holidays to domestic workers also, all of which provides protection to domestic workers in addition to the provisions of the Ministerial Regulation B.E. 2541 (A.D. 1998) issued under the provisions of the Labour Protection Act B.E 2541 (A.D. 1998), whereby: *employers shall arrange weekly holidays (Section 28) in line with article 10 of the ILO Convention No. 189 on Decent Work for Domestic Workers; traditional holidays
(Section 29); employees shall be entitled to take sick leave as long as he or she is actually sick (Section 32); "An employer shall not employ a child under 15 years of age (Section 44) in order to be in line with article 4 of the ILO Convention No. 189 on Decent Work for Domestic Workers, enacted in compliance with the ILO Convention No. 138 which prescribes the minimum allowable age for work as no less than 15 years of age. Section 51 An employer shall not pay the wages of a young worker to any other.* The payment of wages on holidays (Section 56) to be in line with article 10 of the ILO Convention No. 189 on Decent Work for Domestic Workers, the payment of wages on sick leave (Section 57 paragraph one), Holiday Pay (Section 62), Holiday Pay where employers do not provide any such holiday arrangements or provide fewer holidays than as stipulated by the law (section 64), and the payment of wages for work on annual holidays pro rata (Section 67).