

STRUCTURAL PRECARIOUSNESS

Recruitment and Employment Practices of Migrant Workers in Bangkok Metropolitan Region's Construction Industry

Building Social Impact Initiative of Baan Dek Foundation

Rosalia Sciortino
Sibenyra Putthasiraapakorn
Vinissa Kattiya-aree

Institute for Population and Social Research (IPSR)
and Baan Dek Foundation
with support of Kindernothilfe and the German Federal
Ministry for Economic Cooperation and Development



Mahidol University
Institute for Population
and Social Research



STRUCTURAL PRECARIOUSNESS

Recruitment and Employment Practices of Migrant Workers in Bangkok Metropolitan Region's Construction Industry

Building Social Impact Initiative of Baan Dek Foundation

**Rosalia Sciortino
Sibanya Putthasiraapakorn
Vinissa Kattiya-aree**

**Institute for Population and Social Research (IPSR)
and Baan Dek Foundation**
with support of Kindernothilfe and the German Federal
Ministry for Economic Cooperation and Development

Title: Structural Precariousness: Recruitment and Employment Practices of Migrant Workers in Bangkok Metropolitan Region's Construction Industry

Authors: Rosalia Sciortino, Sibenya Putthasiraapakorn and Vinissa Kattiya-aree

Pages: 136

Cataloging in Publication Data

Structural Precariousness Recruitment and Employment Practices of Migrant Workers in Bangkok Metropolitan Region's Construction Industry/ Rosalia Sciortino ... [et al.]

– 1st ed. - Nakhon Pathom : Institute for Population and Social Research, Mahidol University, 2026.

(Publication / Institute for Population and Social Research, Mahidol University; no.616)

136 pages.

ISBN: 978-616-622-113-8

Migrant labor - Thailand – Bangkok. 2. Migrant workers. I. Sciortino, Rosalia.

II. Sibenya Putthasiraapakorn. III. Vinissa Kattiya-aree. IV. Mahidol University. Institute for Population and Social Research. V. Baan Dek Foundation. VI. SEA Junction. VII. Series. HD5856.T5 S927 2026

Copyright: ©Authors and Baan Dek Foundation

First Edition: First published by the Institute for Population and Social Research (IPSR), Mahidol University on March 2026

Printed by: Thammada Press Co., Ltd

Cover and Layout Designer: Magdalena Dolna (Baan Dek Foundation)

Address:

Institute for Population and Social Research
Mahidol University, Salaya Campus
999 Phutthamonthon 4 Road
Phutthamonthon, Nakhon Pathom 73170
Thailand

Phone: +66 (0)2-441-0201-4

Email: directpr@mahidol.ac.th

| Acknowledgments

This research report, *Structural Precariousness: Recruitment and Employment Practices of Migrant Workers in Bangkok Metropolitan Region's Construction Industry*, reflects a collaborative effort by our organizations, the Institute for Population and Social Research (IPSR), Mahidol University, and Baan Dek Foundation (BDF), grounded in a shared commitment to understanding and addressing the lived realities of migrant workers and their families. The depth of this work underscores the structural nature of precariousness in the construction sector and highlights the urgent need for continued inquiry and action.

We would like to express our deep appreciation to the authors: Dr. Rosalia Sciortino, Sibanya Putthasiraapakorn, and Vinissa Kattiya-aree for delivering a rigorous and high-quality report. Their expertise and thoughtful analysis have shed important light on a highly complex and under-examined issue. Our gratitude also goes to all individuals who contributed their time, insights, and experiences to this study. In particular, we acknowledge the migrant workers and children whose voices and perspectives form the foundation of this report.

Our heartfelt thanks go to the team at BDF for providing support throughout the course of this project. Their frontline experience working alongside migrant workers and children living in construction site camps has been central to shaping this study. With special thanks to James Eckford for translating this research from concept to practice, Sébastien More-Chevalier, Swasti Karmacharya, and Thanadon Chanthathadawong for their supportive input throughout. We would like to thank Magdalena Dolna for designing this report, Sara Piazzano for supporting the research team in editing this report, and SEA Junction for the launch of the report.

Finally, we extend our sincere gratitude to Kindernothilfe (KNH) and the German Federal Ministry for Economic Cooperation and Development (BMZ) for their steadfast support and continued trust. Their commitment to child rights has been instrumental in enabling this study and ensuring its relevance to broader efforts aimed at improving living and working conditions for vulnerable communities.

We hope this report contributes to more informed, and sustained efforts toward meaningful and lasting social change, strengthening policy, practice, and accountability.

Chalernpol Chamchan

Director

Institute for Population and Social Research

Lene Andersen

Executive Director

Baan Dek Foundation

Contents

	Acknowledgments	V
	Contents	VII
	List of Tables	IX
	List of Figures	IX
	List of Respondent Codes	X
	Acronyms and Abbreviations	XI
	Executive Summary	XIII
1	Researching Migration and Construction: Scope and Approach	1
	1.1 Introduction	2
	1.2 Research Objectives and Approach	4
	1.3 Research Methodology	5
	1.4 Research Analysis	9
	1.5 Study Limitations	9
2	Cross-Border Labour Migration to Thailand	11
	2.1 Thailand's Central Role in Regional Migration	12
	2.2 Governance System for Cross-Border Migration	13
	2.3 Trapped in Precariousness and Irregularity	16
	2.4 Migrant Worker Population	17
	2.5 Employment Profile	19
	2.6 Migrants' Working Conditions and Welfare	21
	2.7 Reasons to Migrate and Remain in Thailand	25
3	Thailand's Construction Industry and Migrant Labour	27
	3.1 The Construction Industry and Subcontracting	28
	3.2 Perceived (Un)Attractiveness of the Construction Industry	29
	3.3 Migrant Workforce in the Construction Industry	30
	3.4 Migrant Construction Worker Sample Population	31
4	Migration Journeys and Border-Crossing Modes	35
	4.1 Migrants' Provenience and Migration Routes	36
	4.2 Decisions to Migrate	38
	4.3 Migration Support System	40
	4.4 Economic Burden of Migration Support	43

5	Formal and Informal Recruitment	45
	5.1 Formal Cross-Border Recruitment Channel	46
	5.2 Outsourcing the Recruitment of Migrant Workers	49
	5.3 Down-Sourcing Regularisation of Migrant Workers	54
	5.4 Legal Status Profile of Migrant Construction Worker Sample	59
6	Recruitment and Job Seeking	65
	6.1 Recruiting a Migrant Construction Worker	66
	6.2 Job Searching in Construction	67
	6.3 Job Knowledge and Contract Terms	69
	6.4 Choice and Hardship Endurance	71
7	Employment Practices	73
	7.1 Supervision of Migrant Construction Workers	74
	7.2 Working Hours and Types of Work	75
	7.3 Sub-Minimum Wage Earnings	77
	7.4 Delayed and Unpaid Wages	78
	7.5 Safety at Work	81
8	Labour and Social Protection	83
	8.1 Legal Promise of Social Protection	84
	8.2 Implementation Challenges and Enforcement Gaps	86
	8.3 Multiple Impacts of Irregularity	88
	8.4 Inadequate Living Conditions in the Construction Camps	90
	8.5 Unmet Safety Needs of Women and Children	92
	8.6 Elusive Health Care and Social Security	93
9	Conclusion and Recommendations	97
	9.1 Changing the System to Improve Migrant Construction Workers' Lives	98
	9.2 Towards Fair Recruitment and Decent Employment	102
	References	107

List of Tables

Table 1	Features of the Selected Companies	6
Table 2	Respondents' Details	7
Table 3	Number of Migrant Workers from Cambodia, Laos, Myanmar and Vietnam, by Regularisation Channel and Nationality, 2019 - March 2025	18
Table 4	Cross-Border Migrant Workers Population by Regularisation Channel, Sex, and Nationality, March 2025	19
Table 5	Top Five Sectors according to Migrant Workers' Regularisation Channel, March 2025	20
Table 6	Top Five Industries Employing Migrant Workers by Migrant Workers' Sex and Nationality	20
Table 7	Number of G-code (Migrant and Stateless) Children Attending School, 2023	22
Table 8	Comparison of Health Coverage Options for Migrants	23
Table 9	Regular Migrant Workers Employed in the Construction Sector by Sex and Regularisation Channel, March 2025	30
Table 10	Company1 Camp Population	32
Table 11	Characteristics of the Migrant Construction Worker Sample	33
Table 12	Characteristics of the Migrant Children Sample	34
Table 13	Provenience of the Migrant Construction Worker Sample	38
Table 14	Sources of Migration Information, Support Networks, and Migration Channels by Migrant Workers' Sex and Nationality	41
Table 15	Costs of Migration Assistance and Financial Sources by Migrant Workers' Sex and Nationality	44
Table 16	Agencies involved in MOU Processes and Enforcement in Thailand	48
Table 17	Stakeholder Chain in the Construction Industry Recruitment Process	52
Table 18	Legal Status of Migrant Construction Worker Sample by Sex and Nationality	59
Table 19	Types of Jobs and Daily Wages of Migrant Construction Worker Sample by Sex and Nationality	76

List of Figures

Figure 1	Registration Process for Renewal of Work Permit for MOU Workers from Cambodia and Myanmar Pursuant Cabinet Resolution of September 2024	15
Figure 2	Enrolment Status of Regular Migrant Workers Compared to Eligibility	24
Figure 3	Cambodia-Thailand Migration Routes	37
Figure 4	The Two Migration Circuits	98

List of Respondent Codes

BR	Broker
CMW	Cambodian Migrant Worker
CSOR	CSO Representative
FSC	Formal Subcontractor
GO	Government Official
ISR	Informal Subcontractor
LCCR	Large Construction Company Representative
LRA	Licensed Recruitment Agent
MC	Migrant Child
MCCR	Mid-Sized Construction Company Representative
MMW	Myanmar Migrant Worker
MYP	Migrant Young Person
SCCR	Small Construction Company Representative
URA	Unlicensed Recruitment Agent



| Acronyms and Abbreviations

BDF	Baan Dek Foundation
B.E.	Buddhist Era
BHR	Business and Human Rights
BMR	Bangkok Metropolitan Region
BMZ	Bundesministerium für Wirtschaftliche Zusammenarbeit und Entwicklung (Federal Ministry for Economic Cooperation and Development)
BP	Border Pass
BSI	Building Social Impact Initiative
CI	Certification of Identity
CR	Cabinet Resolution
CDM	Civilian Disobedience Movement
CSO	Civil Society Organization
CCSA	Centre for Covid-19 Situation Administration
DOE	Department of Employment
DPLW	Department of Labour Protection and Welfare
EEC	Eastern Economic Corridor
EFA	Education for All Policy
ERIC	Charter on Ethical Evaluations and Research Involving Children
ESG	Environmental, Social and Governance report
FWEA	Foreign Worker Employment Agencies
GCM	Global Compact for Safe, Orderly and Regular Migration on Migration
GDP	Gross Domestic Product
GMS	Greater Mekong Sub-region
HINT	Health Insurance for Non-Thai People
HRBA	Human Rights-Based Approach
HRDD	Human Rights Due Diligence
KII	Key Informant Interview
KNH	Kindernothilfe
IDI	In-Depth Interview
i.e.	id est (this is)
ILO	International Labour Organization
IOM	International Organization for Migration
IPSR	Institute for Population and Social Research
IRB	Institutional Review Board
LOEA	Licensed Overseas Employment Agency
M-Fund	Migrant-Fund

MHIS	Migrant Health Insurance Scheme
MMK	Myanmar Kyat
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOU	Memorandum of Understanding
MSME	Micro, Small, Medium Enterprises
NAP-BHR	National Action Plan on Business and Human Rights
NESDC	National Economic and Social Development Council
NGO	Non-Governmental Organization
OECD	Organization for Economic Co-operation and Development
OT	Overtime
PJ	Myanmar Passport for Jobs
PPE	Personal Protective Equipment
PPP	Public Private Partnership
PRA	Participatory Rapid Appraisal
SSF	Social Security Fund
STETCON	Sino-Thai Engineering and Construction Group
TDRI	Thailand Development Research Institute
TB	Tuberculosis
T.B. 33	Social Security Fund Registration Form for Insured Persons (Form T.B. 33)
THB	Thai Baht
UHC	Universal Health Coverage
UNGPs	United Nations Guiding Principles on Business and Human Rights
WCF	Workmen's Compensation Fund

| Executive Summary



©Carlier Philanthropy/Ben Buckland

Project Background

The collapse of a Bangkok high-rise after an earthquake in Central Myanmar, with nearly 100 feared worker fatalities, served as a stark reminder of migrant labour's vital yet precarious role in Thailand's construction sector. The disaster also raised questions about the status of migrant workers and sparked debate on compensation to victims and their families. The government's stated position that compensation would be provided only to migrants with proper registration documents was challenged by non-governmental actors, given the nature and scope of the disaster and the widespread undocumented status of migrant labour. Difficulties identifying migrant workers, hired on a daily or part-time basis through subcontractors and therefore not included in the company's official registry, further exposed systemic risks.¹ This ongoing debate frames and underscores the research findings presented in this report on the interrelation between recruitment and employment practices in the construction sector in Thailand and the resulting risks for migrant workers from Myanmar and Cambodia and their children.

Research Framework and Methods

A qualitative study by the Institute for Population and Social Research (IPSR) from June 2024 to June 2025 examined contracting patterns at two construction sites in the Bangkok Metropolitan Region (BMR). Drawing on in-depth interviews with migrant workers and key stakeholders, the study analysed multi-tiered subcontracting structures, hierarchical labour relationships, and management practices, showing how current recruitment and employment systems heighten migrant workers' vulnerabilities and constrain their living conditions and access to services, with a view to identifying measures to reduce such negative impacts.

¹ Thai PBS (2025).

In generating this evidence, the study feeds into the Baan Dek Foundation's (BDF) Building Social Impact (BSI) initiative, strengthening its efforts to enhance the conditions and rights of migrant workers and their children living in construction sites in the BMR. Implemented with the support of Kindernothilfe (KNH) and the German Federal Ministry for Economic Cooperation and Development (BMZ), BSI works with major real estate developers and construction companies to promote a 12-point framework to improve infrastructure, welfare and services, healthcare, and education. Launched in 2022 and currently being scaled up, the BSI offers free training and toolkits to help companies apply the framework across their supply chains, benefiting businesses, workers, and their families.

Methods included a literature review (2021-2025), participatory observations in two construction camps, and 94 key informant and in-depth interviews with migrant workers and children, government officials, companies, civil society, subcontractors, brokers and recruiters. The review examined post COVID-19 and post-Myanmar coup changes in migrants' conditions and recruitment practices. Purposive sampling and tailored semi-structured interviews ensured balanced representation across groups.

Findings

Thailand's Precarious Migrant Workforce

Thailand is a major migration hub in the Greater Mekong Sub-region (GMS), primarily serving as a destination country for low-wage migrant labour from Cambodia, Laos, and, especially, Myanmar. As of March 2025, more than 6 million non-Thai persons were estimated to be living in Thailand, nearly 5 million of whom were migrant workers from neighbouring countries, with approximately 3.15 million holding regular status.²

Migrant workers fill gaps in manual labour across all major economic sectors in Thailand, particularly in labour-intensive industries. As of March 2025, the largest number of regular migrant workers were employed in agriculture, followed by the industrial sector (specifically manufacturing and then construction), services, and food and beverage processing. Overall, they are estimated to make over 10 per cent of the total labour force and contribute an estimated 4.3- 6.6 per cent of GDP.³ This contribution is expected to grow further due to demographic change in Thailand and persistent economic and political instability in the region.

Despite their essential role in Thailand's economy and long-term presence in the country, cross-border migrant workers are treated as temporary labour, with policies that limit integration, career development, and long-term retention. Under a two-tier migration system, they can access only three restrictive temporary regularisation pathways: formal migration through Bilateral MOUs on Cooperation in the Employment of Workers or the Border Passes scheme, and periodic in-country amnesties under Cabinet Resolutions.

Although government efforts have been made to promote overseas recruitment exclusively, Thailand's MOU system remains unpopular due to high costs, complexity, and delays, whereas the Border Pass scheme is limited by short validity and restricted mobility. Moreover, neither allow family reunification, while registration under Cabinet Resolutions permits children as dependents, albeit it still excludes spouses and young adults over 18, who must apply for separate work visas.

As a result, Cabinet Resolutions have become the primary pathway to seek legal protection once arrived in the country, especially in sectors characterised by high levels of informality and casualization. As of March 2025, those registered under Cabinet Resolutions were employed primarily in construction, followed by agriculture and manufacturing. Although these measures grant some degree of temporary lawful status to migrants, they are widely regarded as

² As explained later in the note to Table 3, these estimates should be viewed as indicative of current trends only.

³ ILO and OECD (2017).

insecure, unsustainable, burdensome, and lacking in integration measures. For Myanmar workers, the ongoing crisis has further impeded access to essential documentation for any form of regularisation.

Consequently, migration to Thailand is increasingly defined by two intersecting trends: fluctuating legal status due to inconsistent in-country registration and rising irregularity. These policy challenges both contribute and are compounded by poor working and living conditions for migrant workers and their families. Both these policy challenges contribute and are compounded by poor working and living conditions for migrant workers and their families.

Fragmentation of Construction Labour via Subcontracting and Outsourcing

Thailand's construction sector contributes significantly to the economy, accounting for an average of eight per cent of GDP from 2019 to 2023. After the COVID-19-related downturn, the construction sector began to recover in 2024, driven mainly by public sector infrastructure projects, with continued growth expected in the coming years.⁴

The sector comprises around 117,000 registered companies, mostly Micro, Small, and Medium Enterprises (MSMEs) that often act as subcontractors,⁵ alongside numerous unregistered operators. Its multi-tiered supply chain of suppliers, manufacturers, distributors, contractors, and subcontractors, encourages the down-sourcing of tasks, including workforce management. Now common labour outsourcing and long subcontracting chains enable project owners and prime contractors to access flexible, lower-cost labour—a valuable advantage amid rising material and fuel prices.

The role of subcontractors as labour providers has expanded in the context of chronic worker shortages, driven by sectoral growth and an ageing Thai workforce. As younger Thai workers increasingly avoid construction jobs because of low pay, poor conditions, safety risks, and project-based employment insecurity, companies are turning to subcontracted migrant labour as a practical solution to fill labour gaps and control costs.

Under-Regularised Migrant Construction Workforce

Migrant construction workers in the study sample—21 migrants from Myanmar and 10 from Cambodia—reflect broader migration patterns. They entered through Thailand's long and porous borders. Migrants from Cambodia's provinces of Banteay Meanchey, Siem Reap, and Battambang typically followed an east-to-west route, crossing into Thailand via Chantaburi and nearby districts. Migration from Myanmar follows more recent conflict-driven routes, with migrants travelling from distant provinces before crossing, primarily at Mae Sot.

Migrants from both countries relied on friends and relatives in Thailand for information, though recent arrivals from Myanmar depended more on brokers, suggesting weaker social networks. Most migrants used brokers for the journey and secondly received support from friends and relatives. All but one crossed the border irregularly, without documents or through misuse of Border Passes or other papers. This included two children and three youth, as no formal family reunification pathways exist from abroad. While the sample is not representative of the wider migrant construction worker population, these findings align with the high levels of irregular migration to Thailand and the limited—and declining—use of MOUs.

Migration costs varied by timing. Migrants from Cambodia, who arrived over a decade ago, reported paying 2,000-4,000 THB, whereas recent migrants from Myanmar paid 15,000 -30,000 THB. These fees were seen as necessary for safe passage, with 14 out of the 19 migrants who used brokers, borrowing money to cover the costs.

⁴ Lunkam (2024).

⁵ Lunkam (2024).

Costs are also a significant consideration for regularisation once in Thailand, since migrant workers must cover all processing fees. The two groups differed sharply in legal status: most Cambodian migrants eventually regularised (except two youth), whereas nearly all Myanmar migrants, including children, remained irregular. Beyond subcontractor differences, factors influencing regularisation included job continuity, the need to recoup migration expenses, length of stay, and stronger incentives to regularise among those with families in Thailand. Stakeholders noted that regularisation costs, now averaging THB 20,000, had increased since COVID-19, creating a growing barrier.

Outsourcing the Recruitment of Migrant Workers

The construction industry recruits migrant workers either through direct employment by prime contractors and project owners or, more commonly, via subcontractors. Direct hiring tends to involve formal, longer-term arrangements as company employees, while subcontracting is often informal and project-limited. In such cases, migrant workers are technically employed by subcontractors or “employment agencies” that act as “fronts” for smaller operators. Camp leaders may also recruit daily workers locally through word of mouth. In practice, despite regulations to the contrary, the migrant construction workforce includes independent and casual workers who, while operating informally, are nonetheless integrated into the system.

Larger construction companies formalise ties with subcontractors and licensed recruitment agencies through written recruitment agreements, often referred to as MOUs,⁶ with subcontractors receiving taxable fees based on the number and type of workers supplied. However, most subcontracting remains informal and reliant on verbal commitment. The coexistence of formal and informal practices has resulted in a dual employment structure that enables both regulated and, more commonly, unregulated employment of migrant workers.

Contractors favour subcontractors to avoid the time and costs of direct hiring and to shift labour and immigration responsibilities. Subcontracted workers often are not afforded the same oversight and entitlements as directly employed staff. By delegating their responsibilities, contractors can distance themselves from complex legal obligations and potential penalties, creating accountability gaps in the construction industry.

Companies acknowledge that balancing legal requirements and practical solutions remains challenging, citing misalignment between immigration policies and construction practices, the industry’s entrenched informality, widespread labour casualisation, and pressure to suppress costs. Weak oversight of fragmented subcontracting chains with highly mobile workers further undermines compliance, contributing to the prevalence of informality, irregularity, and precariousness among migrant workers. As one CSO leader observed: “When issues are passed down the chain, those at the bottom fall through the cracks.”⁷

Informal Recruitment and Biased Recruitment Criteria

Subcontractors and recruiters prefer hiring migrants already in Thailand because they are immediately available and cheaper to recruit, turning to cross-border hiring only when specific labour demands arise. Recruitment relies largely on personal connections and social media, considered practical and cost-effective.

Employment practices heavily prioritise physical strength, favouring men aged 18 to 45. Women face discrimination due to employer concerns about family responsibilities, safety, and maternity-related costs. While recruiters and employers claimed that women were hired (and paid) only for “light and detailed tasks,” this research found that they performed the same work as men. The same recruiters also expressed a preference for single men, contradicting the evident presence of couples and families in construction camps. Although child labour is officially discouraged, young people often work on-site with relatives without being registered with authorities as required by law.

⁶ Please note that these are contracts between the company and the contractor and do not refer to MOUs to import labour.

⁷ Interview with CSO representative #CSOR6.

Most migrant workers described recruitment as informal and straightforward, relying on relatives, friends, or brokers rather than formal application and enabling them to start working shortly after arrival. Once in the sector, migrant workers remained in construction, even when changing jobs or locations. Irregular migrant workers reported little difficulty changing jobs due to extended social networks and the absence of regulatory constraints. In contrast, regular migrants experienced restricted mobility because of their legal dependency on the employer. This undermines the growing global recognition of job mobility as a fundamental right that protects workers from exploitation and supports a more efficient labour market.

Substandard working conditions

Migrant construction workers felt the basic information they received about the work before migrating to be sufficient, though some underestimated its physical demands and a few were misled about wages and payment schedules. None received written contracts, regardless of status, leaving employment based on verbal agreements with no legal protection.

Unlike Thai workers, migrants were drawn to the construction sector due to steady demand, the acceptance of undocumented workers, and some job mobility. Despite heavy work and irregular pay, they stayed because the income is necessary and exceeds that in their home countries. Typical working hours run from 8 a.m. to 5 p.m., with a one-hour break. Cambodian workers reported Sundays off, but Myanmar workers did not. Daily hires reported periods with insufficient workdays to earn a living wage.

Most workers were general construction labourers, followed by cleaners, painters, and cement workers. A few held basic specialised roles (e.g. rod buster or rebar workers), while only two Cambodian workers were foremen; higher-skilled finishing tasks were reserved for Thai workers. Women were more concentrated in domestic work, but also performed the same physically demanding jobs as men. They further bore primary responsibility for unpaid care, limiting their working hours and indirectly subsidising employers by maintaining the living quarters. Children contributed through caregiving or, if over 15, by engaging in manual labour.

Daily wages ranged from 310 to 350 THB, below the 372 THB minimum wage for BMR, with only two long-serving foremen earning up to 450 THB. Pay did not vary significantly by gender, status or length of employment. Workers reported delayed or withheld wages and had little access to legal redress, often changing jobs instead. Safety was another concern: although a five-piece PPE set is standard, most received only helmets, and occasionally boots.

Inadequate Labour and Social Protection

Thailand has several labour protection laws relevant for the migrant workers, foremost the Labour Protection Act, which applies equally to all workers regardless of nationality. In practice, however, a wide gap persists between legal provisions, the normative narratives they produce, and actual conditions in the construction sector. The study shows that enforcement was often discriminatory, and non-compliance widespread in relation to contracts, wages, safety, and benefits. Irregular status further exacerbated vulnerability, exposing migrant construction workers to fines, detention, or deportation, while limiting access to complaint mechanisms and services.

In addition to workplace grievances, migrant construction workers lived in overcrowded, hot, and poorly ventilated facilities for which they are unduly charged. Women were particularly affected by the lack of privacy and childcare, with children living in the camps reporting a lack of shade and playgrounds.

Access to health care and social protection was elusive to both regular and irregular workers interviewed. Knowledge of social health insurance was minimal, and even those eligible for social security were not enrolled, as neither they nor their employers were willing to pay the required contributions. As a result, they relied on personal savings or loans to cover self-treatment, alternative medicines, private clinic fees, or had to forego treatment altogether.

Conclusion and Recommendations

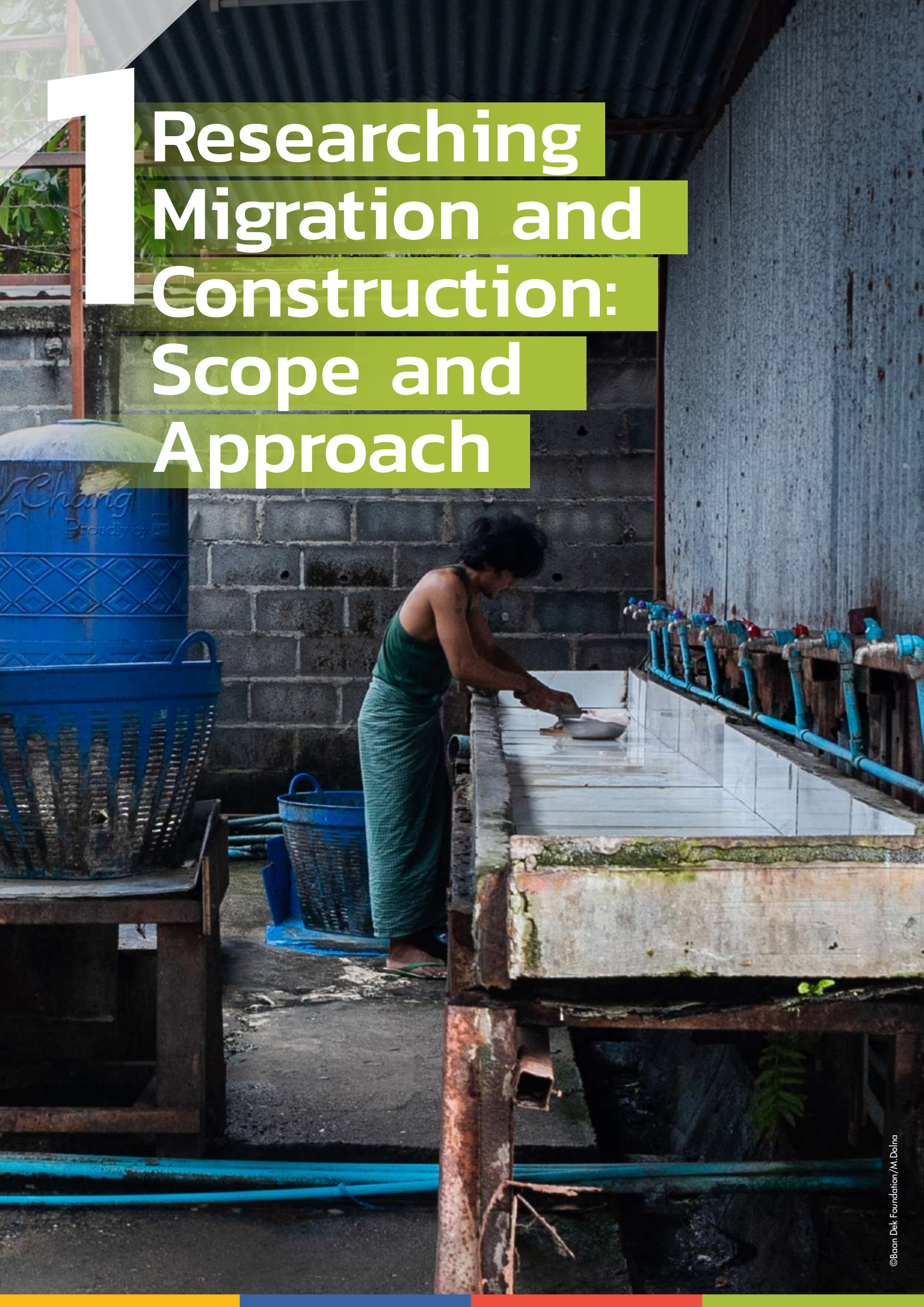
Looking ahead, Thailand will likely remain a major destination for migrant workers from neighbouring countries due to its ageing population, unmet labour demands, and growing regional mobility spurred by economic disparities and humanitarian crises, particularly the post-2021 military coup conflict in Myanmar. Migrants will continue to play a vital role in sectors like construction, which many Thai nationals avoid because of its physically demanding, low-status, and insecure project-based employment.

Urgent structural reforms are, however, needed to retain this workforce and make construction more attractive to domestic workers, while also addressing widespread gaps in compliance with national laws and Human Rights Due Diligence (HRDD) obligations. Such reforms are also necessary for Thailand to uphold its commitments to enhance corporate responsibility and migrant workers' rights in global supply chains; comply with the United Nations Guiding Principles on Business and Human Rights (UNGPs) as a Global Compact for Migration (GCM) Champion country; and advance its Organization for Economic Co-operation and Development (OECD) membership ambitions by 2030. To begin, four key actions deserve consideration:

- Reassess migration governance to expand pathways for regular, long-term, and flexible migration, which enables fair recruitment, family unity, and greater autonomy for migrant workers.
- Formulate measures to strengthen accountability in labour outsourcing and subcontracting practices within the construction industry.
- Make wage compliance a priority for the enforcement of employment standards already enshrined in law.
- Develop gender- and age-sensitive approaches to improve living conditions for migrants and their children, and ensure equitable access to health, education, and social protection systems, regardless of status.

The report details targeted interventions in each of these four areas, whose synergic impact aims to foster safe migration and create a more equitable and sustainable environment for migrant workers and their families in Thailand's construction sector.

1 Researching Migration and Construction: Scope and Approach



1.1 Introduction

The collapse of a high-rise building in Bangkok and the feared deaths of almost 100 workers, most of them migrants, during the recent earthquake, which originated in Central Burma, serve as a stark reminder of both the contribution of migrant labour to Thailand's construction sector and the significant risks these workers face. The disaster also sparked public debate on the precarious status of migrant workers, particularly regarding compensation to victims and their families, given their contractual conditions and regularisation status. The government's stated policy to provide compensation only to migrants with proper registration has been challenged by non-governmental groups, considering the scale of the disaster and the widespread undocumented status of migrant workers. Additional concerns were raised about the difficulty of identifying migrant workers, as some may have been hired daily or part-time through subcontractors and not listed in the company's official records.⁸

This ongoing debate underscores the research findings presented in this report on the interrelation between recruitment and employment practices in Thailand's construction sector and the resulting human rights risks for migrant workers from Myanmar and Cambodia and their children. Conducted by the Institute for Population and Social Research (IPSR) from June 2024 to June 2025, this qualitative study explored contracting patterns at two construction sites in the Bangkok Metropolitan Region (BMR) and incorporated insights from in-depth interviews with migrants and key stakeholders. The study focused on the labour subcontracting chain, examining the multi-tiered networks of contractors and subcontractors, their hierarchical relationships, management challenges and potential vulnerabilities stemming from current recruitment and employment practices. Understanding the effects of such practices on migrants' living conditions and access to services is essential for identifying measures to improve their welfare and mitigate potential negative effects.

By shedding light on these issues, the study aims to contribute to the Baan Dek Foundation's (BDF) efforts to improve the conditions and rights of migrant workers and their children living on construction sites in the BMR and Chiang Mai. It forms part of BDF's "Building Social Impact (BSI) Initiative in the Thai Construction Sector", implemented with the support of Kindernothilfe (KNH) and the German Federal Ministry for Economic Cooperation and Development (BMZ). The initiative works with major real estate developers and construction companies to promote the adoption of the BSI Framework for Action, which seeks to strengthen social practices and sustainability across the sector. The framework sets out 12 key recommendations in the four focus areas of infrastructure, welfare and services, healthcare, and education. Launched in 2022 and now being scaled up, the BSI Initiative offers free training and toolkits, including guidelines and self-assessment tools, to support companies in applying the framework in ways that generate a positive impact throughout the supply chain, benefiting business, workers, and their families.

The study's design responds to a call for proposals issued by BDF to investigate the migration and employment pathways of migrant construction workers and their children, as well as the barriers they encounter. Specifically, the study examines how the construction sector's high levels of temporary and unregulated work, fragmentation, and extensive subcontracting within Thailand's vast informal economy affect the responsibilities of both formal and informal enterprises to safeguard the welfare of migrant workers and their families. The aim is to promote appropriate measures to ensure migrant workers work in decent conditions and, together with their children, have adequate living arrangements in construction site camps and effective and equitable access to key public services.

More broadly, the study responds to growing interest in Thailand and other nations in the United Nations Guiding Principles on Business and Human Rights (UNGPs) and the Global Compact for Safe, Orderly and Regular Migration, or GCM⁹—of which Thailand is a Champion country— and their shared emphasis on corporate responsibility and the protection of migrant workers' rights in global supply chains in line with the International Convention on the

⁸ Thai PBS (2025).

⁹ TOHCHR (2011); UNESCAP (2018).

Protection of the Rights of All Migrant Workers and conventions of the International Labour Organization (ILO). Thailand's intention to become a full member of the Organization for Economic Co-operation and Development (OECD) by 2030 also requires significant reforms to environmental, social, and labour regulations, including responsible business practices, as set out in Thailand's Roadmap for the OECD Accession Process, adopted in 2024.¹⁰ Strengthening knowledge of recruitment and employment practices in the construction sector can help address the widespread gaps in compliance with national laws, international labour standards, ethical and fair recruitment practices, and Human Rights Due Diligence (HRDD) obligations. It can further support the establishment of risk management systems that proactively identify and mitigate human rights risks faced by migrant workers and their families throughout their migration experience, supporting responsible business conduct.

Migrants' regularisation challenges are increasingly acknowledged at the government level. A recent report by the Lower House's Standing Committee on Law, Justice, and Human Rights identified eight key problems in migration governance: a lack of clear, consistent policies; centralised decision-making and management; lengthy, complex procedures; and difficulties obtaining identification documents, permanent residency, and Thai nationality. The report also noted migrants' limited access to legal protection and remedies, as well as to basic health and education services.¹¹ There is growing concern that the continued framing of migration through a national security lens, permitting migrants to reside and work in Thailand on a temporary basis only,¹² does not align with the realities of long-term migration and the existence of well-established migrant communities in Thailand. Moreover, the migration landscape has evolved significantly since the beginning of the COVID-19 pandemic in 2020 and the military takeover in Myanmar in February 2021. These events have added urgency to the need for legal and policy reforms that view migration, not as a threat, but as a potential solution to Thailand's population and workforce decline.¹³

Taking advantage of the current window for policy reform, this study offers detailed insights into the construction sector, one of the industries with the highest concentration of migrant workers, to support evidence-based decision-making and targeted policy responses. This introductory chapter outlines the research framework, including scope, key questions, and methodology, which were designed to produce high-quality, ethically sound results despite limitations due to the short research timeframe and language barriers (Chapter 1). A brief overview of migration in Thailand follows, to help contextualise the research topic, recognising that migrant construction workers share many characteristics with those in other sectors and are subject to the same national migration and labour laws (Chapter 2). Within this broader context, the study then focuses on the specifics of migration to the construction industry (Chapter 3), before examining migration patterns (Chapter 4), recruitment and regularisation modes (Chapters 5 and 6), and employment practices (Chapter 7). The impacts of these conditions on the social and legal protection of migrant construction workers and their families, especially women and children, are then discussed (Chapter 8). The final chapter (Chapter 9) presents recommendations for structural reforms to strengthen accountability in the construction industry, retain a stable workforce, and improve the lives of the migrants who are essential to its operations. Given the construction industry's heavy reliance on migrant labour, ensuring their well-being is not only an ethical obligation grounded in shared humanitarian values, but also a practical necessity for the industry's productivity and long-term sector sustainability.

¹⁰ OECD (2024); Bangkok Post (2025a).

¹¹ Chongkittavorn (2024).

¹² Hall (2011).

¹³ Chongkittavorn (2024); TMRC (2024).

1.2 Research Objectives and Approach

The overall objective of the study, as stated in the original BDF call and reflected in the design of the approved research proposal, was to investigate “the nature of human rights impacts on workers and their families brought about by the extensive levels of subcontracting and the informal recruitment pathways used to acquire labour”. To capture the experiences of workers, their accompanying families, and relevant actors in the supply chain, the study was planned to be exploratory and qualitative in nature. Research questions were formulated to explore four primary areas of interest:

1. Modalities and key characteristics of the subcontracting chain, including the parties involved, the nature of their relationships, the handling of documentation, and recruitment (and regularisation) pathways.
2. Human rights risks faced by migrant workers and their families, including children, during the entire migration, recruitment, and subcontracting process.
3. The extent to which these risks are acknowledged and addressed, as well as the barriers to effective mitigation.
4. The existence, if any, of due diligence mechanisms related to fair and ethical recruitment and the extent to which these are implemented in practice.

The study also aimed to assess how recruitment and subcontracting practices affect migrants and migrant children’s access to social protection and welfare benefits, and their use of infrastructures and services at construction sites. It further sought to identify potential areas for improvement.

In the process, the research brought to the fore the gender and age dimensions to explore the distinct experiences of women and men (and eventually other gender identities) and of adults, youth, and children in order to identify their unique migration challenges and opportunities. Attention was also given to nationalities when assessing recruitment and employment practices.

Finally, the research elicited migrants’ perceptions and expressions of their needs and rights (to assess the literature’s claim that migrants often lack awareness of these rights) and the extent to which they feel these needs and rights are addressed. The study also gathered their suggestions for enhancing corporate accountability in the construction sector. Their views inform the analysis and recommendations in a participatory and inclusive manner, consistent with the Human Rights-Based Approach (HRBA) adopted as the research framework. In brief, HRBA focuses on those who are most marginalised, excluded, or discriminated against. Through a situation analysis, it examines different forms of discrimination and power imbalances, as well as immediate, underlying, and root causes of development problems to ensure that interventions are designed to address them structurally. Within this framework, migrants—including young persons and children—even if marginalised, are viewed as key actors in their own development in shaping solutions to the challenges they experience, rather than passive recipients of policy decisions and services.

1.3 Research Methodology

The exploratory methods employed in this study included a literature review, participatory observations, and key informant and in-depth interviews (KIIs and IDIs, respectively). The literature review included both Thai and English sources, encompassing peer-reviewed articles, government documents, published reports, and grey literature. Media articles were also examined. The review covered the 2020–2025 period to assess eventual changes in migrants' conditions, and recruitment and subcontracting practices, resulting from the COVID-19 pandemic, and the military takeover in Myanmar.

Literature on migration in Thailand's construction sector is scarce; the two most cited studies on this topic were conducted more than five years ago and focused on specific groups: women¹⁴ and children.¹⁵ Among the few recent academic articles, one narrowly focuses on the human rights concerns of the children of irregular migrant workers,¹⁶ while another identifies migrant construction workers' performance for management purposes, with no interest in migrants' conditions.¹⁷ Some valuable data exists in general studies of migration in Thailand, such as the 2024 International Migration in Thailand report by the UN Migration Network,¹⁸ recent unpublished reports by BDF,¹⁹ and short media articles.

This finding is in line with a recent global overview noting that despite the increasing employment of migrant workers in construction, research remains limited in scope and fragmented across various domains, "leaving a significant gap in comprehensive analyses encompassing the full spectrum of challenges [migrant construction workers] face".²⁰ The review further documented that Asia is the region with the most studies on this topic, but concerning Thailand it only recorded the previously mentioned article on workers' performance.

Regarding recruitment practices, a growing interest was observed at both the international and national levels in regularisation pathways,²¹ recruitment fees and related costs,²² and the promotion of fair and ethical recruitment.²³ While these studies do not focus specifically on the construction sector, their findings are relevant because migrants use the same migration and regularisation channels across all industries. The studies also provide a basis for comparing employment practices across sectors, noting that the construction sector is recognised for its high levels of subcontracting, informality, and irregularity.

The two-month fieldwork consisted of participant observations at two construction sites, coded for confidentiality. BDF identified these sites based on partnership with the BSI project, their location within the BMR, and company ownership type. As shown in Table 1, the selected companies are medium and large-scale, and neither is among the 12 largest construction companies dominating the market (see Chapter 3). Company 1 is a contractor managing its own camps, while Company 2 is a developer involved in residential real estate. They also differ in recruitment and employment practices: Company 1 hires workers directly and through subcontractors, while Company 2 relies exclusively on subcontractors. They are similar, however, in their employment of migrant workers, with only a small minority of Thai nationals present in either camp. Research team members also had opportunities to observe conditions for migrants in other construction camps in the BMR and elsewhere. These additional insights helped sharpen the analysis and deepen the study's findings.

¹⁴ ILO (2016).

¹⁵ UNICEF and BDF (2018).

¹⁶ Karim (2024).

¹⁷ Kongchasing and Sua-iam (2022).

¹⁸ Barber and Sciortino (2024).

¹⁹ BDF (2025a).

²⁰ Lyu et al (2025).

²¹ Chan (2022); IOM (2017; 2024a); Chairattana and Khanawiwat (2019); Rapid Asia (2022); Jespersen et al. (2022).

²² ILO (2020, 2024a); Rende et al. (2022).

²³ Alffram et al. (2023); ILO (2021, 2024b), ILO and ITC (2021); IOM (2021; 2025); Thai Union (2024); Winrock International (2024a).

Table 1: Features of the Selected Companies²⁴

	Company type	Project type	Camp name	Camp area	Ownership of camp site	Oversight over workers	Contracted subcontractors
Company 1	Contractor	High-rise residential buildings typically in central Bangkok	Nakhon Pathom	Mid-sized company Low-medium scale camp (190 workers)	Company	Both by the company and subcontractors	Yes
Company 2	Developer	Low-rise housing estates typically in sub-urban areas	Chom Tong	Large company Small camp (96 workers per October 2024)	Company	By subcontractor	Yes

A total of 98 interviews were conducted with migrants, including children, and other stakeholders in the supply chain. Purposive sampling ensured that respondents represented the specific migrant and stakeholder groups involved. However, one interview with a government official and three with migrant workers were excluded from the analysis due to poor data quality. The remaining content was consistent with the trends identified from the same peer groups.

Additional interviews conducted with other migrants in the same camps at a later phase served to validate data interpretation and were not included in the official interview count. Consequently, this report analyses 94 interviews (Table 2), using substituted codes for participant anonymity (see List of Respondent Codes).

The semi-structured KIIs and IDIs were guided by pre-defined questions tailored to each respondent group. Specific questions on recruitment and employment practices were asked to subcontractors, brokers, recruitment agencies, construction companies, government officials, and activists from non-governmental organizations (NGOs) and civil society organizations (CSOs). Representatives of companies of different sizes were approached, and recruitment agencies included both licensed and unlicensed entities. Government participants consisted of selected departments within the Ministry of Labour (MOL), including the Department of Employment (DOE) and the Department of Labour Protection and Welfare (DLPW). The identified CSOs comprised organisations working on migration with a focus on labour protection, health, and children.

²⁴ The information is derived from BDF (2025a).

Table 2: Respondents' Details

	Nationality	Sex		Total
		Men	Women	
IDIs				
Migrant workers	Cambodia	3	7	10
	Myanmar	10	11	21
Total Migrant Workers		13	18	31
Migrant children (9-14)	Cambodia	-	-	-
	Myanmar	-	2	2
Migrant young persons (15-18)	Cambodia	-	2	2
	Myanmar	-	1	1
Total Migrant Children and Young Persons		-	5	5
Total Migrant Population		Myanmar	13	22
KIIs				
Subcontractors (formal)		5	3	8
Subcontractors (informal)		7	1	8
Total Subcontractors		12	4	16
Brokers		3	7	10
Total Brokers		3	7	10
Construction companies ²⁵	Small	1	3	4
	Mid-sized	2	2	4
	Large	3	1	4
Total Construction Companies		6	6	12
Thai recruitment agencies	Licensed	3	1	4
	Unlicensed	2	2	4
Total Thai Recruitment Agencies		5	3	8
NGOs and CSOs		3	3	6
Total NGOs and CSOs		3	3	6
Government agencies		3	3	6
Total Government Agencies		3	3	6
Total Number of Respondents		45	49	94

The goal was to achieve gender parity in each category, but time constraints and other conditions during the fieldwork prevented this. Men were more prevalent among subcontractors, while women predominated among brokers. It remains unclear whether these differences reflect actual gender imbalances or are simply a result of the interviewers' networks.

IDIs targeted migrants of varying gender, age, and nationality to probe their views and experiences. Interviews took place in the evenings, after migrants had finished work. Women were overrepresented, likely because they were more accessible in the camp's living quarters while carrying out household chores, and because they were more willing to interact with the all-women research team.

Initially, the plan included migrants from Myanmar, Laos, and Cambodia, but only migrant workers from Myanmar and Cambodia were found in the selected camps. Vietnamese workers were excluded, as literature shows their

²⁵ Large companies also included developers; however, their number was too small to allow for a specific comparative analysis with contractors.

presence in this sector is minimal. Adjustments were made to include migrants with different regularisation statuses to identify eventual differences in recruitment and subcontracting practices. Based on the options detailed in Chapter 2, six profiles are possible:

1. Regular migrant workers who entered Thailand through bilateral Memorandum of Understandings (MOUs).
2. Regular seasonal migrant workers holding a Border Pass.
3. Semi-regular migrant workers who entered Thailand irregularly or became irregular in Thailand and later registered under Cabinet Resolutions. Few may seek full regularisation by returning to their countries and re-migrate under MOUs.
4. Semi-regular migrant workers who entered through MOUs, but rather than returning to their country to renew their status, registered under Cabinet Resolutions.
5. Irregular migrant workers who entered regularly via MOU or Border Pass but failed to renew their visa or register under a Cabinet Resolution after their status expired.
6. Irregular migrant workers who entered irregularly and have never regularised their status.

However, during the research, fewer categories were encountered as respondents were concentrated in categories 3 and 6, with very few in category 1. This suggests that the dominant migration pattern consists of migrants crossing borders informally and seeking regularisation only later, if at all.

To explore migrant child labour, the study classified migrant youth and children according to the Thai Labour Protection Act B.E. 2541 (1998). Under this act, a “child” is defined as any person under the age of 15 years old who is not permitted to work, while a “young person” refers to individuals aged 15 to 18 who may work only in non-hazardous environments.²⁶ Youth-friendly questionnaires were developed for young persons, while Participatory Rapid Assessment (PRA) tools were used for children, including migration mapping and pictorial assessments. However, due to school holidays and the reluctance of foremen and on-site leaders, few children and young people were available for interviews and follow-up visits. Consequently, only half of the targeted quota of 10 migrant children and young persons could be met. Questions about children were incorporated into interviews with all stakeholders, helping fill key information gaps.

Interview guides, observation protocols, and PRA tools were translated into Burmese, Khmer, and Thai, then transcribed into English. Although trained interpreters were used, many migrants were proficient in Thai, which allowed for direct interviews and reduced the risk of misunderstanding.

Given the sensitivity of the topic and vulnerability of participants, detailed safeguarding protocols were established. These included informed consent procedures, allowing participants to withdraw at any point during the interview, anonymisation of sensitive data and maintaining secure data storage practices. To further protect migrants, they were not categorised by camp, also because no significant differences were observed between the two groups. Specific measures ensured that children and young people participated voluntarily and with parental or guardian consent.²⁷

Before data collection, the research project underwent ethical review by the Institutional Review Board (IRB) at Mahidol University's IPSR. Approval was granted promptly, as the study design was found to comply with ethical standards and to include adequate safeguards to protect the rights and well-being of participants.

²⁶ Siam Center Law Group (2024).

²⁷ Here we followed the Charter on Ethical Evaluations and Research Involving Children (ERIC; see childethics.com), which was formulated by UNICEF's Office of Research, Innocenti, in collaboration with other international organizations and universities.

1.4 Research Analysis

The information gathered was first translated and transcribed into English, using virtual translation tools where necessary. Each interview was reviewed against 1) responses within and across other groups, and 2) pre-assigned topics, ranging from migration pathways and labour contracting to social protection and human rights.

The study employed Grounded Theory to inductively identify patterns and themes common across, or specific to, different groups of stakeholders in migrant recruitment and employment. Through comparative analysis of their narratives, the study constructed a comprehensive picture of the systems affecting migrant workers and their families.

Data was manually coded and processed to gain a first-hand understanding of respondents' views and to capture nuances in their responses. Given the manageable size of the collected data and to avoid being driven by a search for recurring words, no computer-assisted qualitative data analysis software was used.

To enhance reliability, findings were triangulated with participant observations and relevant literature. A validation workshop was held on 28 May 2025, with a diverse set of stakeholders. The draft report was peer reviewed by human rights and migration experts from Mahidol University and the Baan Dek Foundation.

1.5 Study Limitations

This exploratory study inherently entails several limitations. Its scope is limited, and findings cannot be generalised to the entire Thai construction sector. Purposive sampling focused on accessible participants, potentially omitting less visible groups. In migrant worker interviews, the camp setting and the presence of personnel may have introduced social desirability bias, discouraging workers from discussing sensitive issues.

Researchers' restricted access (after-hours and with authority's permission) may have conditioned observations, including on child labour, and influenced participant selection, especially for Cambodian migrants who had to be interviewed in a group containing also two foremen. Potential response bias is also expected from stakeholders involved in documented recruitment malpractices.

Unequal gender representation and a small sample of children limited specific analyses, while time constraints prevented deeper probing into topics not expressly mentioned by the respondents, such as overtime and remittances. Furthermore, virtual translation tools may have flattened nuanced expressions or caused terminological misunderstandings.

Despite these limitations, the study is consistent with existing literature and provides updated, in-depth knowledge. Sensitive issues, such as irregular status and wage theft, emerged even within the constrictive interview setting thanks to the interviewers' skills in facilitating open dialogue. Triangulation across stakeholders and literature helped mitigate individual respondent bias. With these methodological enhancements, the research managed to identify noteworthy patterns in migration, regularisation, recruitment, and employment pathways and to offer valuable insights into the social protection and human rights consequences for migrant workers and their children. The resulting findings underscore the need for urgent action as well as more systematic, larger-scale research to support policy reform in the construction sector and the broader migration management system.

2 Cross-Border Labour Migration to Thailand



2.1 Thailand's Central Role in Regional Migration

Thailand serves as a major migration hub in the Greater Mekong Subregion (GMS) and Southeast Asia, functioning primarily as a destination country and, to a lesser extent, as a transit and origin country for both economic and humanitarian movements within the region. Historically, the Thai economy has benefited greatly from labour migration. Of the more than 6 million non-Thai persons estimated to be living in Thailand as of March 2025, almost 5 million were migrant workers from neighbouring countries employed in low-paid and heavy-duty jobs. Cambodia, Laos, and, especially, Myanmar are the main countries of origin, with far fewer migrants coming from Vietnam.²⁸ In contrast, the official number of higher-skilled workers, professionals and investors was only 187,287. The remainder of the non-Thai population includes students, relatives of Thai citizens, stateless persons (mostly born in Thailand), long-term refugees from Myanmar living in border camps, urban refugees, asylum seekers, and trafficked persons.

Migrant workers constitute over 10 per cent of Thailand's labour force. Decades-old estimates of their contribution to GDP, which range between 4.3 and 6.6 per cent,²⁹ may now be conservative given the growing migrant population and their engagement in key economic sectors. This substantial economic participation is expected to expand due to demographic, economic, and political factors. Thailand is becoming a "super-aged society," with more than a fifth of the population over 60 and declining birth rates, which have shrunk the working-age population. Simultaneously, the 13th National Economic and Social Development Plan (2023-2027) promotes a knowledge- and value-based model, encouraging domestic workers to move into higher-skilled sectors and indirectly creating demand for foreign labour in elementary and semi-skilled occupations.³⁰

These domestic conditions, along with economic disparities in the region, will continue to attract younger people from neighbouring countries seeking better livelihoods. Additionally, environmental disasters and political instability in the region—primarily the ongoing crisis following the February 2021 coup in Myanmar—will drive further displacement and migration to Thailand and other countries.

²⁸ These estimates are based on the authors' updates to the 2023 data presented by Syed Zwick and Gonzalez (2024), incorporating the most recent available information from the DOE (March, 2025) whenever feasible. Because the timing of data releases varies across categories, the figures should be viewed as indicative of current trends only.

²⁹ ILO and OECD (2017).

³⁰ Sachdev, Liang and Pottler (2024).



2.2 Governance System for Cross-Border Migration

Although vital to Thailand's economic growth, cross-border migrant workers are viewed as a temporary source of labour. Existing migration management policies do not provide for their permanence or full integration into society, nor do they support career development or retention. This viewpoint persists despite long-standing migrant communities and established networks that facilitate cross-border movements. Evidence indicates that a significant portion of the migrant population has resided in Thailand for decades. A recent study in Phuket found that the median length of stay for 296 surveyed migrants from Myanmar was eight years.³¹ Similarly, a 2017 study in the BMR reported that almost 60 per cent of 278 migrants had stayed longer than 5 years (half of whom had exceeded 10 years).³²

Still, opportunities for regular migration and regularisation in low-wage occupations remain short-term and restrictive compared with those for workers in other skill categories. These constraints are rooted in three primary legislative instruments:

- The Immigration Act, B.E. 2522 (1979) outlines the legal rights and duties of non-Thai individuals, establishes visa rules and permissions for staying in the country, and imposes penalties for irregular stay, including fines for both migrants and employers, and irregular migrants' immigration detention and deportation.
- The Foreign Employment Act, B.E. 2521 (1978) specifies which sectors are open to migrants and mandates that they obtain a work permit sponsored by an employer.
- The Royal Ordinance Concerning Management of Foreign Workers in Thailand, B.E. 2560 (2017) and its 2018 Amendment regulate the recruitment of migrant workers across all sectors.³³ While it prohibits charging fees to workers, it allows employers to deduct recruitment costs "up to 10 per cent of the worker's monthly salary with the worker's consent for the costs that the employer has paid in advance, including the passport fee, work permit fee, health check-up fee and costs incurred in the worker's country of origin".³⁴

Through its legislature, Thailand has, *de facto*, established a two-tier migration governance system. The first tier comprises non-Thai nationals who may hold various types of visas for purposes such as study, retirement, and family reunification, as well as skilled professionals. The second tier includes temporary workers in low-wage occupations from Myanmar, Laos, Cambodia and Vietnam, who are restricted to three temporary options:

- The Bilateral MOUs on Cooperation in the Employment of Workers serve as the formal migration channel for workers from neighbouring countries seeking full-year employment in Thailand. Under this system, prospective migrants can enter as contract workers, though they are not permitted to bring dependents. They can work in selected manual labour occupations for two-year periods, with annual visa renewals, and may extend for an additional two-year stay. After completing these terms, workers must return to their countries of origin before they can be eligible to re-enter Thailand employment, a process known as the "U-turn" system. However, since the COVID-19 pandemic, exceptions to this return requirement have been made in accordance with Cabinet Resolutions (see below), including in the current year, resulting in a group of MOU workers who are now allowed to extend their stay in-country.

³¹ Wongsuwanphon et al. (2024).

³² Khumya (2023).

³³ This replaced and unified the Working of Foreigner Act B.E. 2551 (2008) and the Royal Decree on Recruitment of Foreigners B.E. 2559 (2016).

³⁴ MitrThai (2023).

Only employers in selected sectors, along with accredited private recruitment agencies—officially known as Licensed Overseas Employment Agencies or LOEAs and more commonly referred to in the industry as Foreign Worker Employment Agencies or FWEAs—are authorised to apply for MOU workers and initiate the necessary procedures in the workers’ countries of origin, with the assistance of private recruitment agencies based there. Once approved, workers are brought to a Post-Arrival and Reintegration Centre for Migrant Workers at Thailand’s borders, where they undergo administrative processes, health check-ups, and skill training before travelling to their assigned work locations. During their two-year employment period in Thailand, migrant workers are not allowed to change employers, except in cases of employer’s malpractice.³⁵ In such cases, the worker must submit a resignation letter to the employer for registration with the authorities and has 60 days to secure a new employer, a change recently introduced that improves upon the shorter transition periods previously allocated.

- Section 64 Border Pass provisions apply to day and seasonal workers from Myanmar and Cambodia who work in adjacent border provinces for a maximum of 90 days. In practice, however, the pass is often renewed for extended stays. As with the MOU system, no dependents are allowed under this arrangement.
- The only in-country channel for migrants is registration pursuant to ad-hoc Cabinet Resolutions, which grants temporary exemptions from deportation for migrants in irregular situations already in Thailand, allowing them to work with a valid work permit. The amnesty measure is enabled by Section 17 of the Immigration Act, which allows special conditions to be set for individuals or groups to deviate from immigration laws. This channel is also the only one that accommodates dependent children up to 18 years of age (but not spouses).

The latest Cabinet Resolution of September 2024 allowed the extension of the stay and employment for Lao and Vietnamese workers until February 13, 2026, and for Cambodian and Myanmar workers until February 13, 2027, with the possibility of a two-year renewal. The initial 40-day registration period was eventually extended by three months for Lao and Vietnamese workers (until 13 May 2025) and by six months for Myanmar and Cambodia workers (until 13 August 2025).³⁶ During this registration period, employers had to submit an online foreign worker employment demand along with the required documents and evidence specified in the application form (T.B. 33). These included the worker’s passport (in the case of Myanmar migrant workers, Passport for Jobs or PJ) or Certificate of Identification (CI) obtained in Thailand after completing the National Verification process. Employers had to pay the permit fee and obtain working visas and temporary residence permits (Non-Thai Identification Card, commonly referred to as “pink cards”)³⁷ for their employees, after the workers’ biometrics were collected.

It is worth noting—and relevant to the respondents in this study, as discussed in Chapter 4—that this latest Cabinet Resolution, like previous ones since the COVID-19 pandemic, permitted MOU workers from Cambodia and Myanmar who have completed their 4- or 6-year term to extend their visa and work permit for an additional two years, with the possibility of a further two-year renewal. This can be done online without returning to the country of origin (see Figure 1 for the required application steps). In contrast, for Vietnamese and Laotian workers, the original MOU rules remained unchanged.³⁸

³⁵ The employer terminates the employment or dies; the employer abuses or harms the employee; the employer does not comply with the contract or labour protection law; bankruptcy of the employer; the employee works in an environment that may be harmful to the physical, mental, and health or the life of the employee [as reported by the First Good Man Group Company (2025)].

³⁶ PRD (2025).

³⁷ Thailand has various kinds of “pink” cards for non-Thais with different rules and limitations including for long-term and resident expats, foreign owners of apartments, ethnic groups and stateless people.

³⁸ P.C. 80 (2024).

Figure 1: Registration Process for Renewal of Work Permit for MOU Workers from Cambodia and Myanmar Pursuant Cabinet Resolution of September 2024



The implications of this tweaking of MOU procedures for workers from Myanmar and Cambodia, particularly the blurring of the most evident distinction between out-of-country and in-country regularisation, are still unclear, partly because several other requirements remain in place. At first glance, the concession may suggest a willingness to take local conditions and those of neighbouring countries into account by broadening in-country regularisation for migrant workers already in Thailand, while reserving out-of-country channels for new migrants. However, whether these adjustments will prove sufficient is yet to be seen. Both official data and qualitative analyses suggest that implementation challenges persist, with high costs and complex procedures potentially undermining the intended goals of regularisation. There is also the question of whether the measures taken are sufficient to effectively address a longstanding issue identified as early as 2012: “the permanent settlement of temporary migrant workers”⁴⁰ often in irregular conditions.

³⁹ Adapted from P.C. 80 (2024); MitrThai (2025).

⁴⁰ Boonchalaksi, Chamrathirong and Hughet (2012).

2.3 Trapped in Precariousness and Irregularity

Despite the Thai government's efforts to establish MOU arrangements as the primary pathway for regularisation, this channel is not widely favoured. The MOU process has proven costly, complicated, and time-consuming for both migrant workers and employers, a sentiment echoed within the construction sector (see Chapter 5). Employers face an additional burden from the engagement of LOEAs, and despite the official zero-fee policy, most migrants still bear recruitment costs averaging 20,000 THB.⁴¹ The short employment period often prevents migrants from recouping migration expenses and leaves employers with an unstable workforce. Changing employers remains challenging, even when workers face poor pay or conditions, despite the previously mentioned new regulations that opened up such a possibility and extended the time allowed to find an alternative employer. The Border Pass scheme also has limited functionality due to its short validity, resulting in recurring renewal costs, restrictions on movement at the district and provincial levels, and protection gaps. Given the unpopularity of these out-of-country regularisation options and the resulting widespread irregular cross-border entry into Thailand, the Cabinet Resolutions have effectively become the primary mechanism for migrants seeking some levels of legal protection, despite originally being intended as a stopgap measure to control widespread irregular migration.

Although widely used, the Cabinet Resolutions do not fully address broader migration governance needs. They, too, have been criticised as unsustainable and burdensome for migrants and their employers alike, with little regard for migrant integration into Thai society, irrespective of how long they have lived in the country. Key issues include limited validity, the involvement of multiple agencies, inefficient online processes, and a complex registration system, including work permit renewals and personal document applications. Since the closure of the one-stop service centres during the COVID-19 outbreak, the registration process has become more segmented and unreliable due to increased paperwork and processing steps.⁴² Additionally, the rising number of applications, reaching almost 2.4 million (of which about 2 million are from migrants from Myanmar) under the latest September 2024 Cabinet Resolution, is further straining the system.

Furthermore, for workers from Myanmar, the ongoing crisis has introduced new obstacles. Many migrants are reluctant to interact with the Myanmar authorities to obtain the necessary documents. They are particularly wary of obligations introduced in September 2023, which require regular migrant workers to remit at least a quarter of their earnings to their relatives through 21 banks regulated by the Central Bank of Myanmar—banks that offer lower exchange rates. They are also fearful of the significant taxes imposed on their overseas income, either a flat 2 per cent or a tiered income tax from 10 to 25 per cent, depending on the amount earned.⁴³ Non-compliance with these requirements could lead to the rejection of passport issuance or renewal. Additionally, they dread being identified under a recently enacted conscription law that mandates young men and women serve in the military for two years.⁴⁴

In this context of migration governance, irregularity becomes a “necessity” shaped by multiple causes. The restrictive and temporary nature of regular migration pathways, combined with the high costs involved, limits migrants' ability to recoup their initial investments and to pay for regularisation. The employer-centred regularisation process further increases migrants' risk of irregularity, as it makes their legal status dependent on employers' willingness to comply with the process. Insufficient provisions for family migration and reunification restrict the regularisation of dependents. No legal protections are further in place for individuals fleeing complex, multi-layered crises, such as those in Myanmar.⁴⁵ Not surprisingly, many migrant workers, including, as discussed later, also migrant construction workers, end up migrating irregularly and, eventually, seeking amnesty later while in Thailand or remaining in an undocumented

⁴¹ Thai PBS (2024), PRD (2025), The Nation (2025a).

⁴² Thai PBS (2024); MWG, CRSP and Burma Concern Forum (2023).

⁴³ UNDP (2023).

⁴⁴ IOM (2025b); Htet Khaing Min (2025).

⁴⁵ Sciortino and Barber (2024).

status. Or else, when they do engage with these pathways for regular border crossing, they often end up overstaying, breaching movement constraints and/or leaving their job before contract expiry, all of which result in an undocumented status and attempts to re-establish legality whenever conditions allow.⁴⁶

As a result, contemporary migration in Thailand has become marked by two intersecting trends: 1) fluctuating legal status due to inconsistent in-country registration and 2) increasing irregularity. This is reflected in recent statistics on Thailand's migrant worker population, with an increasing number of workers under Cabinet Resolutions or irregular status, and a declining number migrating under the MOU system.

2.4 Migrant Worker Population

The number of migrant workers in Thailand has been increasing since 2019, surpassing pre-COVID-19 figures. According to DOE data presented in Table 3, as of March 2025, there were 3,150,380 migrant workers from neighbouring countries regularly employed in Thailand. This represents a significant increase of about 11 per cent from the 2,788,415 migrant workers documented in 2019, primarily attributed to the growth of mixed migratory flows from Myanmar driven by economic crisis and conflict in the homeland. They make up the vast majority of the regular migrant worker population, totalling 2,272,419 individuals (72.1%), followed by workers from Cambodia (16.1%), Laos (11.6%), and Vietnam (only 0.1%).

Among this regular migrant worker population, those registered via MOU procedures accounted for about 23 per cent. This represents a decrease from 36 per cent in 2019, largely due to the closing of borders during the COVID-19 pandemic and the subsequent conflict in Myanmar, which has hampered potential migrants' interactions with official institutions and slowed MOU applications. Interestingly, Laos has the highest number of migrants who have moved via the MOU process, pointing to lower costs and bureaucratic barriers, as well as the lack of options for Laotian migrants to renew their passports or obtain a CI as a substitute document in Thailand.

The official records do not account for the significant and growing population of migrants in irregular conditions. According to the latest estimates from IOM, their number surged dramatically by more than 100 per cent from about 800,000 in 2019 to 1.8 million by December 2023.⁴⁷ This figure is expected to be higher now due to the worsening of the conflict in Myanmar, despite the large number of workers regularised in January 2024 by the Cabinet Resolution passed on 3 October 2023.⁴⁸ Recent evidence shows that in January 2025, the migrant population in the border provinces exceeded official registries by 5.3 times in Mae Hong Son, 3.2 times in Tak, and 2.5 times in Chiang Rai.⁴⁹

⁴⁶ Thai PBS (2024), PRD (2025), The Nation (2025a).

⁴⁷ Thai PBS (2024); MWG, CRSP and Burma Concern Forum (2023).

⁴⁸ UNDP (2023).

⁴⁹ IOM (2025b); Htet Khaing Min (2025).

Table 3: Number of Migrant Workers from Cambodia, Laos, Myanmar and Vietnam, by Regularisation Channel and Nationality, 2019 - March 2025⁵⁰

Country	Process	2019	2020	2021	2022	2023	2024	2025 (March)
Cambodia	MoU	303,971	223,622	153,030	117,287	152,337	176,025	192,188
	BP	39,896	-	-	14,941	34,352	48,988	32,150
	CR	342,562	230,753	302,446	387,534	214,665	284,466	283,033
	Total	686,429	454,375	455,476	519,762	401,354	509,479	507,371
Laos	MoU	183,460	156,672	116,372	95,756	157,564	198,078	274,320
	BP	-	-	-	-	-	-	-
	CR	97,502	50,616	96,831	139,229	75,073	93,237	92,610
	Total	280,962	207,288	213,203	234,985	232,637	291,315	366,930
Myanmar	MoU	518,321	416,616	324,869	351,183	282,516	261,010	263,427
	BP	26,095	-	-	7,507	5,117	8,741	7,129
	CR	1,276,512	1,024,033	1,138,066	1,623,049	1,426,223	2,002,770	2,001,863
	Total	1,820,928	1,440,649	1,462,935	1,981,739	1,713,856	2,272,521	2,272,419
Vietnam	MoU	96	248	137	131	112	-	-
	BP	-	-	-	-	-	-	-
	CR	-	-	-	1,573	1,275	3,664	3,660
	Total	96	248	137	1,704	1,387	3,664	3,660
Total	MoU	1,005,848	797,158	594,271	564,226	592,529	635,113	729,935
	BP	65,991	-	-	22,448	39,469	57,729	39,279
	CR	1,716,576	1,305,402	1,537,343	2,149,812	1,717,236	2,384,137	2,381,166
	Total	2,788,415	2,102,312	2,131,614	2,736,486	2,349,234	3,076,979	3,150,380

MOU = Memorandum of Understanding; BP= Border Pass; CR Cabinet Resolution

Women represent less than half of the regular migrant workforce, accounting for 1,428,636 migrant workers, or 45.34 per cent. Within migrant groups, slightly lower percentages of women are recorded for migrant workers from Cambodia (44.82%), Myanmar (43.69%), and Vietnam (43.33%), while a significantly higher proportion of women is represented among migrant workers from Laos (56.33%). There are also gender differences in the overall population using regularisation channels, with a higher proportion of men (76.9%) registered under Cabinet Resolutions compared to women (73.9%). Conversely, a lower proportion of men migrated under the MOU system (21.9%) than women (24.6%). Similarly, among Border Pass holders, men account for 1.1 per cent, while women make up 1.3 per cent (see Table 4). While gender-disaggregated data on irregular migrant workers are not available, it is generally assumed that women are more represented in this category because they tend to have less access to regularisation channels due to a lack of resources and the prioritization of men by their families. Also, when women migrate with their children, they take irregular routes as dependent children cannot be covered by the MOUs or Border Passes.⁵¹

⁵⁰ Updated from table in Syed Zwick and Gonzalez (2024) by the authors with most recent data from DOE (2025).

⁵¹ Karim (2024).

Table 4: Cross-Border Migrant Workers Population by Regularisation Channel, Sex, and Nationality, March 2025

Country	Sex	MoU	BP	CR	Total
Cambodia	Men	105,873	17,492	156,593	279,958
	Women	86,315	14,658	126,440	227,413
Laos	Men	119,399	0	40,803	160,202
	Women	154,921	0	51,807	206,728
Myanmar	Men	152,866	1,664	1,125,026	1,279,556
	Women	110,615	5,465	876,837	992,917
Vietnam	Men	0	0	2,082	2,082
	Women	0	0	1,578	1,578
Total		729,989	39,279	2,381,166	3,150,434

MOU = Memorandum of Understanding; BP= Border Pass; CR Cabinet Resolution

Estimating the population of migrant children is challenging because, except for those few registered as children of migrant workers under Cabinet Resolutions, most are undocumented. The figure that has been repeated over the years in reports and media accounts is that of “between 400,000 and 500,000 migrant children”, reportedly produced by Mahidol University’s Research Institute for Languages and Cultures of Asia.⁵² Among them are children who are accompanied, unaccompanied, or separated from parents (at times with other relatives) or guardians, with a variety of registration statuses, but similar in their precarious conditions. Most of these children are thought to reside in Chiang Mai, Chiang Rai, Tak, and BMR—areas known for their large populations of migrants and stateless individuals.

2.5 Employment Profile

Migrant workers from neighbouring countries are expected to supply “manual work and simple work which requires physical strength” across 25 occupational categories. Their employment is contingent upon having an employer and the acquisition of the prescribed documentation. Career advancement for these workers is limited, since they have access to semi-skilled and skilled jobs only in eight occupations—construction (bricklaying, carpentry, or construction work); farming (agriculture, animal husbandry, forestry, or fishery), mattress making, shoe making, hat making, dressmaking, knife making, clay pottery making—and only under employer sponsorship. It further requires changing their work permits from manual labour, which is not easy and is therefore rarely completed. Those who enter under the MOUs can also work as shop vendors, but cannot work as freelancers or become self-employed. There are 27 additional job categories prohibited for migrant workers to protect local employment and preserve cultural heritage.⁵³

Migrant workers fill manual labour gaps in all key economic sectors (agriculture, industry, and services), but they are particularly needed in sub-sectors and industries characterised by labour-intensive production. According to DOE data, as of March 2025, most regular migrant workers were employed in agriculture, including long-term agriculture, followed by the industrial sector (construction and manufacturing), services, and food and beverage processing. Most workers registered under Cabinet Resolutions were in construction and, secondarily, in agriculture, while those entering with Border Passes and under the MOUs were in agriculture and, secondarily, in manufacturing. Construction ranked third for workers under the MOUs and fourth for Border Pass holders (Table 5).

⁵² Reported in Bangkok Post (2025b). To be noted references for the quoted estimates and other reported figures of the migrant child population are difficult to locate. Some official data from the Ministry of Interior, as reported in World Education and Save the Children (2014) and repeated in more recent literature are outdated.

⁵³ Businessasia.blog (2025).

Table 5: Top Five Sectors according to Migrant Workers' Regularisation Channel, March 2025

Ranking	MOU	Total	BP	Total	CR	Total
1	Agriculture and livestock	191,892	Agriculture and livestock	22,073	Construction	554,098
2	Manufacturing and Trade	139,728	Manufacturing and Trade	6,694	Agriculture and livestock	504,247
3	Construction	114,956	Services	4,522	Manufacturing	424,716
4	Food and Beverage Production	99,796	Construction	2,512	Services	256,693
5	Services	68,442	Food and Beverage Production	856	Food and Beverage Production	207,628

MOU = Memorandum of Understanding; BP= Border Pass; CR Cabinet Resolution

According to Table 6, the distribution of regular workers by nationality as of March 2025 revealed that Cambodian workers primarily worked in the construction sector, followed by agriculture and livestock. Regular migrant workers from Myanmar, by contrast, were predominantly engaged in agriculture, with construction as their second-largest sector. For regular migrant workers from Laos, agriculture led followed by manufacturing and trade. There were only a small number of regular workers from Vietnam, mainly concentrated in manufacturing and trade, and, for men, in agriculture and livestock.

Overall, men migrant workers were predominantly employed in construction, followed by the service and manufacturing sectors. In contrast, the largest number of women migrant workers were employed in agriculture, followed by manufacturing, with construction being third. However, there were differences by nationality: among migrant workers from Laos and Vietnam, men were underrepresented in the construction sector. Among migrant workers from Cambodia, the highest number of women were employed in construction.

Although domestic work was not typically among the top sectors, employing only 4.81 per cent of the overall regular migrant workforce and 8.61 per cent of all regular women migrant workers, women made up a significant majority—around 80 per cent—of the workers in this sector. It is also important to note that, even when registered in other sectors, such as construction, women migrant workers are often assigned to “female-gendered” occupations, including cleaner, caretaker, cook, and housekeeper (see Chapter 5).

Table 6: Top Five Industries Employing Migrant Workers by Migrant Workers' Sex and Nationality⁵⁴

Industry	Total			Cambodia			Laos			Myanmar			Vietnam		
	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total
Agriculture and Livestock	320,189	397,963	718,152	71,306	60,195	131,501	41,641	35,240	76,881	284,472	224,716	509,248	544	38	582
Construction	423,394	248,172	671,566	104,877	76,575	181,452	14,074	9,464	23,538	304,376	162,096	466,472	67	37	104
Manufacturing and Trade	323,830	248,508	571,138	32,203	24,474	55,864	24,576	23,148	47,274	266,578	200,547	467,197	473	339	812
Services	329,657	179,688	509,345	23,018	19,242	42,260	19,132	22,863	41,995	137,322	107,699	245,021	216	165	381
Food and Beverage Production	308,280	145,707	453,987	13,698	15,925	29,623	34,918	55,482	90,400	96,614	90,518	187,132	477	648	1,125

⁵⁴ Source DOE (2025). Different categories have been grouped together in two main categories as follows: Agriculture and livestock (category #2), here includes also long-term agricultures (category #5), and long-term livestock (category #6). Manufacturing and trade includes here: Metal various types of manufacturing namely metal (category #9), clay (category #11), construction materials (category #12), garments (category #14), plastic (category #15), paper (category #16) and electronic materials (category #17).

Regionally, the BMR had the highest number of regular migrant workers, followed by the Eastern and Southern regions, especially along the Eastern Economic Corridor (EEC) in the three provinces of Chonburi, Rayong and Chachoengsao. In contrast, the North-eastern region had the fewest workers. These disparities in employment distribution are driven by differences in wages, working conditions, retention opportunities, and government oversight, particularly between rural and urban areas.⁵⁵

Less is known about irregular migrant workers, but many are active in Thailand's large informal economy, which accounts for approximately 48.4 per cent of the country's GDP. Informal labour constitutes about 52.8 per cent of total employment, or around 20 million workers (excluding migrants), primarily engaged in agriculture, livestock, and construction, and who operate without formal labour protections or social security.⁵⁶ The informal sector also encompasses the so-called shadow economy, where migrants are unable to attain regular status while working in semi-legal jobs under Thai law, such as sex work. Overall, irregular migrants tend to find employment in small and micro-enterprises,⁵⁷ both formal ones not fully compliant with the law and informal ones alike, including small establishments owned by individuals or families that are not or only loosely registered. In this scenario, the opportunity to work and earn an income is accompanied by worse labour market conditions, as irregularity and informality reinforce the precarious status of migrant workers.⁵⁸

2.6 Migrants' Working Conditions and Welfare

The Labour Protection Act of 1998 stipulates that all workers, including migrant workers, must be paid the official minimum wage, which, as of January 2025, ranged from 337 THB to 400 THB daily depending on the province. The highest tier covers Phuket and the surrounding areas, while the lowest tier applies to the southernmost provinces of Narathiwat, Pattani, and Yala. BMR falls in the high-middle-end tier at 372 THB a day.⁵⁹ However, it is common for migrant workers to be paid below officially set standards and less than their Thai counterparts, with employers taking advantage of inadequate law enforcement, as the research shows for construction workers. Women further encounter discrimination as they earn lower wages on average than men, and their work is not always valued economically. According to 2019 estimates, the gender wage gap for migrant workers from Cambodia and Laos was 19 per cent, while for workers from Myanmar was 11 per cent.⁶⁰

Other widespread violations of the Labour Protection Act include making overtime compulsory without compensation; delays in wage payments that can extend for several months or even outright non-payment of wages; denial of rest, sick leave, and other statutory leaves; retention of personal and work documents by employers or recruiters; and being prevented from changing employment. Migrant workers also experience deceptive recruitment and contracting practices, as well as instances of abusive working conditions and forced labour, and haunting cases of child labour. Many migrants do not receive a written contract, and when they do, the language and terminology used can be unfamiliar to them. They are also not informed of their entitlements, legal protections, or how to report violations.

Over the years, research has highlighted the urgent need to improve working conditions for migrants by enforcing existing legal safeguards. However, labour inspections by the DOE have been criticised for lacking quality and breadth, and social auditors tend to overlook abusive labour practices in favour of the firms that hire them, ultimately undermining corporate accountability.⁶¹ At the same time, many migrants are reluctant to file complaints through

⁵⁵ Offermanns (2025).

⁵⁶ Banchongduang (2024); Thaicharoen (2025).

⁵⁷ Micro, Small, Medium, Enterprises (MSMEs) dominate Thailand's economy—making up 99.5 per cent of approximately 3.2 million formal enterprises (World Bank 2023, p. 10), while the number of informal or semi-informal ones is not known, but is expected to be large.

⁵⁸ Ducanes, Engblom and Ramos (2023).

⁵⁹ Tilleke and Gibbins (2025).

⁶⁰ IOM and BHR UNDP (2020).

public or private complaint channels due to language barriers, fear of employer retaliation, dismissal by government officials, and concerns about their immigration status. Irregular workers refrain from reporting abuses out of fear of detention and deportation. Furthermore, migrants cannot organise for collective action because, under the Labour Relations Act B.E. 2528 (1975), they are prohibited from serving on union committees or forming their own unions.

In addition to policy frameworks and work conditions, limited access to basic services impacts the well-being of migrant workers and their families. Thailand has made notable strides in ensuring access to education for migrant children, as well as health and social security services for migrants. However, there remain shortcomings in policy implementation, particularly for migrants in irregular situations.

Since 2008, migrant children have acquired the right to birth registration, regardless of their own or their parents' migration status. Yet, in the sample of a 2021 study, about half (50.2% of 675) of migrant children born in Thailand successfully registered their birth.⁶² Similarly, although all migrant children are entitled to free education through high school and can enrol using a temporary student ID number commonly referred to as the G-code, many still fail to do so. Media reports indicate that 61 per cent of the estimated migrant child population do not attend schools, 34 per cent are enrolled in Thai schools, and 5 per cent study in migrant learning centres.⁶³ As they grow older, the dropout rate increases, with only a minority going beyond lower secondary education and very few reaching university (as shown by the number of G-code children attending school in Table 7).

Table 7: Number of G-code (Migrant and Stateless) Children Attending School, 2023⁶⁴

Level of education	Total
Preschool	27,816
Primary	79,674
Lower Secondary	19,172
Upper Secondary	8,153
Higher Education	6
Total	134,821

Migrant children often live with their relatives or guardians in confined and overcrowded housing, which is poorly ventilated and provides little personal space, along with limited access to water and sanitation. This unsanitary environment is strongly linked to health problems commonly found in migrant communities, including respiratory illnesses, viral and parasitic infections, skin diseases, and intestinal infections. The COVID-19 pandemic illustrated how resource-poor settings can facilitate the spread of communicable diseases. Scarce incomes affect food security in migrant households, leading to dietary deficiencies and other health issues. As a young population, migrant women have specific reproductive health needs, and younger individuals may be at greater risk of sexually transmitted diseases. For older migrants, chronic and non-communicable diseases, including hypertension and diabetes, become a concern.⁶⁵ Occupational health is also a priority, given the nature of the jobs migrants perform, combined with inadequate safety training and facilities, and a lack of personal protective equipment (PPE), all of which increase their risk of workplace injuries.

Migrants should, in principle, have access to healthcare services and other social protection benefits to meet their needs. In compliance with the Social Security Act B.E. 2533 (1990), regular migrant workers, like Thai workers, ought to be enrolled by their employers in the Social Security Fund (SSF) and in the Workers' Compensation Fund (WCF) under the Workmen's Compensation Act B.E. 2537 (1994).⁶⁶ The SSF provides migrant workers with access to

⁶¹ Duncan (2025).

⁶² Chamchan, Apipornchaisakul & Muensakda (2021).

⁶³ Bangkok Post (2025b).

⁶⁴ MOE in Khan and Boonridrerthaikul (2024).

⁶⁵ Lee, Der Kinderen and Chandrasekhar (2020).

⁶⁶ The Legal (2025).

benefits such as medical care, compensation for sickness and childbirth, child care, and old-age pension, while the WCF covers them for occupational work-related injuries, illnesses, disabilities, and deaths. However, many subsectors considered “informal” that employ migrant workers, such as domestic work (when not conducted for a company) and seasonal work in agriculture, forestry, and livestock, are legally excluded from the SSF. In these cases, workers are only entitled to benefits from the WCF when enrolled. Irregular migrant workers and children (up to 18 years of age) of migrant workers under the Cabinet Resolutions are not covered by SSF.

Those who do not fall under these social protection provisions can enrol in the Migrant Health Insurance Scheme (MHIS) for a fee, but with a more limited range of benefits, as detailed in Table 8, or subscribe to a private insurance.⁶⁷ MHIS has a broad scope including various categories of migrants namely: regular migrant workers in temporary or informal employment not eligible for the SSF; migrant workers registered under Cabinet Resolutions, who since 2014 have to undergo a health check-up under MHIS to qualify; dependent children of migrant workers registered under Cabinet Resolutions; migrant workers in the formal sector during their first three months of employment before SSF activation; but even migrants who are not classified as workers can enrol with slightly higher fees as outlined in the Announcement on Health Examination and Health Insurance of Migrants, B.E 2558 (2015) (Table 8; see also Chapter 8).^{68, 69}

Table 8: Comparison of Health Coverage Options for Migrants⁷⁰

	Health Benefits under Social Security Fund (SSF)	Migrant Health Insurance Scheme (MHIS)
Financing Mechanism	Financed by tripartite contributions	Premium-based financing Health revenues are pulled at Ministry of Public Health (MOPH) and then distributed to the various local health facilities
Contribution or Fees	5% contribution from the employer, 5% from the employee (based on monthly salary with a maximum monthly payment of 850 THB) and 2.75% from the government	<p>Premium paid by migrants:</p> <p><i>Migrant workers and dependents of migrant workers aged 7 and up to 18</i></p> <ul style="list-style-type: none"> • 500 THB for 3 month-health-card. • 900 THB for 6 month-health-card • 1,600 THB for 1 year-health-card • 3,200 THB for 2 year-health-card • 2,400 THB for 1,5 year (since 2023) • 2,200 THB for 1 year-health-card <p><i>Migrant children under 7 years of age</i></p> <ul style="list-style-type: none"> • 365 THB for 1 year-health-card • 730 THB for 2 year-health-card <p>Required health check-up prior to enrolment:</p> <ul style="list-style-type: none"> • 500 THB – adult • No charge – child under 7
Mode	Mixed contributory-non-contributory scheme	Contributory scheme Voluntary, but required for work permit application
Contract facilities	Public hospitals and contracted private hospitals	Public hospitals and facilities
Coverage	Outpatient, inpatient, accident and emergency, high-cost care Specialist care	Outpatient, inpatient, accident and emergency, high-cost care except for renal replacement therapy, treatment for psychosis, and drug rehabilitation <ul style="list-style-type: none"> • Inpatient care for more than 180 days of the same condition/disease (unless there are additional complications and/or medical conditions)

⁶⁷ Nader et al. (2024).

⁶⁸ Engblom and Tangworamongkon (2024).

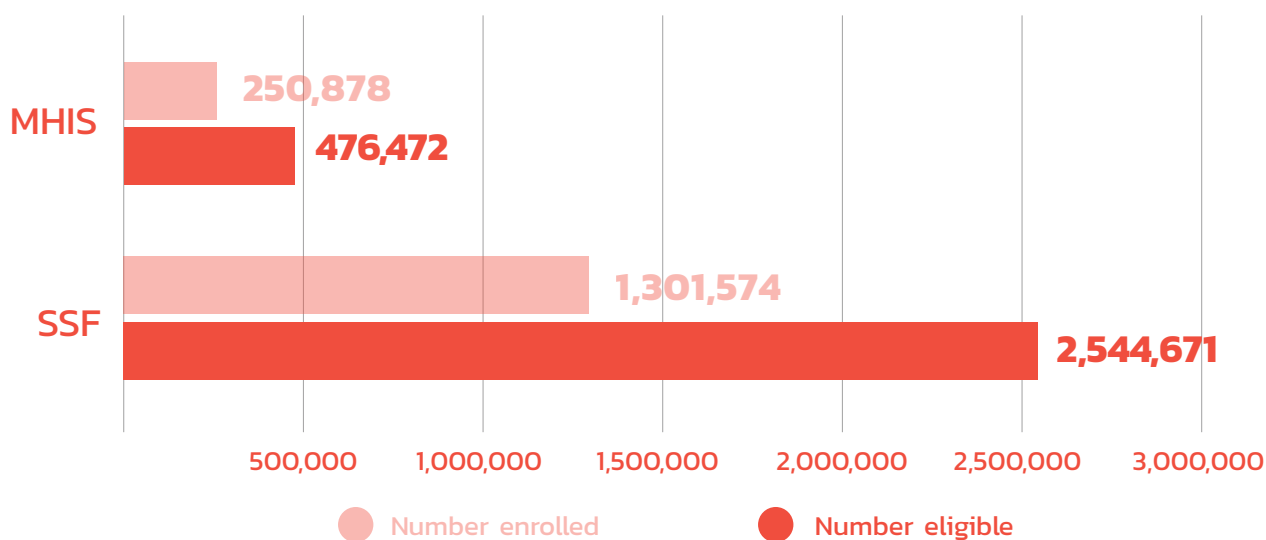
⁶⁹ A private micro-insurance scheme Migrant-Fund (M-Fund) was started in 2017 and the Health Insurance for Non-Thai People (HINT) was launched by the government in 2024 to provide coverage to stateless people. These are not discussed here since their impact remains limited and mainly operate outside BMR.

⁷⁰ Adapted from Nader et al. (2024, p. 231-232).

In addition to statutory limitations, migrants face various barriers to enrolling in and claiming benefits from both schemes. These include employers' noncompliance, especially in industries such as construction, which have high levels of subcontracting, transportation costs, limited information, discrimination, and language difficulties. For MHIS, additional challenges arise: few public hospitals offer MHIS; migrants struggle to consistently pay premiums, and many delay their purchase until it is time to undergo a health screening for Cabinet Resolution registration or until an urgent medical need arises. Undocumented migrants may avoid applying due to fear of encountering authorities, and when they do apply, they often face refusal. Furthermore, MHIS is unsuitable for migrants who frequently relocate, as it restricts access to healthcare to the registered hospital only.

As a result, the utilisation of both schemes is lower than the number of eligible migrants, as highlighted by this research and available statistics. As shown in Figure 2, in 2023, only 51 per cent of eligible regular workers were enrolled in either the SSF or the MHIS. This leaves 49 per cent of regular workers, along with a large portion of irregular workers and their dependents, without coverage and exposed to high out-of-pocket medical expenses. Consequently, many may choose to forgo necessary treatment or medications, leading to higher rates of self-medication and reliance on traditional remedies compared to the Thai population. This inadequate access to health care exacerbates migrants' vulnerability, potentially compromising their health and productivity.

Figure 2: Enrolment Status of Regular Migrant Workers Compared to Eligibility⁷¹



⁷¹ Nader et al (2024, p. 233).

2.7 Reasons to Migrate and Remain in Thailand

Despite the harsh realities, migrant workers continue to seek employment in Thailand due to the wage and living standards differentials between their home country and the destination country. Migration enables them to sustain themselves and support their households in Thailand as well as to contribute to the livelihoods of their families back home. A recent IOM study found that in 2024, among the 1,533 men and women respondents from Southeast Myanmar employed in four border provinces and five BMR provinces, 72 per cent (1,108 respondents) sent remittances home, totalling an estimated 24.3 million THB, mostly through informal channels. Remittances were generally higher in the BMR, averaging 30,000 THB per migrant annually, whereas in border areas they ranged from a high of 20,000 THB in Chiang Rai to a low of 11,000 THB in Chiang Mai. Among subsectors, the highest remittances were recorded in retail (31,206 THB), followed closely by manufacturing (30,667 THB), restaurants (27,431 THB), services (26,769 THB), and, lastly, construction (18,005 THB).⁷²

Besides wage levels, several factors contribute to differences in remittance behaviour, with gender and regularisation status being the foremost. Women tend to send remittances more frequently than men, even though they generally earn lower wages, while migrants without legal documentation, who typically earn less, are less likely to send remittances compared to those who have been in a regular status for long periods. Interestingly, the same IOM study referred to above found that a large majority (83%) of respondents who arrived in Thailand under the MOUs reported having remitted money in the past year, accounting for 68 per cent of the total estimated remittances in the study. This high proportion is consistent with the previously mentioned directive from the Myanmar military authorities requiring overseas workers to transfer at least a quarter of their foreign earnings to Myanmar through official, taxable channels.⁷³

Other reasons to migrate and remain in Thailand are social connections. Migrant communities in Thailand are increasingly interconnected with their countries of origin through ties with relatives and friends. These migrant social networks, as discussed in the following chapters, play a key role in facilitating migration by providing vital resources, including information (also aided by social media), emotional support, and practical assistance. They assist migrants in crossing borders, securing employment, and settling into a new environment, while also addressing their challenges and reducing the costs and risks associated with migration and working abroad.

Family bonds further strengthen migrants' connections to Thailand, as several marry Thai citizens or raise children there. It is estimated that 60,000 babies are born to migrant parents each year.⁷⁴ A more recent study examining surveys conducted between 2016 and 2020 found that most migrant children aged 0-14 years were born in Thailand, with percentages ranging from 65.5 per cent in Mae Sot, Tak province, to 94.1 per cent in Phang Na province.⁷⁵ As these children grow up, they attend local schools, build their lives in Thailand, increasingly identify it as "home," and establish themselves as *de facto* residents, regardless of how society and the State may view them and their legal status.

For Myanmar migrants, as previously mentioned and supported by evidence provided later, decisions to migrate are shaped by concerns over safety, civil unrest, military harassment, and the economic crisis in their home country. As a result, economic, political, and socio-cultural factors are increasingly intertwined in migration flows to Thailand, including labour migration to the construction sector.

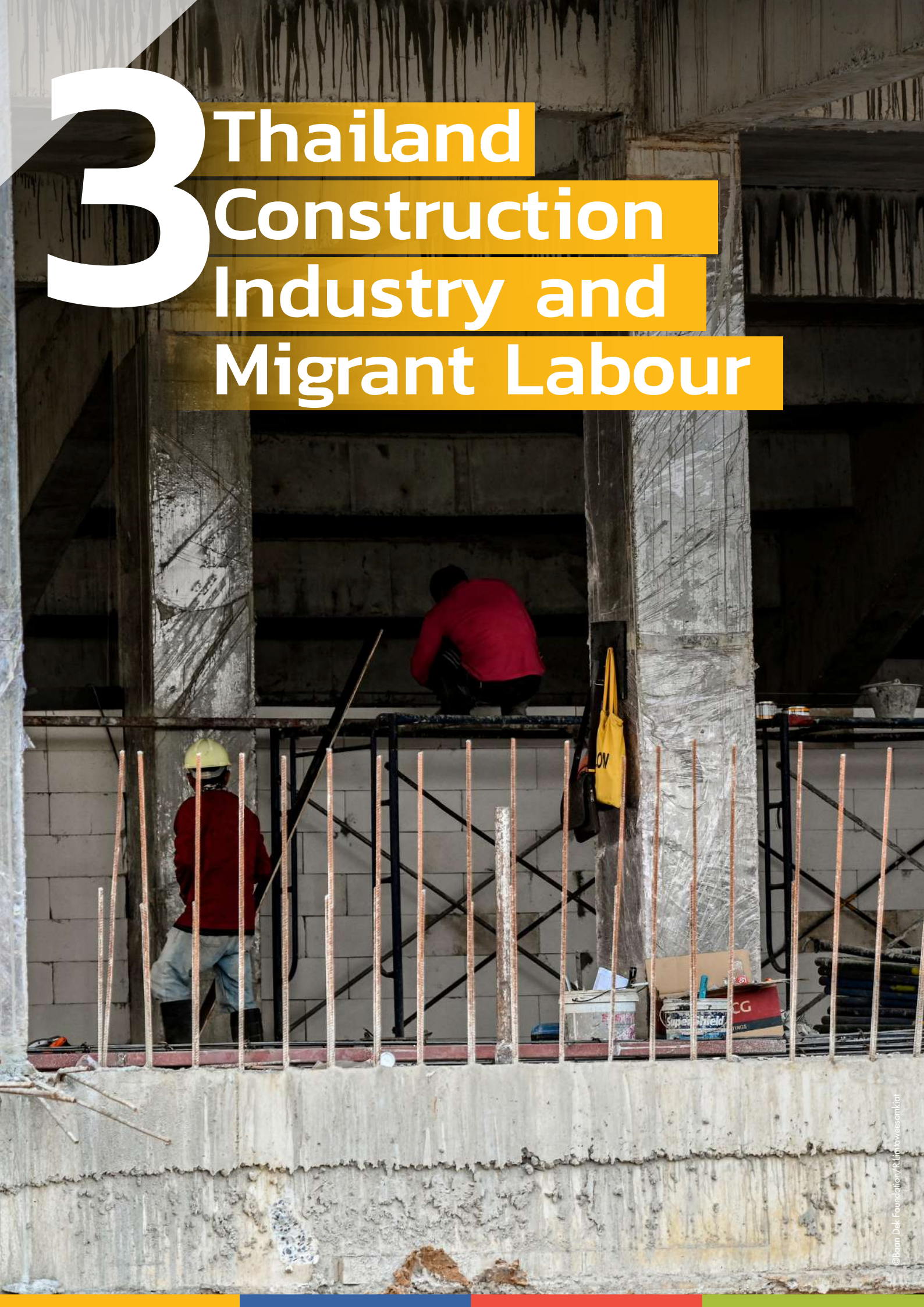
⁷² IOM (2024b).

⁷³ IOM (2024c).

⁷⁴ Chanwanpen (2018).

⁷⁵ Chamchan (2025).

3 Thailand Construction Industry and Migrant Labour



3.1 The Construction Industry and Subcontracting

The construction sector is a major contributor to Thailand's economy, accounting for an average of about 8 per cent of GDP from 2019 to 2023.⁷⁶ Following a decline due to the COVID-19 pandemic, the sector began expanding in 2024, driven mainly by public-sector construction and, to a lesser extent, state-owned enterprise construction. Meanwhile, private-sector construction decreased.⁷⁷ Looking ahead to the next biennium, further growth is anticipated for both public and private construction.⁷⁸ As in the past, BMR is expected to dominate the construction market, especially due to residential and infrastructure development projects, followed by EEC infrastructure initiatives.

The segmented market can be divided by construction type into residential, commercial, industrial, infrastructure, and energy and utilities, and by project type into new construction, addition, and alteration.⁷⁹ There are about 117,000 registered companies operating in these segments, funded by private, public, or public-private partnerships (PPPs). Notably, only a small percentage of total construction contractors—0.6 per cent, or 727—are classified as large-scale firms. Among them, three of the 12 largest companies—Italian Thai Development, Ch. Karnchang and Sino-Thai Engineering and Construction (STECOM Group)—dominate more than half of the market.

Most operators, however, are MSMEs generally employed as subcontractors by larger companies, but also working independently in renovation and repair work.⁸⁰ In addition, there are numerous unregistered operators, often with limited financial capacity and operating with small crews. The resulting complex supply chain consists of multiple tiers of suppliers, manufacturers, distributors, contractors, and subcontractors, each with specific characteristics and responsibilities. This fragmented structure, shaped by the project's transient nature and need for multiple skills, favours the practice of “down-sourcing” of tasks, including workforce management, to multiple agencies, significantly impacting labour recruitment and employment.

The term “contractor” typically refers to the general or prime contractor, which is a construction company that enters into a contract with the project owner and is responsible for executing the entire construction project from start to finish. This includes tasks such as planning, design, sourcing material, and ensuring compliance with relevant building codes and safety standards. In Thailand, real estate companies (often referred to as developers) that buy, build, or renovate properties for sale or lease commonly take on the role of managing the entire construction process, much like general contractors. They may serve as the project owners themselves or be hired to oversee real estate projects on behalf of other owners.

Construction companies hired by general contractors or real estate companies to perform specific tasks or provide specialised labour are known as subcontractors. However, they could also be considered lower-tier contractors, varying in size and capacity, who play specific roles in the construction supply chain. Increasingly, subcontracting work has become the norm in Thailand, similar to trends that have long been established in industrialised countries. This practice is meant to reduce costs and liabilities, but it has also introduced new challenges for general contractors, who now have to manage complex systems of numerous, diverse, and fragmented subcontractors. As an interviewed government expert explained:

The construction sector in Thailand has undergone significant changes. Employers' business operations have certainly evolved. Previously, contractors managed all aspects of the project themselves, handling everything from site preparation to structural work, plumbing, electrical

⁷⁶ Nader et al (2024, p. 233).

⁷⁷ NESDC (2024).

⁷⁸ Lunkam (2024).

⁷⁹ Data Insight Market (2024).

⁸⁰ Lunkam (2024).

systems, and even roofing. However, the current landscape has shifted, with businesses now focusing on specific areas of expertise. Today, work is organised differently from the past, and contractors take on more specialised jobs. For example, someone skilled in electrical work—such as wiring and installations—will only accept jobs related to electrical systems. Likewise, structural contractors focus solely on structural work. This shift has led to a more segmented, complex organisation of responsibilities, with multiple specialised contractors collaborating on a single construction project. This approach marks a notable departure from past practices.⁸¹

Task segmentation in the construction industry means labour employment is not necessarily handled directly by the prime contractor. Instead, different specialised contractors and subcontractors hire their own workers. Subcontractors are also trusted to employ labour for the project owner or prime contractor and to manage the construction site camps if needed. It is common for workers, and especially migrant workers, to reside on-site in temporary shelters or containers provided by the construction project or near the camps. According to figures from the Centre for Covid-19 Situation Administration (CCSA), in 2021, there were 585 construction camps accommodating 48,000 migrant workers in Bangkok alone.⁸² The management of these camps varies: general contractors and large companies still keep some direct employment and oversight of the workforce and may own and manage the construction sites themselves. In contrast, developers may provide the land, while subcontractors are fully responsible for hiring and managing the workers and overseeing the camp sites.⁸³

Long chains of labour subcontracting have emerged, often involving small firms that are not always registered as the direct employers of workers. This ‘outsourcing’ of labour is widespread in the construction industry, enabling companies to acquire and pay for labour only when needed,⁸⁴ thus containing labour costs at a time of rising material, fuel and construction costs.

The role of subcontractors as a key source of labour has become increasingly important in the current context, where a chronic labour shortage is exacerbated by both the sector’s expansion and an ageing population and shrinking workforce.⁸⁵ Despite a steady increase in the average number of workers in the construction industry since COVID-19, which reached 2.3 million in December 2024,⁸⁶ this figure remains insufficient to meet current and future demand.⁸⁷ As early as 2023, estimates pointed to a shortage of approximately 400,000 workers across various skill levels, leading to significant project delays.⁸⁸

3.2 Perceived (Un)Attractiveness of the Construction Industry

Young people are increasingly reluctant to enter the construction sector. A 2022 survey by the Thailand Development Research Institute (TDRI) found that 68 per cent of Thai job seekers shunned the construction industry because of low wages and poor working conditions.⁸⁹ A licensed recruitment agent interviewed for the study underscored this issue by comparing construction with other sectors, noting that wages in construction often hover around or even below the minimum wage and that there is no paid overtime. As he explained: “Currently, Thai workers are hard to find. No one wants to work for a low salary... They would prefer to drive for Grab or work as a delivery guy”.⁹⁰

⁸¹ Interview with government official #GO4.

⁸² Sumano and Aneksomboonphon (2021).

⁸³ BDF (2025a).

⁸⁴ Wells (2006).

⁸⁵ IOM (2024d).

⁸⁶ Bank of Thailand in CEIC (2024).

⁸⁷ Market Research Thailand (2024a).

⁸⁸ Market Research Thailand (2024b).

⁸⁹ Market Research Thailand (2024b).

⁹⁰ Interview with licensed recruitment agent #LRA1.

The project-based nature of construction work is also seen as a disadvantage by many Thai job seekers, as employment is typically temporary and requires workers to relocate from one project site to another. When projects are located far from home, workers may need to live on-site or nearby in employer-provided accommodations. Although the Labour Welfare Committee introduced the Standards of Accommodation as the Labour Welfare for Employees in the Construction Sector in 2016 to regulate minimum living space per worker and ensure adequate sanitation and waste management at construction camps, most living quarters remain substandard. They are built from plywood, plastic, and tin sheets and often structurally unsound (see also later).⁹¹

More generally, potential workers are discouraged by safety concerns. Work accidents are rife, as regularly documented in WCF reports and emblemized by the crumbled 32-story unfinished tower struck by the recent earthquake. Among all sectors, the highest proportion of work accidents in 2021 occurred in building construction, and the fourth-highest proportion occurred in public infrastructure construction (5.77% and 1.89% respectively). In building construction, 4,516 workers were injured or killed, while another 1,481 workers were injured or killed in the construction of bridges, roads, and tunnels, with the highest number of victims located in the BMR.⁹²

Faced with the sector’s low appeal to Thai workers, companies have turned to migrant labour to fill gaps and manage costs. Migrant workers are readily available, eager to work, and perceived as less “demanding,” having low bargaining power due to their precarious conditions, dependence on the employer for immigration status, and restrictions on organising.

3.3 Migrant Workforce in the Construction Industry

In March 2025, the construction industry employed 671,566 regular migrant workers in low-wage and heavy-duty jobs.⁹³ This marked a significant increase compared with the pandemic times, when the number had dropped to 405,261 in May 2021.⁹⁴ Reflecting the demographics of Thailand’s migrant worker population, a large majority (69%) of migrant construction workers were from Myanmar. They were followed at a distance by workers from Cambodia (27%), Laos (3%), and only a few (104) from Vietnam (Table 9). Compared to the overall migrant worker population, migrant construction workers from Cambodia are overrepresented, while migrant construction workers from Laos are underrepresented (see Table 3 and Table 9).

Table 9: Regular Migrant Workers Employed in the Construction Sector by Sex and Regularisation Channel, March 2025⁹⁵

	Total			Cambodia			Laos			Myanmar			Vietnam		
	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total
MOU	78,667	36,289	114,956	30,649	22,178	52,827	8,796	5,762	14,558	39,222	8,349	47,571	0	0	0
BP	1,565	947	2,512	1,521	943	2,464	0	0	0	44	4	48	0	0	0
CR	343,162	210,936	554,098	72,707	53,454	126,161	5,278	3,702	8,980	265,110	153,743	418,853	67	37	104
Total	423,394	248,172	671,566	104,877	76,575	181,452	14,074	9,464	23,538	304,376	162,096	466,472	67	37	104

MOU = Memorandum of Understanding; BP= Border Pass; CR Cabinet Resolution

⁹¹ ILO (2022).

⁹² The Nation (2022).

⁹³ DOE in Table 6.

⁹⁴ Sumano and Aneksomboonphon (2021).

⁹⁵ Source DOE (2025).

Besides differences across nationalities, there are also gender differences in the construction industry, which remains predominantly male-dominated. Although, as said earlier, women make up 45.34 per cent of the overall regular migrant population, they only account for 36 per cent of the migrant construction workforce. While still underrepresented, migrant women's participation in the construction industry in Thailand is notable, both relative to Thai women, who make up about 15 per cent of the sector, a share that has fluctuated little since 2009,⁹⁶ and to global trends, where women's employment in construction ranges between 9 and 15 per cent.⁹⁷ Their significant presence is also linked to the sizable population of migrant children living in Thailand's construction camps.

Among nationalities, Cambodian migrant construction workers have the highest share of women at 42 per cent, followed closely by Laotian workers at 41 per cent and Myanmar workers at 34 per cent. In the general population, however, the migrant worker population from Laos has the highest proportion of women at 52 per cent, followed by Cambodia at 44.82 per cent and Myanmar at 43.69 per cent (see Table 4 and Table 9).⁹⁸

Compared to the general profile of the regular migrant workforce in Thailand (Table 3), migrant construction workers show a 10-percentage-point higher representation under Cabinet Resolutions, while those regularised through MOUs and the Border Pass scheme are five and two points lower, respectively. This trend aligns with DOE data discussed in Section 2.5 (Table 5), which indicates that the largest group of migrant workers registered under Cabinet Resolutions is in the construction industry. It also implies that the hiring and regularisation of migrant construction workers within the country occur at a higher rate than in other sectors. These figures are impacted by the conflict in Myanmar, with only about 10 per cent of construction workers from Myanmar using the MOU channel. In contrast, a much higher share of construction workers from Cambodia and Laos use this channel (30% and over 50% respectively). Moreover, these proportions are even higher than those for Cambodian and Laotian workers in the general migrant population, as shown in Table 3.

Under the MOU, the proportion of men is higher than that of women (18.6% vs. 14.6%), whereas under Cabinet Resolutions, women outnumber men (84.9% vs. 81.1%). The small group of Border Pass holders is nearly evenly split between men and women (0.36% and 0.38%).

No quantitative estimates are available regarding the size of the migrant construction worker population in irregular situations. However, qualitative studies, including this one, indicate that irregularity is widespread in the construction industry, exacerbated by the casualised and informal nature of employment, the significant presence of MSMEs as subcontractors, and the misalignment between the industry's features and regularisation options.

3.4 Migrant Construction Worker Sample Population

As previously mentioned, the research team conducted interviews in two construction camps. The composition of the camps reflects the dependence of the construction sector on migrant labour, with the large majority of workers coming from Myanmar and Cambodia. Detailed data provided by Company1 show that Thai nationals accounted for about 12 per cent of the total camp population of 190 persons, including ten children. If only adults are considered, Thai citizens accounted for approximately 11 per cent of the total adult population of 180 adults (see Table 10).⁹⁹ Unlike the general profile of migrant construction workers in Thailand, where the majority are from Myanmar, in this camp, Cambodian workers were slightly more numerous than Myanmar workers.

⁹⁶ Derived from NSO (2024, p. 19, Table 3.6); Kaewsri and Tongthong (2012).

⁹⁷ Ferreira Regis (2019).

⁹⁸ Vietnam is not mentioned here as the figures are insignificant.

⁹⁹ No detailed data were provided by Company2 beyond the information presented in the text.

Table 10: Company1 Camp Population

Nationality		Cambodia			Myanmar			Thailand			Total
Sex		Boys/Men	Girls/Women	Total	Boys/Men	Girls/Women	Total	Boys/Men	Girls/Women	Total	
		55	33	88	52	27	79	14	9	23	190
Age											
Adult >18		52	33	85	49	26	75	14	6	20	180
Children	Total	3		3	3	1	4		3	3	10
	0-5 years	2		2	1		1		1	1	4
	6-12 years				2		2		2	2	4
	13-18 years	1		1		1	1				2

The sample of migrant construction workers recruited from the two camps, as previously mentioned, consisted of 21 workers from Myanmar and 10 from Cambodia. The workers’ characteristics are summarized in Table 11 and briefly outlined here. According to the selection criteria, women were well represented, comprising a large share of Cambodian workers (7 out of 10) and a narrow majority (11 out of 21) among Myanmar workers. This composition does not reflect the overall gender distribution of the migrant population in the industry, which, as noted earlier and as reflected in Camp1 population composition (Table 10), is predominantly male.

Sample participants ranged in age from 20 to 53 years, with most falling within the 30-39 age group, followed by those aged 20-29. Women made up the majority in the 40-49 range, while only one man was over 50. This age-gender distribution likely reflects prevalent assumptions about suitable types of work and recruitment practices, as discussed further in Chapter 5. Older migrants tended to have spent more years in Thailand, suggesting they began working at a younger age.

On average, education levels were low, particularly among older respondents. Most workers had no formal education or had attended only part of middle or high school, typically dropping out around age 12 (Grade 6) or age 15 (Grade 10) to help with family chores or work. Exceptions included two migrants from Myanmar who had received an academic education and were overqualified for the work they performed.

The sample revealed a marked difference in the length of stay in Thailand between the Myanmar and Cambodian participants. Most Myanmar respondents had been in the country for less than four years, generally between one and two years, having migrated after the military coup, whereas nine out of the ten Cambodian respondents had resided in the country for more than six years, with a majority having stayed over 11 years. As will be explained later, these differing durations of stay partly reflect distinct migration motivations and, at the same time, have implications for specific employment and recruitment patterns.

Table 11: Characteristics of the Migrant Construction Worker Sample

Nationality		Myanmar			Cambodia			Total		
		Men	Women	Total	Men	Women	Total	Men	Women	Total
Sex		10	11	21	3	7	10	13	18	31
Age										
20-29		1	5	6	1		1	2	5	7
30-39		7	4	11	1	5	6	8	9	17
40-49			3	3	1	2	3	1	5	6
50-above		1		1				1		1
Years in Thailand										
1-5 years		9	8	17	1		1	9	9	18
6-10 years		1	3	4	2	1	3	3	4	7
11 and above					1	5	6	1	5	6
Education										
None					1	2	3	1	2	3
Informal (temple) education		1		1				1		1
Elementary	Incomplete		5	5	1		1		5	5
	Complete	1	2	3		1	1	1	3	4
Low Secondary School	Incomplete	2		2		3	3	2	3	5
	Complete	1		1				1	1	2
High Secondary School	Incomplete	3	3	6				3	3	6
	Complete		1	1	1	1	2	1	2	3
University (years)		1		1				1		1
Bachelor		1		1				1		1
Family composition										
Single		2	2	4	2		2	4	2	6
Married, but alone		1	1	2				1	1	2
Couple with no children		6	5	10	1		1	7	5	12
Couple with children in Thailand		1	1	2		4	4	1	5	6
Number of children										
	1 child					1	1		1	1
	2 children					2	2		2	2
	More than 2 children	1	1	2		1	1	1	2	3
Couple with children in country of origin		1	1	2	2	1	3	3	2	5
Number of children										
	1 child		1	1						1
	2 children	1		1		3	3	1	3	4
	More than 2 children									

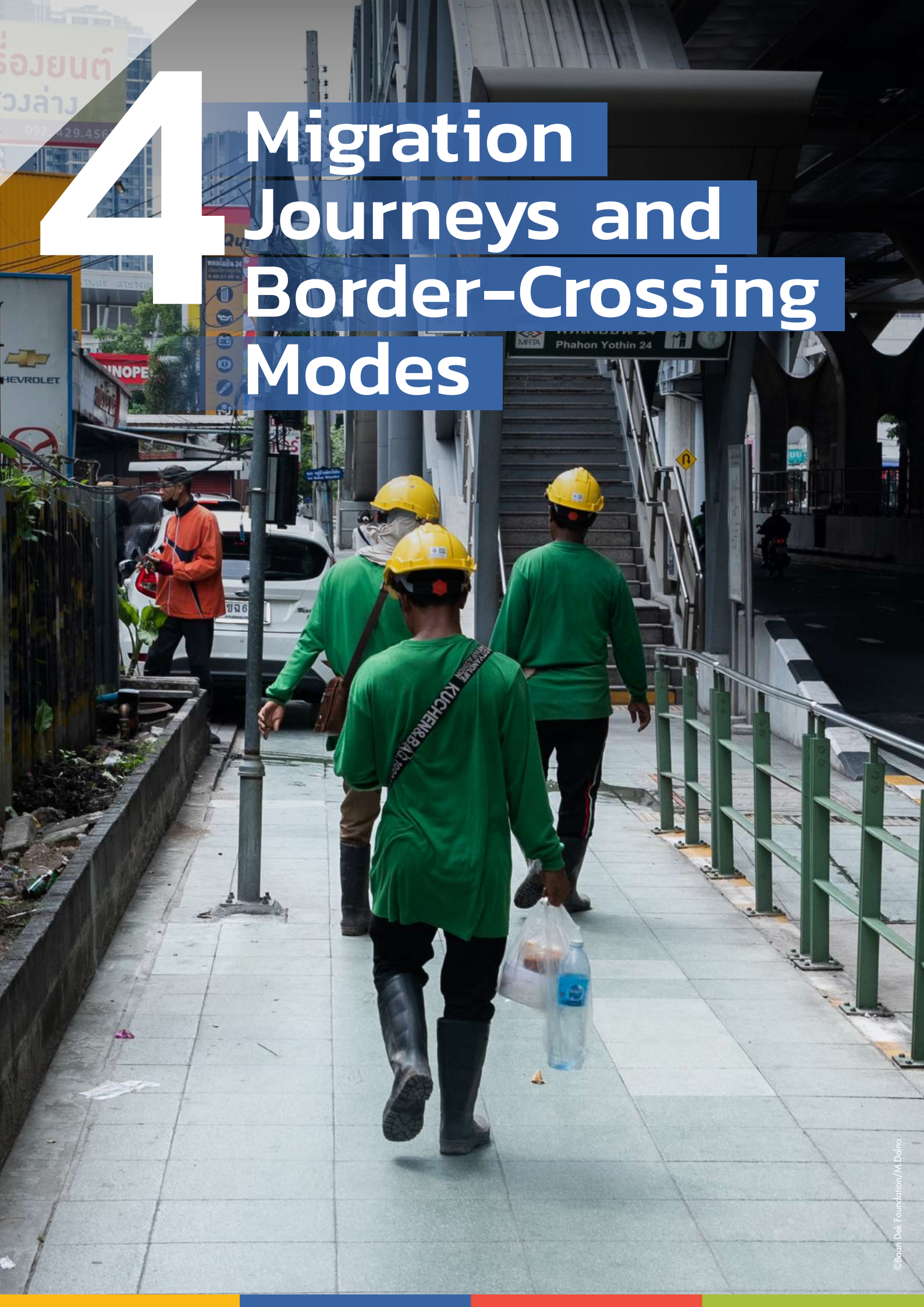
Most migrant workers in the sample were married, with only six single participants out of 31. Of the 25 married migrant workers, 23 lived with their spouse in the camps, while only two lived apart. Among Myanmar and Cambodian workers, a larger proportion of Cambodian workers (7 out of 10) had children compared to Myanmar workers (4 out of 21). This difference between the two groups likely reflects Cambodian workers' longer permanence in Thailand and their relatively more secure legal status.

Migrant parents interviewed reported that their children were born and raised in Thailand, though some had returned to their country of origin for schooling before coming back to live with their parents in the camps, possibly indicating difficulties in accessing Thai education. In the migrant children sample, consisting of one Myanmar girl and two Cambodian girls aged 15-18 and two younger Myanmar girls in the 10-14 age group, two were born in Thailand, while the remaining three were born in their respective countries of origin (Table 12). All had received some education; however, the older girls had stopped schooling to work in the camp and assist their mother with household tasks.

Table 12: Characteristics of the Migrant Children Sample

Nationality	Cambodia			Myanmar			Total		
Sex	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
		2	2		3	3		5	5
Age									
10-14					2	2		2	2
15-18		2	2		1	1		3	3
Education									
None									
Grade 1-5 (Elementary School)					2	2		2	2
Grade 6-8 (Middle School)		2	2					2	2
Grade 9-12 (High School)					1	1		1	1
Birthplace									
Thailand					2	2		2	2
Myanmar					1	1		1	1
Cambodia		2	2					2	2

4 Migration Journeys and Border-Crossing Modes



4.1 Migrants' Provenience and Migration Routes

Myanmar and Cambodian migrant workers' journey from their home regions to Thailand, and eventually to construction sites in the BMR, is generally only minimally by sea. For those migrating under MOUs, as mentioned in Chapter 2, they are dispatched from Post-Arrival and Reintegration Centres to their destination in Thailand, and return there too at the end of the contract before leaving the country. Currently, three centres operate: for Myanmar workers arriving by land, the one close to the Mae Sot–Myawaddy checkpoint in Tak province is the designated one, and for those arriving by sea, they are received at the centre in Ranong province after crossing by ferry at the Ranong-Kawthaung checkpoint in Tanintharyi. For Cambodian workers, the allocated centre is in Sakew province, near the Poipet-Khlong Luek border checkpoint.¹⁰⁰ After receiving training and completing documentation procedures at the centres, migrant workers are picked up by their employers or licensed recruitment agencies to travel to their official workplaces.

However, most migrants, including construction workers in the research sample, take advantage of additional entry routes along Thailand's long, porous borders with Myanmar (2,202 km) and Cambodia (817 km). In addition to eight permanent border checkpoints with Cambodia and six with Myanmar,¹⁰¹ Thailand has numerous temporary "relaxation" checkpoints open for border trade, and in a few cases, for international travel. At these temporary crossings, entry is permitted for Border Pass and special permit holders, including daily agricultural migrants, at specific times and within limited areas. Beyond these, small semi- or unofficial crossings facilitate movement across closely connected border communities for family visits, trade or other daily activities, but they are also used by migrants to enter Thailand with little or no documentation.¹⁰²

Cambodian migrants travel from disadvantaged areas of the country through wetlands and jungles before entering Thailand. The main "east-to-west" route runs from the western provinces of Banteay Meanchey, Siem Reap, and Battambang to bordering districts, but some take the more arduous "south-to-north" path. When not settling across the border, they will proceed farther inland, usually locating along the EEC and in BMR.¹⁰³ Consistent with this pattern, the sample's Cambodian construction workers mostly came from Battambang and other bordering provinces (Table 13), via the east-to-west route to Thailand and directly travelled to BMR. Several respondents reported crossing the border at Chantabouri and, as discussed later, doing so irregularly.

¹⁰⁰ Digital Government Development Agency (2025).

¹⁰¹ FDA (2019); The Nation (2025b).

¹⁰² Chairattana & Khanawiwat (2019).

¹⁰³ Chairattana and Khanawiwat (2019); Winrock International (2024b).

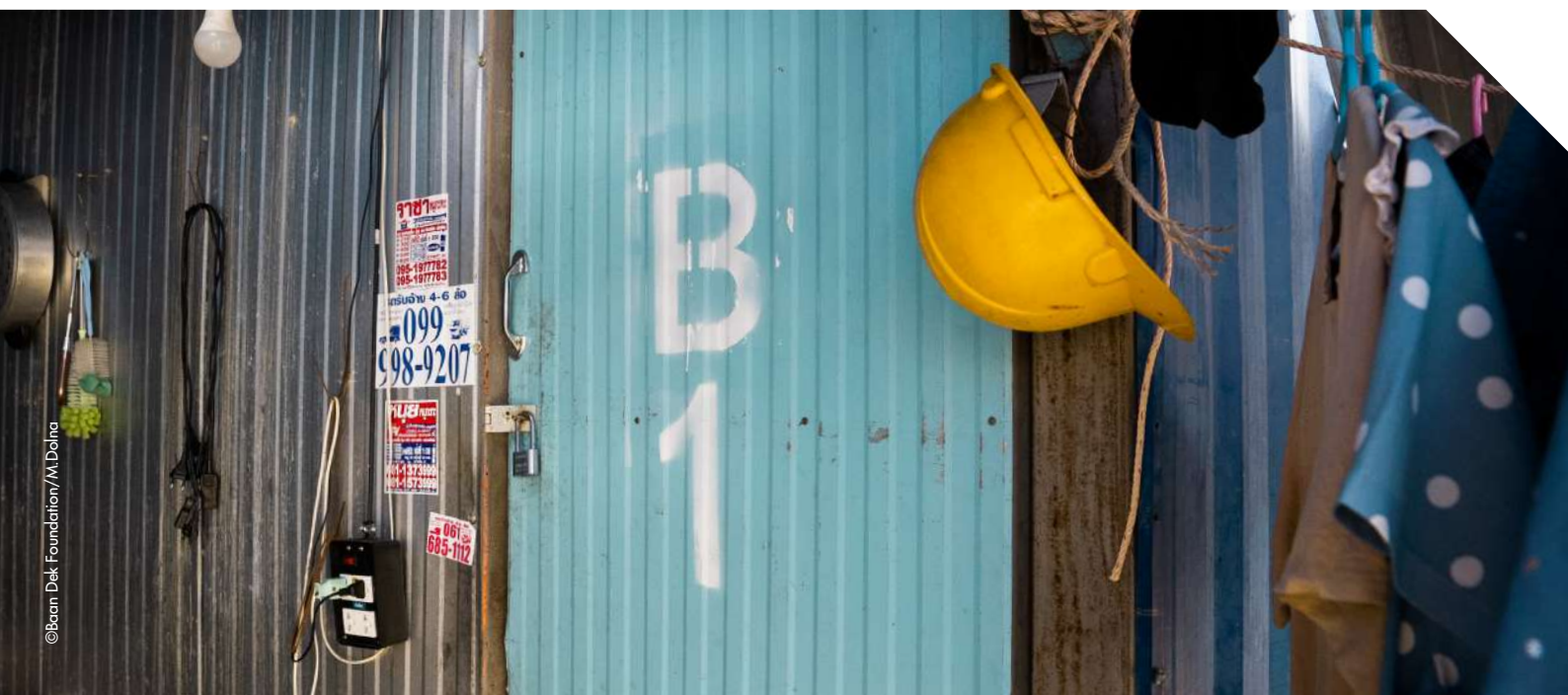


Figure 3: Cambodia-Thailand Migration Routes¹⁰⁴



Migration routes from Myanmar often involve travel toward the eastern regions, followed by border crossings at Mae Sot (Tak Province) or Mae Sai (Chiang Rai) in Northern Thailand, and, to a lesser extent, to other border points along the border. Migrant workers who plan to work in industries and special economic zones near the border, including Border Pass holders, will settle in adjacent Thai provinces before eventually moving inland, while others proceed directly to destinations across Thailand.

Recent IOM reports note a shift in the origin of migrant workers—from the Kayin (formerly Karen), Shan, and Tanintharyi regions bordering Thailand toward the central and western regions of Bago, Magway, and Ayeyarwady—and an increase in migrants from Yangon and Mandalay. These trends reflect the ongoing crisis in Myanmar and the growing role of migrant social networks that extend now farther from the Thai border. The journey to the border is often exhausting and dangerous, passing through mountainous terrain and conflict-affected areas subject to military control and restrictions. For migrants from Yangon, reaching the Mae Sot crossing can take around two days,¹⁰⁵ while those from the western states may need more than two days to reach the border area.

The provenience of Myanmar migrant construction workers in the research sample, as shown in Table 13, reflects these recent shifts. Most workers came from west and central Myanmar, especially Bago, but also Mangway and Myawaddy, and including Yangon and Pyinmana in Naypyidaw Union Territory. A migrant construction worker came from as far as Myitkyne in Kachin State, Northeast Myanmar, while the others travelled from more established places in the bordering areas of Shan State, Mon State, and Kayin State.

This geographical distribution can be assumed to be influenced by the current civil war occurring in those parts of the country, as also suggested by the limited length of stay in Thailand of the migrants in question, as presented in Table 11 and discussed in the next section. As distances increase, travel becomes more burdensome in terms of time, risks, and costs. In this challenging environment, assistance from brokers or more experienced relatives and friends to travel from the migrants' locality to the border and beyond becomes increasingly necessary (see section 4.3).

¹⁰⁴ Chairattana & Khanawiwat (2019).

¹⁰⁵ Chairattana & Khanawiwat (2019).

Table 13: Provenience of the Migrant Construction Worker Sample

Nationality	Myanmar			Cambodia			Total		
Sex	Men	Women	Total	Men	Women	Total	Men	Women	Total
	10	11	21	3	7	10	13	18	31
Provenience									
Cambodia				3	7		3	7	10
Phnom Penh					1	1	1		1
Siem Reap					1	1		1	1
Battambang				1	3	4	1	3	4
Kampong Cham				1		1			1
Pursat					1	1			1
Temeun Chai					1	1		1	1
Koh Kong					1	1			1
Myanmar									
Bago Region, Central Myanmar	2	4	6				2	4	6
Ayeyarwady Region, West Myanmar	1		1				1		1
Magway Region, Central Myanmar	2	1	3				2	1	3
Yangon	1		1				1		1
Pyinmana, Naypyidaw Union Territory		1	1					1	1
Mon State		3	3					3	3
Myitkyne, Kachin State, Northeast Myanmar	1		1				1		1
Myawaddy, Kayin (Karen) State, East Myanmar	3		3				3		3
Shan State (1 from Mong Pawn), East Myanmar		2	2					1	1

4.2 Decisions to Migrate

Irrespective of variation in nationality and length of stay, among migrant construction workers in the sample, the main driver to migrate was economic hardship in the country of origin. The possibility of finding employment, earning higher wages than those available at home, and sending remittances to support family members were the main reasons cited by interviewed migrants. Recruiters and brokers also confirmed that migrants opted to migrate due to the urgency of earning an income, adding that debts and critical family needs often put pressure on the migrants and prompted migration.

As noted in the literature and observed in the research sample, relatives and peers play a central role in promoting migration. Sustained, decade-long patterns of migration have strengthened and expanded cross-border networks, which act as a pull factor by easing both the migration process and settlement of new arrivals. These networks not only inspire workers to migrate but also provide a level of assurance about job opportunities and income stability.

It is not uncommon for migrant workers in the same camp to share family or village ties, as was the case for the Cambodian workers in Company1. Recruiters and other stakeholders emphasised that most migrant workers come because they have relatives and friends already in Thailand who inform them about job opportunities, including location and type of work. As an informal recruitment agent explained: “decisions are heavily influenced by trust in the intermediary, often a relative or community member with experience abroad, the offered wage, and the opportunity to live and work among fellow nationals”.¹⁰⁶

Family migration, or reunification, is another important driver of migration, even though it is not formally contemplated in Thai migration management policies, resulting in irregularity. As noted earlier, couples—with or without children—living together in construction camps made up the majority of migrant workers in the research sample (to recall, 25 of the 31 surveyed workers were married, and 23 of them lived with their partners in the camps). Among Cambodian construction workers, women often migrated to Thailand after their spouse or partner had secured a relatively stable job, as explained by one respondent:

I came to work in Thailand approximately 20 years ago due to a difficult financial situation at home and limited employment in Cambodia. At the time, my partner had already moved to Thailand and encouraged me to join him. I decided to follow and work alongside him.¹⁰⁷

This pattern was also confirmed by an unlicensed recruitment agent focusing on women migrant workers from Laos and Cambodia:

Many workers initially choose to migrate alone and later decide whether to bring their families, depending on financial stability and job security. Some prefer to leave their families behind due to housing constraints or concerns about schooling.¹⁰⁸

The same recruiter shared that women viewed migration as an opportunity to give a better future to their children, no matter the insecurity they had to endure:

Women workers often choose to migrate with their entire families, especially with young children, despite lacking legal documentation or entitlements. They hope their children will have a better future in Thailand. These families prefer informal stability through their migrant community over legal stability that is inaccessible to them.¹⁰⁹

Family reunification involving children who were born in and remained in their country of origin, or who returned there to study, tends to occur during the pre-adolescent years. The two young respondents from Cambodia migrated to Thailand after finishing school at age twelve, one to meet her parents and the other to stay and help her aunt, while the nine-year-old girl from Myanmar had only recently travelled to Thailand to be with her mother. Among the two girls born in Thailand to Myanmar parents, one, aged ten, had grown up in the construction camps where her parents worked, whereas the other, of adolescent age, had returned to Myanmar to pursue early secondary education before migrating back to Thailand to reunite with her family.

¹⁰⁶ Interview with unlicensed recruitment agent #URA8.

¹⁰⁷ Interview with Cambodian migrant worker #CMW3.

¹⁰⁸ Interview with unlicensed recruitment agent #URA8.

¹⁰⁹ Interview with unlicensed recruitment agent #URA8.

Additional reasons shaped the migration of most Myanmar migrants in the research sample, who had arrived in Thailand within the last five years. Their motivations were mixed, reflecting the enduring crisis in their country. The timing of their migration—following the 2021 military coup—and their origins in areas of intense conflict suggest that political factors influenced their decision to migrate. This is consistent with observations from key respondents, who noted that: “with issues in their home countries, there’s an increasing push for them to come to Thailand to find work.”¹¹⁰ This is especially true for Myanmar construction workers, who have a somewhat higher level of education than the average migrant worker. As one respondent from this group explained:

I came to Thailand because of the political situation in Myanmar. I was a university student and participated in the Civil Disobedience Movement (CDM) opposing the military regime. Because of this, I was at risk of being arrested. I had no choice but to leave Myanmar and work at a construction site in Thailand, as there were no other job opportunities. Applying for other types of jobs legally here would have required paying a large sum for documents and work permits. I fled to Thailand due to safety concerns after participating in the CDM against the Myanmar military. Because I was a government officer, I could not legally obtain documents like a passport. This forced me to leave as soon as possible without legal travel documents.¹¹¹

This sense of urgency is also reflected in the greater incidence of couples migrating together, a departure from the general pattern, also observed among Cambodian construction workers, of waiting for one partner to first establish a presence abroad. As one Myanmar woman construction worker recalled:

I crossed the border from Myanmar to Thailand about two years ago. The journey itself was arranged through a broker, whom I had to pay for facilitating the border crossing. It was a difficult process, but I had no other choice if I wanted to leave Myanmar and find work in Thailand. My husband and I decided to migrate together in search of better opportunities.¹¹²

4.3 Migration Support System

The migrants in the sample demonstrated initiative in planning their migration journey and in identifying opportunities abroad. They actively gathered information from various sources, most commonly from friends and relatives already residing in Thailand (see Table 14), a pattern also documented in recent literature.¹¹³ Migrants from both nationality groups tended to prefer these informal information channels when considering travel and crossing options, including decisions on whether and which broker to engage and on potential jobs at their destination, most often directly in the construction sector.

¹¹⁰ Interview with CSO representative #CSOR6.

¹¹¹ Interview with Myanmar migrant worker #MMW21.

¹¹² Interview with Myanmar migrant worker #MMW12.

¹¹³ For example, UNDP (2023, p. 50) notes that out of a sample of 2,249 Myanmar migrant workers, 95 per cent relied on their family and friends for information whilst 55 per cent used friends or family to migrate.

Table 14: Sources of Migration Information, Support Networks, and Migration Channels by Migrant Workers' Sex and Nationality

Nationality	Myanmar			Cambodia			Total		
Sex	Men	Women	Total	Men	Women	Total	Men	Women	Total
	10	11	21	3	7	10	13	18	31
Main Source of Migration Information									
Self-search	1		1				1		1
Relatives in Thailand				2	6	8	2	6	8
Broker	3	4	7				3	4	7
Friends in Thailand	6	6	12	1	1	2	7	7	14
Subcontractor		1	1					1	1
Migration Channels and Support in Travel and Border Crossing									
Migrated irregularly on his/her own	2	2	4	1		1	3	2	5
Migrated irregularly with friends		2	2	1		1	1	2	3
Migrated irregularly with broker	8	7	15	1	3	4	9	10	19
Migrated irregularly with relatives					3	3		3	3
Migrated regularly under MOU channel					1	1		1	1

There is, however, a noteworthy difference that warrants further investigation. Newer migrants from Myanmar relied more heavily on brokers as their main source of information, with a few also reporting having been approached by brokers acting as recruiters offering jobs in Thailand. In contrast, Cambodian construction workers who had been in Thailand longer relied more on friends and family when planning their migration. This suggests that newer Myanmar migrants are less connected to the established migrant community in Thailand, likely due to different socio-economic and geographical backgrounds and a lack of pre-existing social ties.

After gathering sufficient information, sampled migrants generally travelled to Thailand through irregular pathways (Table 14). The only exception was a Cambodian woman whose migration under the MOU was fully funded by her subcontractor, with whom she continued to work for over a decade. All other migrants, regardless of nationality, first entered Thailand through trade and unofficial border channels, either without documents or through the irregular use of Border Passes or other unidentified papers. This also applied to the four children and young adults who crossed borders since, as explained in Chapter 2, no formal options exist for family migration or reunification from abroad. While the research sample is not representative of the broader migrant construction worker population, these findings are consistent with the high levels of irregular migration to Thailand and the limited and declining use of MOUs, as previously discussed in Chapter 2. It is also consistent with the observed higher frequency of regularisation in the country through Cabinet Resolutions for workers in the construction sector when compared to other sectors (Chapter 3).

Considerations behind such crossing choices, centred on the lengthy and complex nature of the MOU process through licensed agents, the difficulties in completing documentation—particularly for Myanmar workers due to political factors—and, above all, its visible and hidden costs. These include the need to enlist brokers on both sides of the border to navigate the process, the high costs of obtaining an official passport, and additional transaction expenses. Moreover, despite the Royal Ordinance’s prohibition on charging fees, migrants are required to bear the costs of MOU processing, rendering it unaffordable for many. As a licensed recruitment agent explained: “The total cost per worker is about 14,000 THB, including visa, health checks, insurance, and agency fees. We

pay in advance and deduct from worker salaries later”.¹¹⁴ Interestingly, even as they avoided bearing the costs, interviewed employers and recruiters echoed migrants’ concerns about the high and rising MOU fees.

In their journey from their localities to the border and entry into Thailand, most adult migrants received assistance from third parties, whereas those living in border areas crossed on their own. Brokers were the most common facilitators, with 19 of the 31 migrant construction workers in the research sample enlisting their support, followed by friends and, for Cambodian workers, relatives. Of the four migrant children and young people who had crossed the border, two were accompanied by parents or other relatives, and two travelled alone. The 9-year-old girl from Myanmar travelled by car with a driver her mother had hired to take her to the construction site where she worked in Thailand. She recalled: “I felt scared, but also safe knowing my mother had arranged secure transportation.”¹¹⁵ Meanwhile, the Cambodian 16-year-old girl said that she felt not only scared, but also unsafe on the bus journey she had to take from her hometown near the Thai border to Bangkok to join her aunt for work, while her parents remained behind.¹¹⁶

Brokers in the country of origin determined the travel routes and crossing points, arranged transportation, and facilitated contacts with relevant parties (brokers, recruitment agents or subcontractors) on the Thai side for immediate employment. They also provided “unofficial” documentation needed for the irregular entry. Few migrants mentioned receiving Border Passes, but it was unclear whether they were issued before or after crossing the border, and in any case, they did not remain within the allowed range in the bordering province. The migrants were aware that the entry into Thailand was irregular and counted on the brokers’ experience to avoid problems with the authorities. In general, border crossings were successful, and migrants were satisfied with the service brokers provided, viewing them as essential to their migration. As a migrant worker from Myanmar put it, “I had to pay a substantial amount, but the broker’s role was crucial in ensuring that I had everything needed to work in Thailand.”¹¹⁷

There were, however, two cases in which migrants experienced problems in Thailand. In the first, a man migrant from Myanmar discovered once in Thailand that he had been scammed, having been promised regular crossing under the MOU system and work in a factory, neither of which materialised. He was eventually helped by a friend to find work in construction. In the second case, a woman migrant worker, again from Myanmar, was detained in a house by the Thai broker for several days until the Myanmar broker paid the agreed sum to the Thai counterpart. Only then was she directed to a subcontractor to work in the construction industry as originally agreed:

Honestly, my journey was very difficult and unfair. I met with a fake broker who gave me misleading information. It was hard to find someone trustworthy, so in the end I went with the person who seemed to know what to do, even though I wasn’t confident. It’s common for many people, including me, to face this kind of situation. Everywhere I turned, I kept encountering brokers, and I didn’t have much choice.... When I first arrived in Thailand, the broker kept me at their house for two days and didn’t provide proper documentation. I felt stuck and uncertain. It wasn’t just me—my grandmother and other women working at construction sites have also faced similar situations. We don’t always understand what’s happening because of language barriers, which makes it even harder to protect ourselves. There wasn’t really any help. I had to rely on friends for support, to talk things through, and figure out next steps. But there was no formal support system to help me recover my money or report what happened. That’s part of why it’s so hard for people in situations like mine.¹¹⁸

These two serious cases could be classified as human trafficking under the Protocol to Prevent, Suppress and Punish Trafficking of Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol). However, the victims may not have been aware of

¹¹⁴ Interview with licensed recruitment agents #LRA5 and #LRA8.

¹¹⁵ PRA with migrant child from Myanmar #MC1.

¹¹⁶ Interview with migrant young person from Cambodia #MYP1.

¹¹⁷ Interview with Myanmar migrant worker #MMW13.

¹¹⁸ Interview with Myanmar migrant worker #MMW23.

the possibility of pursuing formal claims or in a position to do so. Or, even if they were, they opted for finding ways to overcome their situation with the support of their network rather than become entangled in lengthy procedures at the risk of repatriation that could prevent them from working and expose them to repatriation.

4.4 Economic Burden of Migration Support

Except for the one respondent who migrated under the MOU system with the support of the employer-paid official recruiters and five workers who crossed independently, all other sampled migrant workers relied on a variety of informal support mechanisms at varying costs for their migration journey and border crossing (Table 14). About a third of them depended on experienced friends and relatives to act as guides. This assistance was generally provided free of charge or, when the helpers assumed a broker-like role, for only a nominal fee. By counting on their immediate networks rather than recruitment agencies or brokers, migrants were able to keep migration expenses to a minimum, covering mainly travel, basic living, and occasional transactional costs. In the absence of such support, however, migrants had to turn to paid brokers, whose fees varied depending on the distance, route complexity, and services provided.

As shown in Table 15, the costs of brokerage services differ significantly between Cambodian and Myanmar workers, reflecting differences in their migration periods. Cambodian workers reported expenses from over a decade ago, typically ranging from 2,000 to 4,000 THB. In contrast, migrants from Myanmar cited more recent costs within the past five years, ranging from 15,000 to 30,000 THB, depending on the type of package and the number of family members crossing the border:

I paid agents/brokers about 20,000 THB for documentation and transportation from Myanmar. This fee covered my journey from Myanmar to Thailand. I crossed the border on foot and was later picked up by a car to be taken to a worksite. In total, I paid about 30,000 THB. This included a fee of 20,000 THB to an agent on the Myanmar side for arranging the border crossing, and 8,500 THB to a Thai-side recruitment agency to cover the costs of the work permit, insurance, and fingerprinting. Additionally, I paid 1,000 THB for transportation to the site. I have some documents for living and working in Thailand, but no clear status, as they have not been officially updated. The documents I have were arranged informally.¹¹⁹

The entire process is informal, with very little transparency and documentation of actual expenses:

I paid the broker 1,000,000 MMK for facilitating my migration and job placement. This amount covered all costs, including travel, food, and any documentation he arranged—although I did not receive any official paperwork or receipts.¹²⁰

¹¹⁹ Interview with Myanmar migrant worker #MMW24.

¹²⁰ Interview with Myanmar migrant worker #MMW15.

Table 15: Costs of Migration Assistance and Financial Sources by Migrant Workers' Sex and Nationality

Nationality	Myanmar			Cambodia			Total		
Sex	Men	Women	Total	Men	Women	Total	Men	Women	Total
	10	11	21	3	7	10	13	18	31
Costs of Migration Assistance									
No costs	2	4	6	2	4	6	4	8	12
2,000-5,000 THB (more than 10 years ago)				1	3	4	1	3	4
15,000-20,000 THB (1 million MMK)	5	4	9				5	4	9
30,000 THB (2 million MMK)	2	3	5				2	3	5
3 million MMK	1		1				1		1
Financial Sources									
None	2	4	6	2	3	5	4	7	11
Employer paid					1	1		1	1
Personal & family savings	1	1	2	1	2	3	2	3	5
Borrow from relatives	2	2	4				2	2	4
Borrow from friends	3	2	5				3	2	5
Borrow from family and friends		1	1					1	1
Borrow from broker					1	1		1	1
Personal savings and loans	1		1				1		1
Sell house and borrow money	1	1	2				1	1	2

Migrant workers in the research sample rarely had sufficient resources to pay brokers independently or with their family savings. Of the 19 migrants who used brokers to cross the border, only five were able to cover the full cost. The remaining 14 had to borrow the necessary funds, either fully or partly, from friends, relatives or brokers, incurring debts they would need to repay while working abroad:

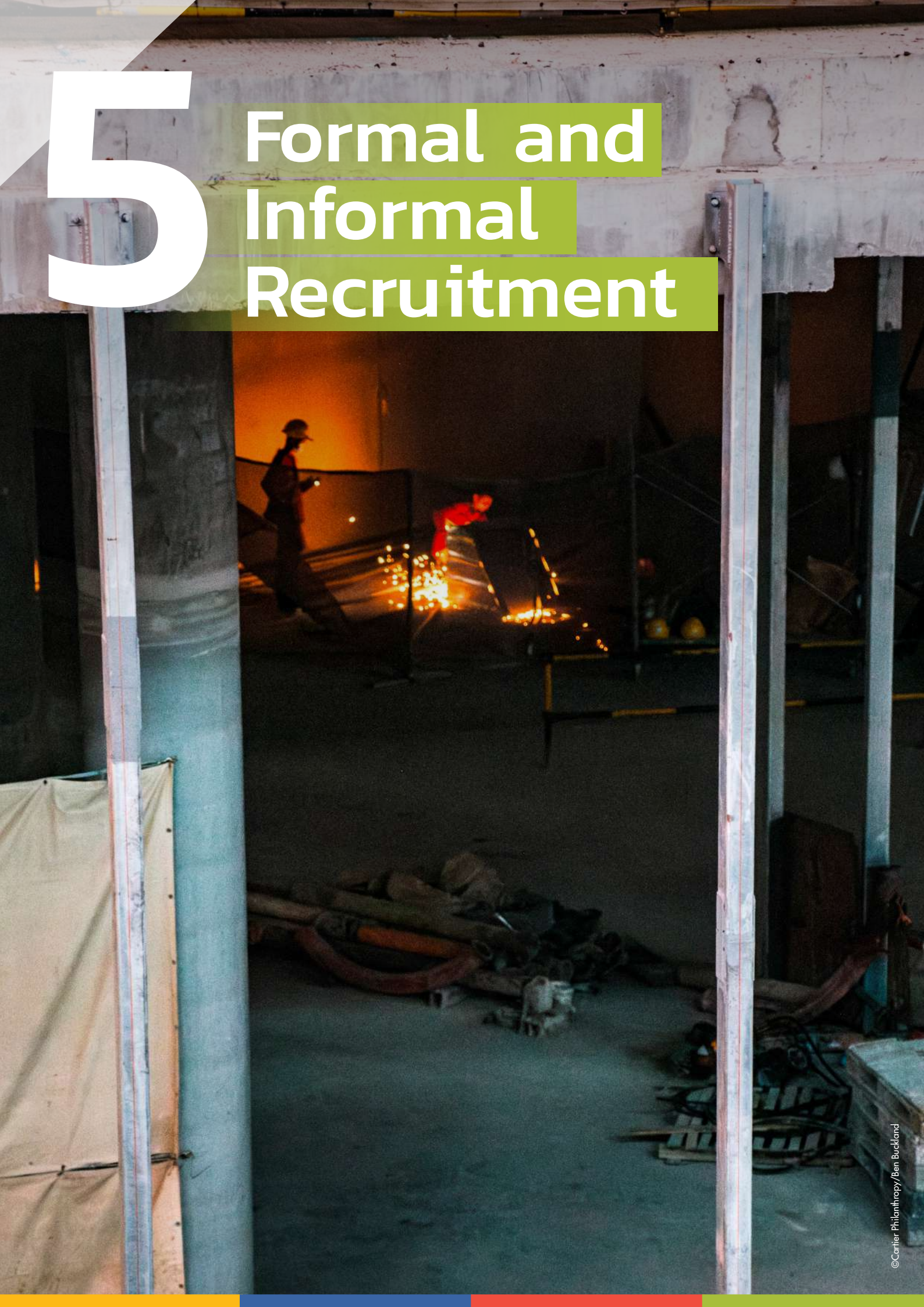
Yes, I had to pay a significant amount of money to cross the border and make my way to Thailand with my husband. The total cost was approximately 20,000,000 MMK. To raise the money, I borrowed the amount from my aunt. I had no other financial resources, so I relied on her support to cover this expense. It was a difficult decision, but I had to take that step to secure a better future.¹²¹

Of the migrants who borrowed money, eleven fully financed their migration journey through loans, while the remaining three combined personal and borrowed funds. Two of these three, a married couple from conflict-affected Mangway in Myanmar, sold their house in addition to borrowing from a friend, suggesting both the urgency of their departure and their intention to settle abroad as a family for the long term.

¹²¹ Interview with Myanmar migrant worker #MMW12.

5

Formal and Informal Recruitment



5.1 Formal Cross-Border Recruitment Channel

National workforce management in Thailand is primarily driven by labour shortages and workforce demand. A key principle, as articulated by a government expert interviewed for this study, is that employers or business owners, whether individuals or legal entities, must prioritise the hiring of Thai nationals. Only when the supply of Thai workers is insufficient to meet demand can employers turn to hiring migrant workers to fill the gap: “it is not the case that foreign workers can come freely to seek work independently”.¹²²

The official recruitment policy for migrant workers does not differentiate by types of business or industries. The same government expert emphasised that the same set of rules applies across all sectors, including construction, manufacturing, and others: “If we were to create separate management systems for each type of business or sector, it would be extremely difficult due to the vast diversity involved”.¹²³ Under this uniform policy, they stress that the appropriate channel for cross-border recruitment is that regulated by bilateral agreements. According to the six interviewed officials from various departments in the Ministry of Labour, recruitment of migrant workers for longer-term temporary employment, outside of border provinces, can and should only occur through the MOU channel:

We support the recruitment of migrant workers exclusively through the MOU system, which includes verification on both the sending and receiving ends to ensure that no excessive fees or exploitation occur. The MOU system serves as a good mechanism for screening and preparing workers before their arrival.¹²⁴

In the interviews, consistent with what was presented earlier and in Chapter 2, government officials explained that migrant workers’ recruitment under MOUs should be treated as “importation” directly by the employer through the services of accredited LOEAs, officially authorised by the DOE to bring foreign workers into Thailand. These LOEAs are intended to alleviate the administrative burden on employers and enhance labour standards by screening and verifying workers, although, as discussed later, some employers and CSOs hold differing opinions on this matter.¹²⁵ Studies, however, have observed that policy implementation has become more accommodating of labour subcontractors. For instance, Buckley and her colleagues in their 2016 study of the construction industry for the ILO already noted that:

.... the Thai government has adapted its employment system to include subcontracted work as part of the bilateral agreement between Thailand and neighbouring countries. This change has set in motion a rise of labour market intermediaries designed to recruit employees. Construction work, in particular, is an occupation that has seen new companies emerge—effectively labour subcontractors who do not directly supervise or manage construction work, but hire employees to be subcontracted out to construction firms.¹²⁶

The interviewed officials further stressed that the use of intermediaries (or brokers) to facilitate immigration is not permitted unless the intermediary is Thai and licensed under the Employment and Job-Seeker Protection Act. They further clarified that, unless foreigners operate under business or investment regulations in sectors permitted by the Ministry of Commerce, they are not allowed to act as independent agents as legally they can only be dependent employees. However, the officials acknowledged that in the construction sector, compliance is limited because there are brokers, recruiters, and small subcontractors who are also migrants—including some of the brokers and unlicensed agents interviewed during this research. For recruitment under the MOUs or Cabinet Resolutions, they work together with LOEAs and other licensed recruiters to facilitate contact with potential workers.

¹²² Interview with government official #G03.

¹²³ Interview with government official #G03.

¹²⁴ Interview with government official #G05.

¹²⁵ Interview with government official #G05.

¹²⁶ Buckley et al. (2016).

The MOU process involves several steps and, as a labour expert at MOL explained,¹²⁷ begins with a “demand” or formal application from the prospective employer to recruit foreign workers. This application specifies the business type, scale of operations, and required worker qualifications, and includes a draft employment contract in the destination country language, outlining the job description and benefits. The demand is then submitted to the local employment office or to the DOE in Din Daeng, Bangkok, and once approved, forwarded to the relevant embassy in Thailand and then to the Ministry of Labour in the workers’ country of origin. Local agencies or recruitment companies, often working in consultation with the employer or Thai LOEAs, use the demand to invite applications and select workers based on the job profile. They ought to be without dependants as the MOU system does not allow their inclusion. The list of selected workers is returned to Thailand, verified by the respective embassy, and the workers then travel to Post-Arrival and Reintegration centres for orientation, while the employer completes document processing, including issuing a calling visa and work permit.

Multiple Thai government agencies are involved in the MOU application process and its enforcement, requiring careful coordination across various aspects of recruitment and employment. According to officials interviewed, the Thai side of the process runs relatively smoothly because the system has been in place for some time, and each agency understands its role. In doing so, they tend to overlook frequent criticism from other stakeholders that too many agencies are involved and that regulations are inconsistently applied across local employment offices. Officials further suggested that any delays in the processing time, which is expected to take 45-60 business days and not exceed 80 days, are more often due to bureaucratic bottlenecks in the countries of origin:

The lengthy recruitment process is often not due to Thai authorities but rather to delays in the sending countries, whether in locating suitable workers or in logistical issues that prevent them from being dispatched on time to meet employer demands.¹²⁸

¹²⁷ Interview with government official #G03.

¹²⁸ Interview with government official #G03.



Table 16: Agencies Involved in MOU Processes and Enforcement in Thailand

MOU Processes	
Ministry of Foreign Affairs	<ul style="list-style-type: none"> • Handling diplomatic procedures and international cooperation aspects.
MOL	<ul style="list-style-type: none"> • Develop procedures for recruiting migrant workers under MOU processes.
DOE	<ul style="list-style-type: none"> • Issuing and renewing work permit • Processing “demand” and checking contracts.
Immigration Bureau	<ul style="list-style-type: none"> • Checking and certifying entry into Thailand; issuing of visa.
Embassy of country of origin	<ul style="list-style-type: none"> • Verification of “demand” and of list of names.
Enforcement of MOU Regulations	
DLPW	<ul style="list-style-type: none"> • Inspection of employment conditions; reviewing contracts.
DOE	<ul style="list-style-type: none"> • Issuing and renewing work permits.
Immigration Bureau	<ul style="list-style-type: none"> • Ensuring compliance with immigration laws.
Police	<ul style="list-style-type: none"> • Ensuring compliance with immigration laws.

The same officials also expressed confidence that sufficient information about the nature of the available jobs is provided from the Thai side to workers under the MOU, but stressed that the effectiveness of communication ultimately depended “on whether the local agencies or companies in the origin country properly convey this information to prospective workers”.¹²⁹ They further assured that they are working to ensure that recruitment agencies are properly licensed, that no fees are charged to workers, and that contracts comply with labour law, offering the same protection to migrant workers as to Thai workers. In their view, the list of required documents for entry is clearly outlined, and the problems they address generally arise after entry, such as lost documents, delays in identification documents, permit renewals, or difficulties in transferring between employers.

Officials emphasised that Thailand strives to ensure migrant workers are well informed from the onset, with orientation sessions and a handbook outlining workers’ rights and relevant contact information. Additionally, in 2016, the MOL established Migrant Workers Assistance Centres in ten provinces across the country, where migrant workers can seek help or report problems.¹³⁰ It was also mentioned, though without elaboration, that the government promotes “the adoption of fair recruitment practices within the construction sector, in line with the broader agenda of business and human rights.”¹³¹

Overall, the interviewed officials believed that Thailand’s current cross-border recruitment provisions were adequate, offering regular migrants the same opportunities, labour rights, and benefits as Thai citizens. They noted that Thailand’s migration rules are in some respects more comprehensive than those of other Southeast Asian destination countries. For instance, Thailand does not deport pregnant migrant workers (unlike Singapore) and offers irregular migrants, together with their dependent children, access to amnesty.¹³² As a government official put it, “Thai society is quite generous in offering opportunities”.¹³³

There appears to be little critical examination among officials of the factors contributing to the limited uptake of the MOU recruitment mechanism (and of other regularisation pathways). From their perspective, the issue lies not in the framework itself, but in ensuring compliance with the law to prevent what they refer to as “irregular influx of migrants”: all workers should be compelled to enter through legal channels and maintain their regular status during their stay in the country, with no tolerance for irregular practices. Although Thailand provides legal

¹²⁹ Interview with government official #G03.

¹³⁰ ILO (2020).

¹³¹ Interview with government official #G05.

¹³² Interview with government official #G03.

¹³³ Interview with government official #G04.

amnesty pathways through the Cabinet Resolutions for migrants who entered or remained in Thailand irregularly, the officials interviewed expressed a preference for full compliance with the MOU recruitment channel:

If given the opportunity, I would enforce the law more effectively. This means that undocumented migrants who enter unlawfully or are staying illegally must be returned and required to re-enter through legal [MOU] channels. Everything must proceed in accordance with legal procedures. Once migrants enter legally, we have their data and can manage our national resources more efficiently.... Migrants' rights and benefits are already on par with those of Thai citizens. With a properly enforced legal framework in place, the Thai government can better allocate budgets and manage migration more effectively.¹³⁴

The appreciation of government officials for the MOU pathway as a reliable mechanism to screen and prepare migrant workers before their arrival is only partly shared by other key actors in the construction industry. Consistent with existing research, among interviewed employers (prime contractors or subcontractors), recruiters and migrant workers, there are widespread concerns about the high costs and lengthy procedures associated with the MOU process. Moreover, a significant gap appears between officials' confidence in formal recruitment agents and channels and the reality on the ground, where informal practices continue to dominate.

5.2 Outsourcing the Recruitment of Migrant Workers

The construction industry typically uses two main hiring models. The first is direct employment by the prime contractor or project owner—usually larger companies—under which migrant workers are hired either directly or with the support of recruitment agencies. These arrangements are generally formal and long-term, with workers considered company employees. The second type of recruitment is carried out by subcontractors engaged on behalf of the prime contractor directly or through recruitment agencies and brokers. This method is far more informal and can be both long-term and short-term. In this case, migrant workers are technically employees of the subcontractor or of so-called “front” employment agencies (or labour subcontractors) that employ migrant workers who are then assigned to a range of subcontractors, most often very small operators. As a representative of a large real estate company put it:

Regarding the labour supply chain, I need to clarify that the real estate sector operates with different models. Some real estate developers employ their own workers, while others outsource labour to contractors. It depends on whether they operate a full turnkey model [with the contractor delivering a fully-finished, ready-to-use building]. In our case, we outsource everything, from upstream to downstream.... Notice that when we hire contractors, we engage different contractors for roads, drainage, and piling. Each contractor we hire is a legal entity. These companies are responsible for sourcing the labour to support our projects.¹³⁵

The now widespread practice of down-sourcing in the construction industry has made this second type of recruitment by subcontractors by far the most prevalent. In the words of a CSO representative:

The current employment process has become more complex. Today, large construction companies barely have any migrant workers directly registered as employees. If you review labour registration records, you'll find that these companies rarely hire migrant workers directly. Instead, they subcontract to smaller companies or limited partnerships. These smaller subcontractors are hired

¹³⁴ Interview with government official #G03.

¹³⁵ Interview with large construction company representative #LCCR1.

to complete specific tasks—such as painting, flooring, or electrical work—as separate assignments. A financial contract is agreed upon, and the subcontractor completes the work and then divides the payment among their team. Some of these subcontractors are essentially labour suppliers. They register as employers, assemble a team of workers, and then secure projects collectively. In some projects, there’s a clear policy against hiring workers directly. Instead, workers must be brought in through registered employers. If a worker does not have an employer, they are not permitted to work on the project. In such cases, intermediary agencies may also be involved in supplying workers to subcontractors or projects. This is the actual situation on the ground.¹³⁶

Employment and recruitment agencies typically deal with subcontractors rather than directly with the main companies, and as a result, most migrant workers on construction sites are not direct employees of the project owners or the prime contractors. This pattern holds true for the 12 construction companies whose mid-level representatives were interviewed in this study. Regardless of company size, all relied on subcontractors to hire migrant workers. Only the largest companies reported engaging in some direct recruitment with the assistance of licensed agencies, mainly for a small number of specialised positions such as foremen or administrative staff, while the remaining majority were hired and employed by subcontractors. In interviews, all construction company representatives shared the view that the construction industry prefers to outsource recruitment and workforce management to subcontractors. These subcontractors either handle hiring, documentation, transportation, and day-to-day management of migrant workers through their so-called team leaders on behalf of the company or perform specific construction tasks with their own crews, again led by a team leader. In either scenario, the responsibility for recruitment, workforce employment, and logistics lies with the subcontractors.¹³⁷ A representative from a major property development firm described these arrangements as follows:

The contractors hire them. We engage companies, and we do not specify whether they should hire Thai or foreign workers. Instead, we define the scope of work. For example, if I require foundation piles for 100 houses, with five piles per house, that means 500 piles need to be installed within ten days. We do not directly contact legal entities or hire workers ourselves; instead, we specify that we need 20 or 30 workers of a particular nationality, such as Burmese. That is not something we handle. As property developers, we do not employ workers directly, unlike factories. The context is different. Factories require large workforces—sometimes thousands, such as poultry or seafood processing plants, and must undergo direct recruitment under MOUs with DOE. We do not require that scale of labour. Instead, we work with subcontractors, who handle their own recruitment for their workforce [to work on the company’s projects].¹³⁸

Another representative from a large company further explained that construction companies now rely on two main channels for sourcing workers: subcontractors or local recruitment of daily-hired workers. A portion of the migrant labour in the construction industry, including some of the interviewed Myanmar migrant workers, is composed of independent workers, especially casual or daily hired workers, recommended through word-of-mouth by workers in the camps:

In the Thai construction sector, labour recruitment typically begins through referrals or recommendations from existing workers. Many workers come through informal networks or are brought in by subcontractors.... When a project is initiated, the company identifies subcontractors who have previously worked with or have experience in similar projects. These subcontractors then manage their own labour force, ensuring the required skill set is available.... If additional workers are needed, the company reaches out to known subcontractors, who may refer workers from their

¹³⁶ Interview with CSO representative #CSOR6.

¹³⁷ Interview with large construction company representative #LCCR1.

¹³⁸ Interview with large construction company representative #LCCR1.

network.... Workers already in Thailand are contacted through subcontractors or word-of-mouth referrals within the migrant worker community...¹³⁹

Traditionally, the responsibility for managing relationships with subcontractors and independent casual workers has fallen to foremen and on-site leaders, who liaised with subcontractors often through the latter's team leaders. This practice remains common, especially among small and unlicensed construction companies, and was also observed in the mid-sized camp studied, but some changes are emerging. To improve oversight, ensure compliance with labour standards, and enhance coordination across projects, some larger companies are now transferring the responsibility for sourcing migrant workers through subcontractors to their human resources and procurement departments:

Now, regarding labour contracting, since this involves procurement, the procurement team is responsible for sourcing subcontractors [that hire workers] The procurement team identifies subcontractors and facilitates competitive bidding, ensuring on-site leaders participate in the selection process.... Over the past few years, the procurement process has evolved. Previously, on-site leaders had the authority to recruit labour independently. Now, procurement centralises hiring, sets labour standards, and ensures regulatory compliance.¹⁴⁰

From the interviews with various stakeholder groups and observations in the two camps, a clear stakeholder chain in the recruitment process emerges (see Table 17). At the top are project owners, who either undertake the project (and related workforce hiring) themselves or delegate it to prime contractors, with project managers, foremen, and on-site leaders supervising the workforce and ensuring work standards. Through either human resources and procurement units or via foremen and on-site leaders, project owners or prime contractors engage subcontractors to supply and manage migrant workers based on the particular location, labour needs, and project-specific features. They opt for subcontractors who already have established crews and with whom they have long-standing, trusted relationships, built and maintained through repeated collaborations and regular communication via phone calls or messaging platforms like LINE.

The other option, as mentioned above, is to hire independent workers on a casual basis who live in the camps or nearby construction sites and wait for daily work opportunities. In some cases, these workers are coordinated by "front" employment agencies that are officially listed as the migrant workers' employer, while in practice the workers perform short-term jobs autonomously or are hired by other subcontractors, generally small and often individual, construction firms. This all leads to a layered and opaque recruitment system in which the actual employer is not always easily identifiable.

¹³⁹ Interview with large construction company representative #LCCR2.

¹⁴⁰ Interview with large construction company representative #LCCR1.

Table 17: Stakeholder Chain in the Construction Industry Recruitment Process

Stakeholders	Responsibilities
Prime construction company	<ul style="list-style-type: none"> Oversees the project, sets standards, and approves subcontractors.
Human resources, procurement units or on-site leaders	<ul style="list-style-type: none"> Identifies and recruits workers directly or through subcontractors for the project. Identifies and recruits subcontractors and eventually facilitates competitive bidding. Hire independent, casual workers (daily hired).
Project managers, foremen, and on-site leaders	<ul style="list-style-type: none"> Supervise the workforce and ensure work quality and standards are met.
Camp leaders	<ul style="list-style-type: none"> Supervise camp infrastructure and living quarters. At times, facilitate hiring.
Subcontractors	<ul style="list-style-type: none"> Identify and recruit workers for specific tasks (e.g., structural work, plumbing, electrical work). Manage workers and pay wages.
Team leaders	<ul style="list-style-type: none"> Supervise workers and assign them daily tasks—either on behalf of the subcontractors or directly (in small and micro enterprises).
Recruitment agencies and brokers	<ul style="list-style-type: none"> Assist subcontractors in sourcing, recruiting and transporting workers, especially migrant labour supply.¹⁴¹
Brokers	<ul style="list-style-type: none"> Act as connectors between employers, recruitment agencies and subcontractors with migrant workers.
Informal migrant worker networks (including migrant CSOs)	<ul style="list-style-type: none"> Provide worker referrals and help connect workers through informal, community-based networks.

In the case of larger construction companies, relationships with licensed recruitment agencies for bringing in foreign workers through regular channels are formalised through standardised contract templates issued by the DOE that comply with Thai labour laws and regulations, colloquially referred to in the interviews as MOUs.¹⁴² Likewise, formal agreements are used to hire subcontractors—as one of them said: “We are contacted by large companies or project owners through the MOU that they establish with us”¹⁴³—and set the scope of work and payment fees based on the project description, responsibilities and eventual penalties, and the number and type of workers needed. Drafting costs are negotiated between contractors and subcontractors, but are usually borne by contractors. Contractors also withhold a three-per-cent tax from the total contract value for remittance to the Revenue Department, including for migrant workers recruited abroad by the subcontractors with the assistance of LOEAs at the contractors’ request.¹⁴⁴

Most often, however, subcontracting arrangements, especially with MSMEs, are informal in nature, relying on verbal agreements or minimal documentation. The contrast between formal and informal subcontracting is exemplified in the following two quotes from representatives of a large and a mid-sized construction company, respectively:

We formalise cooperation through MOUs with recruitment agencies and subcontractors, defining job scopes and worker protections. The total cost for our large company to establish an MOU with a recruitment agency is about 80,000-120,000 THB annually, covering legal and documentation management...¹⁴⁵

¹⁴¹ Interview with large construction company representative #LCCR2 and mid-sized construction company representatives #MCCR1, insights from other respondents and observations in the two camps.

¹⁴² Please note that these are contracts between the company and the contractor and do not refer to MOUs to import migrant labour.

¹⁴³ Interview with formal subcontractor #FSC2.

¹⁴⁴ Interviews with formal subcontractors #FSC3, #FSC5, #FSC7 and #FSC8.

¹⁴⁵ Interview with large construction company representative #LCCR2.

For mid-sized companies, we rely mostly on subcontractors with networks among migrant workers. They identify and contact migrant workers already in Thailand through community communication and referrals.... Recruitment is usually handled through the main contractor without formal MOUs, but with written agreements for clarity. Costs mainly cover advertising or referral fees around 10,000-30,000 THB per project....¹⁴⁶

These diverse arrangements have led to the structural coexistence of a formal recruitment system alongside a much larger informal one within the construction industry, resulting in both regular and, more commonly, irregular employment of migrant workers. As explained by a CSO representative:

In the construction sector, there are both formal and informal recruitment systems. The informal system allows migrant workers to enter the construction workforce easily—often through informal subcontracting arrangements, sometimes with unregistered companies, and through family networks or acquaintances. As a result, if a migrant worker enters the country irregularly, they may still find a pathway into the workforce through these informal networks. Since construction work is often perceived as low-skilled labour, workers are hired without requiring specific qualifications. They learn on the job and are paid daily wages.... On the other hand, some workers are part of the formal system—some are directly employed by companies and fall under official labour policies and legal frameworks.¹⁴⁷

Outsourcing of recruitment of migrant workers to subcontractors is considered advantageous by construction companies. Given the costs and time constraints of construction projects, it is more practical for project owners and prime contractors to rely on subcontractors who either hire workers on their behalf or bring their own teams. As a CSO representative explained:

... around 80% of the recruitment process is not handled directly by the company. Some companies do manage it themselves and pay the associated fees, but others find the cost burdensome. For example, recruiting 100 workers involves significant upfront expenses, making it a strain. Therefore, many companies follow the dominant construction labour model and hire subcontractors.¹⁴⁸

Another advantage of subcontracting, from the perspective of the project owners and prime contractors interviewed, is that subcontractors bring established crews, which means workers are already familiar with one another and with their team leaders, thereby minimising the need for lengthy onboarding processes. Subcontractors also offer flexibility as teams that can be replaced if performance is deemed unsatisfactory. Most importantly, companies feel relieved of labour obligations towards subcontracted workers, who are not regarded as stakeholders within the company, and consequently undeserving of the same oversight and entitlements afforded to directly hired employees. A CSO representative critically examined this “accountability gap” in the construction industry during the interview:

The current employment model often involves hiring through subcontracting companies, rather than employing workers directly. This could be seen as a strategy by business owners to reduce production costs. If workers were hired directly, employers would be obligated to pay social security contributions as required by Thai law and comply with minimum wage rules. Employers would also have to prepare formal employment documents, such as MOUs [contracts] with the workers. Thus, employment practices ... have changed significantly. Rather than direct hiring, companies now use subcontractors, treating workers as contract-based labour or “project-based” hires. Consequently,

¹⁴⁶ Interview with mid-sized construction company representative #MCCR1.

¹⁴⁷ Interview with CSO representative #CSOR5.

¹⁴⁸ Interview with CSO representative #CSOR4.

many migrant construction workers are denied legal benefits and protections under Thai labour laws. This is a major issue. This system enables the main contractors—the large companies that own the projects—to avoid legal responsibility for workers’ welfare benefits or labour protections.¹⁴⁹

Another CSO representative further noted that the implementation of BHR principles is compromised by subcontracting, which allows prime contractors to relinquish their responsibilities:

Everyone tends to say, “We are not concerned about the big developers. They already publish Environmental, Social, and Governance (ESG) reports and comply with them. However, their compliance does not extend to the entire construction supply chain. Large upstream actors claim they have done their part to reduce inequality, but in reality, they often imply it is no longer their responsibility because they have already subcontracted the work.... At present, the implementation is still fragmented. For example, in low-rise housing developments, companies claim they provide the land and funds, so construction is entirely up to the [sub]contractors. But these [sub]contractors often lack understanding of BHR principles or how to ensure decent living and working conditions for labourers. Their focus tends to be on completing work at the lowest cost, rather than incorporating human rights or sustainability principles.¹⁵⁰

This is despite the addition of Section 11/1 of the Labour Protection Act in 2008 and its interpretation by the Supreme Court in 2012, which were intended to strengthen protection for subcontracted workers by holding the main (hiring) company liable as the employer when subcontracted labour contributed to its core business and by ensuring the same treatment of directly hired and subcontracted workers.¹⁵¹ In practice, however, enforcement of this amendment appears weak, as evidenced by widespread non-compliance throughout subcontracting chains and the absence of any reference to shared liability among the shareholders interviewed—even in cases where migrant construction workers resided in camps owned by the project owners or prime contractors. Moreover, companies can circumvent some of the law’s intent, for example, by differentiating the role of in-house and subcontracting staff, such as assigning higher-skilled jobs to the former and subordinate positions to the latter, or by outsourcing entire departments, making comparisons in treatment difficult.¹⁵²

In effect, this research shows that by distancing themselves from the direct employer obligations, construction companies that rely on subcontracting human resources effectively shift the responsibility for adhering to labour regulations onto subcontractors. In doing so, the same companies also hand over compliance with immigration rules to subcontractors. As the official employers, subcontractors are expected to ensure that migrant workers hold valid permits and that all documentation remains up to date. As discussed in the next paragraph, this arrangement enables project owners and prime contractors to avoid what they perceive as complex and burdensome legal obligations and to shield themselves from potential penalties for non-compliance.

5.3 Down-Sourcing Regularisation of Migrant Workers

According to the construction company representatives interviewed, the regularisation of migrant workers is crucial not only to meet legal requirements amid increasingly frequent labour inspections, but also to help ensure workers’ welfare. Yet they widely expressed the view that current regularisation mechanisms are poorly aligned with operational realities—a concern shared across other sectors as well. The construction industry is project-based, operates under strict timelines and requires a flexible workforce that can be rotated quickly among sites

¹⁴⁹ Interview with CSO representative #CSOR6 (also #CSOR3).

¹⁵⁰ Interview with CSO representative #CSOR4.

¹⁵¹ Tilleke and Gibbins (2014).

¹⁵² Tilleke and Gibbins (2014).

for varying periods of time. In contrast, the regularisation system is structured around fixed-term, location-specific employment and is often plagued by delays in document processing and updates to legal records:

One challenge is the time it takes for authorities to approve work permit applications and extensions, which can impact project timelines. Our employment model is project-based, meaning workers are often hired on a daily basis without formal contracts. Payments are made upon project completion.¹⁵³

During the interview, construction company representatives were aware that the official recruitment pathway operates through MOUs, but they complained that there is a lack of clarity about this regularisation channel. In their view, the process is overly lengthy, costly, and complex, involving various government agencies and private intermediaries, each with its own procedural requirements. The involvement of the LOEAs was also seen by some as adding little simplification to the process. As one company representative explained: “Documents must be arranged in a specific order as required by the recruitment agency. This leads to a lot of bureaucratic hurdles, with multiple steps to follow”.¹⁵⁴ Moreover, company representatives, consistent with existing research, observed that bringing in workers through the official MOU channel has become increasingly difficult since the COVID-19 pandemic, due to delays in documentation, limited quotas, protracted processing times, and the closure of one-stop centres. The fees have also risen significantly, and employers consider them too high, even though, in practice, they rarely pay these fees themselves, covering only the costs of recruitment agency services. Consequently, they tend to avoid this option, adopting a stance more like that of irregular migrants than of those who migrated through official channels, as discussed in Chapter 4.

As a result, recruiting migrant workers under the Cabinet Resolutions has become a more practical option for companies seeking to formally hire new workers or to regularise the status of existing ones. For the renewal of work permits and visas for MOU workers already in Thailand during COVID-19, company representatives appreciated that there was currently no need to send them back to their countries of origin. Instead, renewals could be processed domestically under special arrangements for Cabinet Resolutions—an approach they hoped would become permanent.

For both pathways, however, interviewed company representatives and subcontractors consistently pointed to financial implications, bureaucratic complexity, and procedural ambiguity as major constraints. These challenges translate into significant time and financial burdens, often prompting employers to rely on recruitment agencies or brokers to handle paperwork, liaise with multiple government offices, and navigate administrative hurdles. The same respondents also expressed confusion about the large number of required documents and the need for frequent, poorly synchronised renewals. They cited difficulties in having to handle the variety of passports and travel documents issued by the migrants’ countries in question. For instance, for Myanmar workers under the MOU framework, only the more expensive regular red passport (PJ) is accepted, whereas other channels allow the use of the CI (commonly referred to as the green book), which permits cross-border travel between Thailand and Myanmar. Company representatives and subcontractors further questioned the necessity of various types of visas, work permits, and identity documents with differing validity periods. The rationale behind these distinctions is often unclear to all parties involved, leading to frequent misunderstandings:

Ideally, we would like the two-year work permits to be standardised for everyone. We do not want a situation in which one person receives a two-year permit while another only gets one year. Workers often ask us, “Why did that person get two years, but I only got one?” This becomes a point of contention among the workers.¹⁵⁵

¹⁵³ Interview with large construction company representative #LCCR3.

¹⁵⁴ Interview with mid-sized construction company representative #MCCR3.

¹⁵⁵ Interview with mid-sized construction company representative #MCCR4.

To avoid these complexities, construction company representatives see additional advantages in outsourcing migrant worker recruitment to subcontractors. If the prime contractor insists that migrants be hired through the MOU system, this condition can be specified in the subcontractor agreement and paid for accordingly. Otherwise, subcontractors typically draw from the locally available pool of migrants, either through regular channels, when explicitly requested, by hiring workers registered under Cabinet Resolutions, or, more commonly, opting for informal and undocumented recruitment. As several construction company representatives explained:

The subcontractor arrangement doesn't follow MOU or Cabinet Resolution– it's a private matter [of the subcontractor]. They charge the company about 450–500 THB per worker per day. Some of our workers are hired under the Cabinet Resolution system.... We use both formal recruitment and informal local brokers. For the MOU, we pay around 10,000–13,000 THB per person. But due to cost and time constraints, we often go through subcontractors who provide a team. We do not manage the workers directly in that case....¹⁵⁶

We usually avoid MOU processes because they are costly and complicated. Workers are recruited mainly through local brokers or family connections. The hiring cost per worker ranges from 3,000 to 5,000 baht. Many workers are undocumented or have pink cards. We mostly use small subcontractors from nearby provinces.¹⁵⁷

Subcontractors may also rely on migrant workers who have already managed to regularise their status, even if their legal status becomes *de facto* invalid under the new employer, unless they are properly transferred through official procedures. As one of the interviewed formal subcontractors explained:

We use workers from the MOU channel when the main contractor requires it. MOU processing costs around 12,000 THB per person, including visa, work permit, and health check. We also pay the agency handling the documents 2,000 THB per worker. Otherwise, we recruit those already in the country. We mainly use the Cabinet Resolution scheme or recruit those who already have pink cards, as the MOU costs too much.¹⁵⁸

There are also labour contractors registered as employers to obtain the employment quota required by the DOE under immigration procedures, which they then utilize according to project needs:

We recruit workers already in Thailand with valid work permits. Mostly, they come through informal referrals among workers. We avoid using the MOU process due to cost and long processing time. Instead, we register the workers under our own employer quota via the DOE. We pay around 8,000 THB per worker for renewal, medical checks, and insurance. The main contractor provides the scope of work and pays us based on progress or quantity. We handle the entire labour process– recruitment, documentation, safety compliance, and payroll.¹⁵⁹

For “front” employment agencies, obtaining a migrant employment quota enables the nominal regularisation of independent and casual workers, who can afford and choose to register under the Cabinet Resolutions. Even if these workers are self-employed or work for other contractors, the agencies are officially listed as their employers.¹⁶⁰

While some representatives of larger construction companies claimed that they expected subcontractors to hire regular workers, MSME representatives were candid that, in their case, subcontracting primarily involved irregular workers because of lower recruitment and wage costs. A representative of a small construction company stated, “Costs for formalising agreements like MOUs or Cabinet Resolutions are simply prohibitive for us”.¹⁶¹ This remains

¹⁵⁶ Interview with mid-sized construction company representative #MCCR1.

¹⁵⁷ Interview with small construction company representative #SCCR2.

¹⁵⁸ Interview with mid-sized construction company representative #MCCR4.

¹⁵⁹ Interview with mid-sized construction company representative #MCCR1.

¹⁶⁰ Interview with small construction company representative #SCCR2.

¹⁶¹ Interview with small construction company representative #SCCR1.

the case, even though, as repeatedly mentioned, migrant workers most often bear the costs of regularisation. In the face of rising cost pressures in the industry, actors across the recruitment chain justify opting for cheaper, irregular options, despite being aware of the associated risks for them and for workers.

Enforcing compliance with immigration and labour laws is challenging across the entire supply chain. As discussed in section 5.1, DOE and the DLPW are involved in the management of migrant labour; however, inspections focused on verifying documentation do not necessarily occur at the recruitment stage, and construction camps are closed spaces. Various respondents also alluded to governance issues, including the use of bribes by companies and migrants to local authorities, to bypass regulations, a problem recognised nationally across industries and locations.¹⁶²

Within the industry itself, oversight of subcontractor recruitment and regularisation practices is limited. Interviewed company representatives generally acknowledged that when migrant workers are employed indirectly, they refrain from inspecting their immigration documents, taking care not to “overstep into the responsibilities of contractors and subcontractors”.¹⁶³ They also like to assume that subcontractors have, by some means, the intention and capacity to self-regulate and independently uphold recruitment standards,¹⁶⁴ thus overlooking the fact that many subcontractors are informal firms operating with minimal resources, focused on survival. While some companies may “remind” subcontractors of their legal obligations, formal due diligence or mechanisms to ensure subcontractors are compliant with regularisation policies are rare. One notable exception is a large company that mandates hiring through the MOU channel and has implemented structured procedures to vet its subcontractors:

We have a strict due diligence process that includes verifying recruitment agencies’ licenses, ensuring their compliance with the MOU between Thailand and neighbouring countries, and reviewing contracts for transparency. We also conduct periodic audits of recruitment practices to prevent unethical recruitment. The MOU framework allows us to work officially with government-approved agencies, helping ensure ethical recruitment. We conduct regular audits and training for subcontractors, require certified documentation in accordance with MOU standards, and collaborate with government labour offices.¹⁶⁵

¹⁶² Bangkok Post (2025c).

¹⁶³ Interview with large construction company representative #LCCR2.

¹⁶⁴ Interview with small construction company representative #SCCR2 (but also representatives of others small companies).

¹⁶⁵ Interview with large construction company representative #LCCR4.



Representatives of smaller construction companies generally admitted that, even if they required subcontractors to adhere to fair and ethical recruitment practices and submit regular reports, they lacked the means to ensure full transparency:

We aim to follow ethical recruitment practices by partnering with subcontractors that comply with Cabinet Resolutions governing migrant labour recruitment. However, due to budget constraints, our verification process is less frequent than larger companies...We require subcontractors to submit evidence of proper recruitment, but face challenges with thorough due diligence. A limited budget and a lack of dedicated staff to monitor subcontractors' recruitment practices are major obstacles. Sometimes subcontractors do not fully comply, but we lack the capacity to enforce rules strictly.¹⁶⁶

Regardless of company size, all interviewed construction company representatives acknowledged, as one of them put it, that "balancing legal requirements and practical solutions remains a challenge"¹⁶⁷ in the construction industry. Reasons cited included misaligned immigration policies, sectoral informality, widespread casualisation, cost pressures, and a fragmented subcontracting system that hinders consistent compliance across a company's subcontractors, particularly given the high mobility of workers.

Here, the diffuse delegation of legal responsibilities to subcontractors has fuelled informality and irregularity in migrant recruitment, as also evident from the sample workers' legal status, as discussed below. As a CSO representative aptly stated: "When issues are passed down the chain, those at the bottom fall through the cracks."¹⁶⁸

¹⁶⁶ Interview with large construction company representative #LCCR2.

¹⁶⁷ Interview with large construction company representative #LCCR4.

¹⁶⁸ Interview with CSO representative #CSOR6.



5.4 Legal Status Profile of Migrant Construction Worker Sample

For most migrant construction workers in the sample, who had crossed the border irregularly, regularising their status became possible only after their arrival. As discussed earlier, with one exception, both Cambodian and Myanmar workers entered the country without proper documentation. However, the two groups diverged notably in their legal standing at the time of the interviews: while the Cambodian workers reported that they had eventually regularised their status, most Myanmar migrants remained irregular (see Table 18). Regarding the sampled migrant children and young adults, as detailed below, all were in irregular conditions regardless of nationality, highlighting the limitations of the current legal framework for addressing the diverse circumstances of migrant children.

Table 18: Legal Status of Migrant Worker Sample by Sex and Nationality

Nationality		Myanmar			Cambodia			Total		
Sex		Men	Women	Total	Men	Women	Total	Men	Women	Total
		10	11	21	3	7	10	13	18	31
Regularisation Pathways										
Irregular Status		8	10	18				8	10	18
	No documents	6	7	13				6	7	13
	Passport	1	1	2				1	1	2
	CI	1	1	2				1	1	2
	CI and pink card		1	1					1	1
In the process of renewing permits		1		1	3	7	10	4	7	11
	MOU in Thailand (passport, visa, work permit)				1	4	5	1	4	5
	CR (passport and pink card)				2	3	5	2	3	5
	CR renewal (work permit)	1		1				1		1
In the process of applying for the first time		1	1	2				1	1	2
	CR first-time application	1	1	2				1	1	2
Costs of Regularisation*										
15,000 THB					1	2	3			3
16,000 THB					1	1	2			2
20,000 THB					1	3	4			4
Costs of Processing Documents*										
Passport	15,000-20,000 THB					2	2			
CI	8,000-10,000 THB	2	1	3						
Applying for pink card	18,000 THB	1	1	2						

*NB: Only respondents who provided payment figures are included

More specifically, all Cambodian construction workers reported having their legal status under renewal, with the nine who had entered Thailand irregularly having been later regularised by their employers (three by the prime contractor and six by subcontractors) through agents and brokers. Their role was largely limited to paying for regularisation and renewals, leaving them unaware of specific procedures and costs breakdowns, except for passports, which they typically arranged and paid for themselves or with the help from friends or brokers. Based on their accounts and document requirements—for instance, Cabinet Resolutions grant work permits and pink cards but not visas, while the MOU process includes visas but originally did not include pink card—five workers (including the one who entered under the MOU) were likely regularized through the MOU system, and the remaining five under Cabinet Resolutions. In any case, follow-up interviews clarified that all ten workers, including those under MOU, had been in Thailand since before the COVID-19 pandemic, had renewed their work permits in-country under Cabinet Resolutions, and were again renewing them without returning to Cambodia. As noted, the Resolutions in effect during fieldwork extended the temporary COVID-19 measure allowing such in-country renewals also for MOU workers.

Unlike their parents, the two young Cambodian respondents reported remaining in irregular status, while their relatives were seeking to arrange documentation for them.¹⁶⁹ Since the interviewer did not probe the parents' legal status, it can only be speculated that if they were regularised under the MOU system, no channels existed to extend regular status to their children. If, instead, they were registered under Cabinet Resolutions, financial constraints may have led to prioritizing for regularization the parents and, eventually, male children, by employers and the migrants themselves. For the one youth staying with relatives, the absence of parents made regularisation anyway impossible.

Turning to Myanmar workers, aside from one who had registered and was renewing his status under Cabinet Resolutions and two applying in the current registration round, all had remained irregular throughout their stay. Two others were obtaining some documents, but could not afford full regularisation. The two Myanmar children and the one young person also remained irregular, since their parents' irregular status prevented regularisation, even for the two of them born in Thailand.

The contrast between Cambodian and Myanmar workers is striking, given that both Cambodian workers and roughly half of the Myanmar workers were deployed to the same project and lived in the same camp operated by Company1. Here, it is important to keep in mind that even within a single camp, workers are organized into crews employed by different subcontractors, each with distinct recruitment and regularisation practices. Consequently, legal status can vary significantly despite a shared project owner or prime contractor. This sample does not allow firm conclusions about subcontracting per se leading to greater irregularity, as observed differences appear largely along nationality lines, but further research is warranted. For independent daily casual workers without affiliation, regularisation is effectively precluded due to the absence of a fixed employer.

Several other factors may help explain this discrepancy. As shown in Table 11, Cambodian migrants have generally stayed longer in Thailand and often remained with the same prime contractor or subcontractor. This stability may encourage employers to regularise and retain experienced workers, while longer residence also increases migrants' likelihood and ability to pursue legal status, especially as they settle in Thailand, forming or reuniting with families. Over time, they have recovered initial migration costs and accumulated enough resources to cover regularisation expenses.

The costs of regularisation reported by the Cambodian workers ranged from 15,000 to 20,000 THB. One worker paid an additional 15,000 THB for a passport processed independently, while another reported a passport fee of 20,000 THB. Regardless of the regularisation pathway, these costs were deducted from migrant workers' wages, typically in monthly installments, by their employer, most often a subcontractor. As many Cambodian workers had

¹⁶⁹ Interviews with Cambodia young people #CYP1 and #CYP2

lived in Thailand for over a decade, amounts varied by year of payment. Consistent with the literature, several noted that documentation costs had increased over time, as reflected in the accounts below:

I came [in 2012] with my relatives, and my company managed the paperwork through a broker, with the costs being deducted from my salary. [My different employers] arranged for my documents to be handled by a broker. Initially, it was 8,500 THB; it then increased to 12,000 THB, then 14,000 THB, 18,000 THB, and the most recent cost is 20,000 THB.¹⁷⁰

Regarding documentation, when I first arrived to work in Thailand [in 2014], I paid 12,000 THB for processing, which was due every two years. Currently, the cost has increased to 20,000 THB.¹⁷¹

Beyond the high and rising fees, some Cambodian migrant workers also raised concerns about the length and complexity of the application process:

The recruitment process is complicated and time-consuming because it requires legal documentation. These procedures often delay the start of work and are a significant source of frustration.¹⁷²

Regarding documentation, some migrant workers were unable to identify the full set required for valid status (Table 18). While this may reflect recall issues during interview, it could also suggest incomplete regularisation. Of particular concern, as discussed later in the report, is that nearly the entire group of Cambodian workers under MOU or Cabinet Resolutions reported having no written contract and lacking access to health and social protection schemes, despite these being formal requirements (and entitlements) for regularised workers.

All 11 regularised migrants renewing their status (ten Cambodian and one Myanmar), including those who could not list the full set of required documents, reported retaining their papers. This supports a Chiang Mai CSO representative's observation of improved employer practices:

In the past, it was common for employers to confiscate their workers' documents. But nowadays, employers are more aware of the law and no longer dare to do this. It poses a risk of being classified as forced labour or even human trafficking. As a result, most employers now allow workers to keep their own documents. In the past, employers would keep everything, but the law now clearly prohibits the confiscation of employee documents.¹⁷³

However, other CSO representatives pointed out that this may be the case for migrant workers who have fully repaid the regularisation fee. For those still repaying, documents would often be held by the entity that covered the initial costs and would be given to the workers only once the amount had been fully reimbursed. There were also reports to CSOs from migrant workers who had paid the required fee but never received the documents.¹⁷⁴

Unlike their Cambodian counterparts, regularisation for Myanmar migrant workers remained more of a long-term aspiration, contingent on saving enough money and securing documents. Fearing conscription, state surveillance, and taxation, they dismissed returning home to re-migrate under the MOU pathway and instead expressed interest in in-country registration through Cabinet Resolutions. However, estimated costs at about 18,000 THB were seen as prohibitive for them and for regularising their children's status. Aside from one worker covered by a previous Cabinet Resolution and two beginning the process under the latest one, none were yet able to apply and accept wage deductions to cover the fees:

¹⁷⁰ Interview with Cambodian migrant worker #CMW6.

¹⁷¹ Interview with Cambodian migrant worker #CMW7.

¹⁷² Interview with Cambodian migrant workers #CMW3.

¹⁷³ Interview with CSO representative #CSOR4.

¹⁷⁴ Interview with CSO representative #CSOR3.

I'm waiting to have enough money to process the documents for my work permit. Right now, I am planning to apply for a work permit, but I haven't started the process yet because I'm still saving money for it... I am also seeking support to help cover the costs.¹⁷⁵

CSOs representatives confirmed Myanmar migrant workers' intention to obtain regular status and the financial barriers preventing them from doing so:

They do want to comply with the law. However, the current costs are far too high for them to legalise their status and obtain proper documentation.... Right now, construction workers are being charged 21,000 baht just for registration. If it's a couple—husband and wife—it's nearly 50,000 baht. How can they afford that? The cost of obtaining documents is extremely high. Moreover, they can't apply directly for documents or through their employers. Everything ultimately gets outsourced to brokers. But they don't have the money to pay brokers.¹⁷⁶

In this context, for many recent arrivals from Myanmar, who crossed the border without documents, the immediate priority was to use their limited resources to secure basic identity papers. This typically means obtaining a CI or a passport, whenever contact with the Myanmar authorities is feasible, often through brokers or team leaders and at their own expenses:

Currently, the only document I possess for staying and working in Thailand is the CI. I do not have a formal work permit or Thai-issued ID card. The CI was obtained with assistance from the team leader for about 8,000-10,000 THB. I submitted the application along with other workers under his coordination.... The team leader helped me obtain the CI. I went through the application process together with other workers, under his guidance and support.¹⁷⁷

Facing language barriers, bureaucratic complexity, and the risk of lost workdays, most workers relied on intermediaries, such as on-site leaders, team leaders, or brokers, to handle the many procedural details on their behalf. This reliance is illustrated by the account of a Myanmar worker with four years in Thailand's construction sector:

I crossed the border with no official documents at the time. However, I am in the process of applying for CI, a document that I need to regularise my stay here. Now, I do not have any legal work permits or identification documents that would allow me to stay and work legally in Thailand.... The broker is helping me with the application, and I am not handling this process on my own. The broker has been the intermediary in acquiring the necessary documentation for me. I am not fully aware of the total cost of obtaining the documents, as I have not yet paid for them.... I am waiting for the broker to contact me with more specific information on when the payment is due.¹⁷⁸

The pink card is a sought-after document that has become identified with registration under Cabinet Resolutions. For example, the two Myanmar workers undergoing registration described the process simply as "getting a pink card". It was at times misunderstood as a standalone "permit to stay and work" with limited awareness of the separate requirement to obtain a work permit to maintain its validity. There may also be confusion with other pink cards issued to ethnic minorities in Thailand under different, more accommodating regulatory frameworks. More broadly, some migrants appeared to overestimate the protective value of individual documents, seemingly believing that partial documentation could confer partial legal status as if to imply varying "degrees" of irregularity and associated risks. For instance, migrant children born in Thailand were generally considered to have legal status when they possessed a birth certificate, and at times a G-code. In another case, a Myanmar woman

¹⁷⁵ Interview with Myanmar migrant worker #MMW22.

¹⁷⁶ Interview with CSO representative #CSOR6.

¹⁷⁷ Interview with Myanmar migrant worker #MMW15.

¹⁷⁸ Interview with Myanmar migrant worker #MMW11.

construction worker stated, “Since I obtained a passport [with the help of an on-site assistant], I have not faced any problems related to documentation”, while lacking other work-related documents.¹⁷⁹ Similarly, another Myanmar woman expressed comparable perceptions regarding the CI:

I keep the CI with me at all times. It is an important personal document that proves my legal right to work in Thailand, and I am responsible for safeguarding it.... I have never faced any issues because I always have my CI with me. Since I carry this important document, I can prove my legal status and avoid any potential problems related to my employment in Thailand.¹⁸⁰

For some Myanmar workers who fled to Thailand for political reasons, however, obtaining partial or full documentation may not be an option, even if they have both the intention and financial means to regularise. As a CSO representative explained:

Currently, when registering workers, their histories and biometric data must be sent to the Myanmar government for verification. This causes problems because workers try to evade registration and avoid appearing officially. If policies continue this way, it will create difficulties in the future because sending their personal data back to their home country exposes their families to trouble, which no one can accept.¹⁸¹

¹⁷⁹ Interview with Myanmar migrant worker #MMW26.

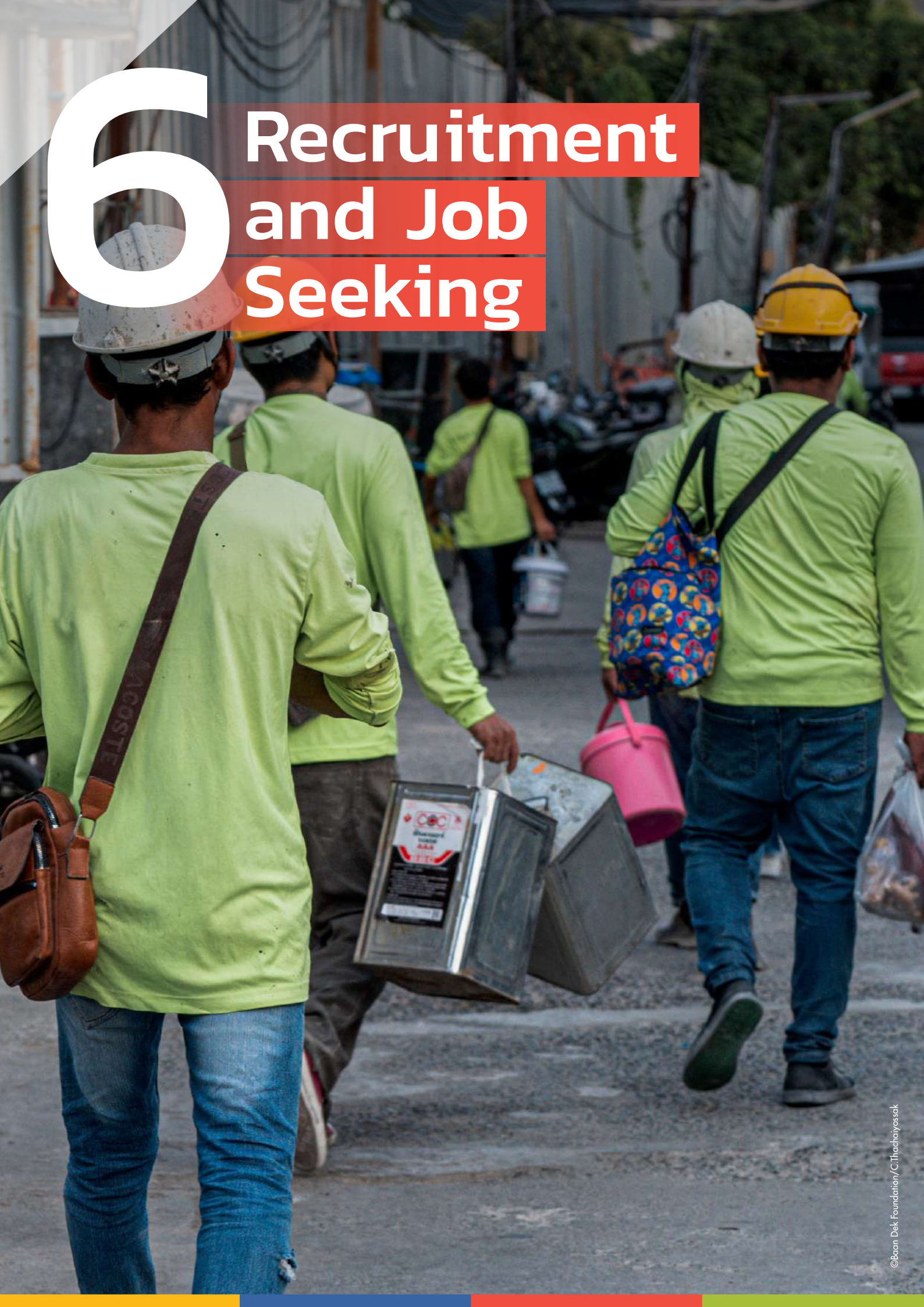
¹⁸⁰ Interview with Myanmar migrant worker #MMW14.

¹⁸¹ Interview with CSO representative #CSOR6.



6

Recruitment and Job Seeking



6.1 Recruiting a Migrant Construction Worker

To build their workforce, subcontractors, when not hiring directly, may enlist licensed or unlicensed recruitment agencies, brokers, or rely on referrals from migrant networks. Recruitment actors range from LOEAs and other licensed recruitment agencies facilitating formal employment, to brokers and informal, unlicensed agents who often place irregular workers. Independent recruiters, at times friends or relatives of migrant workers, also source labour from migrant communities or border areas through personal contacts. Some of these roles may overlap with those of individual labour subcontractors, unlicensed agents, and brokers, making them often indistinguishable. The boundary between formal and informal recruiters is similarly blurred, with licensed agencies frequently depending on informal intermediaries to identify and contact prospective workers.

Informal recruiters, especially when migrants themselves (as with some respondents), have a deep understanding of where workers are located and who is available, enabling timely placement. Like subcontractors, the interviewed recruiters preferred hiring migrant workers already in Thailand due to their wide availability, accessibility, and lower recruitment costs. However, they also collaborate with brokers in countries of origin to recruit new workers from abroad when demand arises.

In-country recruitment of migrant construction workers relies on informal, network-based hiring rather than formal job-posting. Recruiters count on referrals, sometimes incentivised with a small fee, from their extensive network of employers, migrants' friends and relatives, community leaders and CSOs. Increasingly, they use social media and messaging apps, with interviewed brokers and agents sourcing workers through LINE or Facebook groups as explained by an informal labour subcontractor also acting as an agent:

I usually find [workers] myself through Facebook groups. I use a [location-specific] Facebook job-hunting group. I look through the group to find interested individuals and then contact them directly. Some reach out to me as well. Previously, recruitment was usually done through personal connections. Friends would invite each other to join projects... now the method has shifted towards using online platforms like Facebook and apps. We rely on communication and experience. Sometimes, we already know the workers or get feedback from others.¹⁸²

In their recruitment efforts, the interviewed recruiters preferred hiring workers aged 18-45, despite the MOU age limit of 55 years and the absence of a formal age cap under Thai law. In construction, physical strength is prioritised, and this age group is seen as being in peak condition.

The same emphasis on strength underpins a preference for men in the male-dominated construction sector. Gendered assumptions cast women as better suited to "lighter" or "detail-oriented" tasks, while concerns about family responsibilities, safety, and maternity-related costs also influence recruitment's decisions. Although recruiters claimed to favour single men, couples and families were widely observed in construction camps, as documented in both the literature and this research (see next chapter).

Most recruiters, licensed and unlicensed, acknowledged increased scrutiny of child labour due to national and international pressure and said they avoided hiring anyone under 18 to prevent legal issues. However, verifying adolescents' ages can be challenging when birth certificates are missing or inaccurate. Some noted that young people sometimes perform "light" tasks in the camps, especially when living on-site with their families. This was likewise the case for the young respondents, while the two children in the sample reported only undertaking domestic household tasks (see Chapter 8).¹⁸³

¹⁸² Interview with informal subcontractor #ISC5.

¹⁸³ As stated in section 1.6, the study was limited by the inability to freely access and observe the camps.

6.2 Job Searching in Construction

Despite arriving in Thailand with irregular status, most migrant construction workers in the sample reported little difficulty securing their first job. Both initial and subsequent employment was largely secured via network-based recruitment and the sector's informal hiring practices. As noted in Chapter 4, many arrived with a job already lined up through friends, relatives, or, in some cases, brokers and were able to begin working immediately upon arrival:

After arriving in Thailand, my first job was as a construction worker. I have been working in this sector since I first entered the country. I found the job through a friend who had come to Thailand before me. I contacted him and told him I was looking for work. He helped me connect with the construction site where I was later employed. The recruitment process was informal and quick, largely based on my friend's recommendation.¹⁸⁴

When I first arrived in Thailand, I began working as a construction worker. I started this job in the construction sector alongside my husband. He learned about the job from a friend, and after discussing it with him, we were connected with a broker who helped us with the border crossing and referred us to the construction site. We started working there immediately upon arrival.¹⁸⁵

When I first arrived in Thailand, I started working on a construction site. The job was arranged by the same broker who brought me across the border. After we arrived in Thailand, he took us directly to the construction site and helped us get hired there.¹⁸⁶

Except for two workers who reported initial problems with brokers (see Chapter 3), most described recruitment as straightforward. Arrangements were made prior to departure, without formal applications, interviews, or vetting. Access to construction camps was facilitated by on-site or team leaders, often coordinating with migrants' intermediaries. Once hired, supervision shifted to team leaders and brokers' involvement generally ceased, unless regularisation was pursued, which was uncommon, though some brokers continued to assist migrants in accessing services or resolving difficulties (as discussed in Chapter 8).

Once they entered the construction industry, all migrant workers in the research sample remained within the sector, even when changing locations, positions, or employers. Job mobility was notably high, especially among those with irregular status, with the interviewed migrants stressing that they retained agency in deciding whether to accept new assignments. Some transitioned between projects by following subcontractors with whom they had established positive relationships once projects were completed:

Since I arrived in Thailand, I have consistently worked in the construction sector. Although I have stayed in the same type of job, I have changed work sites three times over the past four years. The changes usually happen when construction projects are completed. When this occurs, I inform my team leader, who then notifies our boss. If the boss moves to a new site, I follow and continue working there. So, while my role has remained the same, the location has changed multiple times.¹⁸⁷

Others changed employers when projects ended or when better pay and conditions became available. If relations were good, they informed their team leader, on-site leader and subcontractor of their plan, often receiving referrals to new jobs. A Myanmar construction worker with 10 years of experience explained that when a project finished, she notified her subcontractor and on-site leader of her availability, and they contacted her when job arose.¹⁸⁸

¹⁸⁴ Interview with Myanmar migrant workers #MMW11.

¹⁸⁵ Interview with Myanmar migrant workers #MMW12.

¹⁸⁶ Interview with Myanmar migrant workers #MMW16.

¹⁸⁷ Interview with Myanmar migrant worker #MMW11.

¹⁸⁸ Interview with informal subcontractor #ISC5.

When problems occurred, migrant workers sought alternative sources of support to secure new employment. As discussed in the next chapter, wage disputes were a major reason for leaving jobs and moving to other construction camps. In this search for better opportunities, workers relied on personal connections and social media to connect with recruiters and find jobs openings. They also contacted on-site leaders at other camps directly, as reflected in the following account from another Myanmar construction worker:

Getting my current job was quite simple. My husband spoke to the on-site leader, and after that, we moved to the new location. There was no formal recruitment process involved, and it wasn't a matter of applying for a job as in other industries. We were given the opportunity to work in the new camp based on my husband's communication with the leader... I followed my husband's decisions, and when he decided to move to a different camp or job site, I went along with him. He felt that the new opportunities would be better for us, so we moved together.¹⁸⁹

The search for better opportunities is not without risks. A Myanmar construction worker reported losing 3,000 THB on one occasion and 10,000 THB on another after being deceived by fraudulent recruitment agents who later disappeared and blocked her calls.¹⁹⁰ Another migrant worker faced financial insecurity during a job transition, as wages from a former employer were delayed while the new job had yet to begin.¹⁹¹ A further Myanmar construction worker who had switched subcontractors summarised the different challenges encountered as follows:

There were several problems, including a lack of proper documentation, not being paid in full, and needing to purchase my own safety equipment, despite being told it would be provided. There were also inconsistencies in the recruitment process and payment rates among subcontractors.¹⁹²

For migrant workers under the MOU system and Cabinet Resolutions, changing jobs is more complicated. Transfer between locations, even within the same company, require formal paperwork to register the workers' residence, especially when the new site is in a different province, as reflected in the following statements by company representatives:

Even though the workers are already under the MOU, we still need to notify the DOE and submit documentation. The process can take 1–2 weeks and delay project timelines."¹⁹³

We employ workers under the Cabinet Resolution. When moving workers between sites, we face delays due to the need to renotify with the Provincial Employment Office. Some workers are afraid of losing their permit status during the transfer.¹⁹⁴

A representative of a large company noted that in reassigning workers between projects, it is challenging to maintain valid documentation: "processing work permit transfers and updating official records can be time-consuming, particularly when dealing with government authorities".¹⁹⁵ Other representatives added that contractors and subcontractors often manage worker documentation in an unorganised or incomplete manner, leading to delays and complications in transfers between projects and employers.¹⁹⁶ As a result, workers are often uncertain about their legal status, since they may not know whether their documents have been properly updated after changing jobs. As a Myanmar woman construction worker explained:

¹⁸⁹ Interview with Myanmar migrant worker #MMW18.

¹⁹⁰ Interview with Myanmar migrant worker #MMW24.

¹⁹¹ Interview with Myanmar migrant worker #MMW17.

¹⁹² Interview with Myanmar migrant worker #MMW22.

¹⁹³ Interview with large construction company representative #LCCR4.

¹⁹⁴ Interview with large construction company representative #LCCR4.

¹⁹⁵ Interview with large construction company representative #LCCR2.

¹⁹⁶ Interview with large construction company representative #LCCR3.

I currently have some documents for staying and working in Thailand, but my work permit status is unclear after changing jobs. It's likely that it hasn't been officially updated. The documents I have were arranged informally.¹⁹⁷

Company representatives further asserted that it is difficult for prime contractors and project owners to monitor workers' movements because of the subcontracting system:

.... there is a movement of workers between sites and camps. We do not oversee this directly; the contractors handle it The challenge is that we do not always know how many workers a particular contractor has moved—whether 10 workers were sent elsewhere, 5 remained, etc. Contractors allocate their workforce based on their work requirements If they deploy workers to a site with no ongoing work, they inevitably incur losses.¹⁹⁸

Recruiters in the study agreed that options for changing employers—including transfers from one subcontractor to another within the same project—are overly restrictive, especially for workers under the MOU system despite the extended 60-day period allowed to find a new employer. As discussed earlier, unless the current employer has violated labour laws and is willing to provide the necessary resignation papers, workers cannot initiate a transfer. In such cases, the recruitment company must repatriate them before arranging new placements, a costly process that may also push workers into irregular status in Thailand.

The situation may, however, be affected by provisions in the latest Cabinet Resolutions, which, as explained in Chapter 2, allow MOU workers to renew their work permits in-country after four years (like they do after two years), without having to return to their countries of origin. This policy shift may eventually enable them to change employers locally through existing recruitment networks, thereby avoiding repatriation. Nevertheless, continued dependence on employers deprives regular migrant workers of agency, despite growing global recognition that labour mobility is a fundamental right that protects against exploitation. Moreover, labour mobility benefits the labour market by enhancing competition and improving efficiency.¹⁹⁹

6.3 Job Knowledge and Contract Terms

Most migrant construction workers in the research sample were aware that they would work in construction upon arrival in Thailand. As discussed earlier, they had been informed about their prospective jobs by members of their support networks who assisted them in securing employment. When asked about the information they received prior to starting work, respondents reported receiving only general details about the job, the work environment, and the nature of construction activities, with limited information on employment conditions. Some commented that they became aware of the exact tasks only after arriving at the construction site, when assignments were given by the team leader (see Section 7.2). This account aligns with the observation of an interviewed CSO representative:

From what I've been told, most construction migrant workers didn't know much. They only knew they were coming to do construction work. They weren't informed about the exact location or type of work—whether it was building houses, high-rises, etc. They just had a general idea that they would be working in construction.²⁰⁰

Nonetheless, in most cases, both Cambodian and Myanmar workers agreed that the job matched what they had been told beforehand, especially when the information came from trusted relatives or friends. Overall, they felt that, even if sometimes minimal, the information provided a sufficiently clear understanding of on-site conditions “with no surprises or misunderstandings”,²⁰¹ as reflected in the quotes below from two Myanmar women construction workers:

¹⁹⁷ Interview with Myanmar migrant worker #MMW24.

¹⁹⁸ Interview with large construction company representative #LCCR1.

¹⁹⁹ Mrowka (2022).

²⁰⁰ Interview with CSO representative #CSOR3.

²⁰¹ Interview with Myanmar migrant worker #MMW15.

Before I started working in the construction sector, the broker informed me that I would be working on a construction site performing general construction duties. This information turned out to be accurate and met my expectations. Although I did not receive detailed information about the specific nature of the tasks or the work conditions, the general job description provided—working in construction—was correct. I considered it acceptable and sufficient for me to proceed with the job.²⁰²

The information provided by the on-site leader was sufficient and clear enough for me to understand what to expect. Prior to this, the information we received from my husband's friend was also accurate and gave us a good idea about the job. We had a clear understanding of the work involved.²⁰³

However, several migrant construction workers reported that they had not anticipated, how physically demanding and exhausting the work would be. In their collective words, it involved long hours of manual labour; standing all day; working under intense heat in the sun; lifting heavy loads; operating dangerous tools and machinery; and facing a constant risk of injury. In a few cases, they had received incomplete or misleading information regarding wages and payment schedules—one of the key issues encountered by migrant construction workers, as discussed later.

The job itself remains the same as what was described initially, involving construction work. However, there were discrepancies regarding the salary. The salary information I was given before starting the job was inaccurate: the payment was delayed, and the amount paid differed from what I had been told.²⁰⁴

But then, affected migrant workers would have been unable to contest these problems, even if they had wished to, because they were not provided with written contracts, either for their initial job or for subsequent ones. Their employment, mainly as daily-wage construction workers, and in some cases as long-term workers, was based on verbal agreements with a team leader, on-site leader or subcontractor, offering no formal legal protection.

As noted earlier, the absence of written contracts was also common among interviewed Cambodian workers with regular status: five out of ten explicitly reported not having a written contract, and the interviews suggest similar arrangements for the remainder. The workers under the MOU scheme had either not been informed of, were unaware of, or had not paid attention to the requirement for a written contract specifying wages and payment frequency. These and other working conditions are inconsistent with their declared status of regular workers. However, this situation is, per se, not exceptional, since regular migrant workers in other sectors face similar issues, as discussed in Chapter 2. Research, for instance, showed that in 2018:

About 52 per cent of migrant workers who migrated through regular channels were not provided written employment contracts. 87 per cent of those with contracts signed the contract only upon arrival in Thailand. Also, some migrant workers were provided with employment contracts in a language they could not understand.²⁰⁵

Overall, as detailed in Chapter 8, the migrant workers in the sample were poorly informed about labour rights and employment laws and were not in a position to lodge complaints, given their dependence on employers and their frequently irregular status.

²⁰² Interview with Myanmar migrant worker #MMW16.

²⁰³ Interview with Myanmar migrant worker #MMW12.

²⁰⁴ Interview with Myanmar migrant worker #MMW18.

²⁰⁵ IOM, Crest Fashion and Laudes Foundation (2020, p. 2).

6.4 Choice and Hardship Endurance

While the construction sector is generally unattractive to the Thai workforce (see Chapter 3), migrant workers identified several advantages, though they complained about the sector's heavy physical demands and irregular pay. More specifically, for many of the interviewed migrants, construction work was seen as an opportunity given persistent labour demand and limited competition. The availability of work, even for undocumented workers, added to the appeal, as did the possibility of working alongside spouses and family members.

Migrant workers also appreciated the industry's relative mobility, which enables them to transfer to a different camp or employer to seek better opportunities or to escape unfavourable conditions. They also favour that work is typically in the daytime and there are no night shifts.²⁰⁶ Social networks further influenced their choice, with friends and relatives already employed in the construction industry promoting and recommending construction jobs.

The few migrant construction workers who had previously worked in other sectors reported switching to construction through friends' referrals, attracted by the prospect of relatively better pay and conditions. Former factory workers valued not having to do night shifts, while a Myanmar worker with prior experience in agriculture pointed to the provision of independent accommodation:

I have been working in construction for 10 years. I previously worked in agriculture on a pineapple plantation for a year. The advantage of both jobs was free accommodation,²⁰⁷ but in agriculture, I had less freedom as I had to live on the employer's premises, and the wages were lower.²⁰⁸

Interestingly, several migrant construction workers identified flexibility as a key advantage of construction work, citing a degree of control over decisions such as changing camps or jobs, accepting specific projects or, if day workers, whether to work on a given day. This perceived autonomy coexists with a highly hierarchical mode of operation in which tasks are assigned top-down by supervisors. Some contrasted this sense of independence with the sector's heavy physical demands and risks. In the words of two Cambodian construction workers:

I have worked as a general labourer for five years. A benefit of construction work is the autonomy to choose or decide on work, but it can also be physically demanding and lacks a clear system [of work hours and days], which can lead to difficulties and reduced personal freedom in certain aspects.²⁰⁹

I have worked in construction for 10 years as a labourer. The advantages include a simple lifestyle and a degree of independence in deciding whether or not to take on work. However, the work is physically demanding.²¹⁰

A few Myanmar workers expressed less nuanced views, stating they did not appreciate working in the construction industry because it was physically demanding, dangerous, and unreliable in terms of payments, as clear from these quotes:

I have been working in the construction sector for four years now. I have not worked in any other sector in Thailand. In terms of benefits, I cannot identify any specific advantages. The job is physically exhausting and comes with significant risks. The main disadvantage is the dangerous nature of the work, which involves working at heights and handling heavy materials.²¹¹

²⁰⁷ As discussed later, accommodations in construction camps are not fully free.

²⁰⁸ Interview with Cambodia migrant worker #CMW7.

²⁰⁹ Interview with Cambodian migrant worker #CMW4.

²¹⁰ Interview with Cambodian migrant worker #CMW5.

²¹¹ Interview with Myanmar migrant worker #MMW11.

I have been working in the construction sector since I arrived in Thailand [2 years ago]. It has been quite exhausting, as the work is physically demanding, and the pay is not always consistent. One of the biggest challenges I face is that salaries are not always paid on time, which creates financial stress. I cannot say there are many advantages to working in this sector beyond earning an income.²¹²

Despite the hardship, migrant workers in the study had remained in the construction sector since arriving in Thailand, or since switching from other sectors, and expressed no intention of moving out. As one Cambodian construction worker shared:

I worked in construction for 17 years and have never changed sectors.... If I were to decide, it would be my own choice, but I would likely not switch from construction. If I stopped working in construction, I would return to my home country.²¹³

Migrant construction workers endured the physical strain, risks, and wage-related challenges of the construction industry to secure much-needed income. Employment opportunities in their countries of origin are limited and generally lower paid, despite similarly harsh conditions. While the literature frequently highlights skills acquisition as a migration advantage, this did not emerge from the interviews (possibly due to limited probing), whereas financial motivations were repeatedly emphasized. As one Myanmar woman construction worker concluded: "The work is difficult, and it can be tiring, but it is what I have to do to support myself and my husband".²¹⁴ For many, the income outweighs the inherent risks. As another Myanmar woman construction worker explained:

I have been working in the construction sector since I arrived in Thailand in 2022. Although the work is very dangerous, it provides a regular income. The advantage of working in construction is steady pay, though the risks involved in this kind of labour cannot be overlooked.²¹⁵

Other respondents likewise confirmed that the opportunity to earn incomes to support their families, both in Thailand and in their countries of origin, motivates migrant workers to remain in the sector. In the somewhat biased words of a representative of a mid-sized construction company:

Mostly, it's about the price and their familiarity with the working standards. They are used to the work conditions and are content with the pay, which motivates them to continue. Since they can still make a living from it, it works for them. It's a familiar setup at a rate they can accept, and for work they know how to do.²¹⁶

This is despite the fact that wages in the construction industry are low, generally falling below the legal minimum and frequently paid late, if at all. This is also reflected in the fact noted in Chapter 2, that migrant construction workers remit the least among the overall migrant population. As discussed in the next chapter, when under financial duress, migrant construction workers may change jobs in search of better prospect, yet typically remain within the construction sector.

²¹² Interview with Myanmar migrant worker #MMW12.

²¹³ Interview with Cambodian migrant worker #CMW9.

²¹⁴ Interviews with Myanmar migrant worker #MMW12.

²¹⁵ Interviews with Myanmar migrant worker #MMW14. Please note that the comment "at a rate they can accept" looks like a biased view among construction employers meant to justify their low pay of migrant workers.

²¹⁶ Interview with a mid-sized construction company representative #MCCR2.

7

Employment Practices and Conditions



7.1 Supervision of Migrant Construction Workers

Supervision of migrant construction workers follows a clearly defined hierarchical structure. At the top, the foreman oversees a particular area or phase of the construction project and is responsible for overall operations, occupational safety and labour crews. On larger projects, this role may involve coordinating multiple teams, often employed by different subcontractors handling distinct components of the build. Below the foremen, on-site leaders manage day-to-day supervision of workers and may also assign tasks to workers. As noted earlier, they sometimes play a role in hiring individual workers and subcontractors. Under their oversight, team leaders, operating under subcontractors or directly from the prime contractors, oversee groups of workers assigned to specific project activities. For specialised ones, such as electrical or plumbing work, the title “crew leader” is sometimes used. In parallel, camp leaders focus primarily on camp infrastructure, workers’ accommodations, and general welfare, and may at times facilitate recruitment through their connections. Together, these supervisory roles coordinate labour across project components, uphold construction quality standards, meet tight project deadlines, and ensure order in workers’ living quarters.

While these roles are theoretically distinct, in practice the terminology is often used interchangeably and does not always reflect actual responsibilities. Informal and colloquial labels, such as “boss’s assistant”, are also common.²¹⁷ Moreover, depending on the project’s type and size, roles may overlap. In small construction camps and within micro and small subcontracting enterprises, multiple supervisory functions are often handled by the same person.

For interviewed migrant workers in construction camps, the most immediate supervisors were team leaders or on-site leaders—especially for independent day labourers, those directly employed by the company, or where subcontractors delegated daily oversight to site personnel. Workers rarely communicated directly with employers or subcontractors, who were typically absent from day-to-day operations except in micro or individual enterprises. Most encountered subcontractors mainly on payday, though some were paid directly by on-site leaders. As one Cambodian worker, responsible for maintaining cleanliness in the construction area, explained: “I communicate with or report to the supervisor every day, while the employer contacts me on the days when wages are paid, typically on the 20th and the last day of the month”.²¹⁸ In very small construction teams, though, the subcontractor may also act as the team leader, supervising and paying workers directly.

Generally, migrant construction workers meet their direct supervisors each morning before beginning work to receive instructions on the tasks to be completed that day. At the end of the workday, they report back on the progress made and any challenges encountered. This allows the supervisor to ensure that on-site work aligns with the project’s requirements:

I communicate with the on-site leader every morning when I sign in. During this time, the leader discusses the day’s tasks, ensuring that all workers understand their assignments and are prepared to begin. It is a regular routine where our work is organised, and we are made aware of any changes or important details regarding the tasks for the day. Since I am a day worker, I check in with the on-site leader at the start of the day and report back at the end of the day. This process helps maintain a clear line of communication and ensures accountability.²¹⁹

²¹⁷ This also occurred with the research respondents and although efforts have been made to use terms in this report according to the actual role as described, possibilities of misinterpretations remain.

²¹⁸ Interviews with Cambodian migrant worker #CMW10.

²¹⁹ Interview with Myanmar migrant worker #MMW14.

All interviewed migrant workers indicated that, prior to starting work, they had no knowledge of their specific responsibilities for each project. They also reported having no control over their daily tasks and no input into duty assignments, which were determined by supervisors on a day-to-day basis:

The tasks I perform are assigned by the team leader. I don't have the flexibility to choose my own tasks. The team leader informs us of what needs to be done each day, and we follow those instructions. This ensures that everyone on the site is clear about their duties and helps maintain order and efficiency.²²⁰

Mostly, I do general construction work such as site preparation, moving materials, cleaning the site, or helping with equipment. Sometimes I repair or fix equipment or vehicles if needed, but I can't choose what I do—I just follow the daily instructions from the supervisor or subcontractor. I'd prefer repairing cars, but I only get to do that if they ask me to.... A construction leader or supervisor is always there, managing the schedule and telling us what to do. I don't communicate directly with the subcontractor; I usually talk through a friend who helps translate.²²¹

Still, a few migrant construction workers felt they retained some autonomy in how they performed their tasks, as explained by this Myanmar construction worker whose job was to carry construction material from the ground floor to the upper floors:

I have full control over how I complete my tasks. While the leader assigns the tasks, the actual decision-making on how to carry out the work rests with me. I decide how to approach the tasks, as long as I meet the required standards and deadlines. There is no interference from the employer or subcontractor in the decision-making process once the tasks are assigned.²²²

7.2 Working Hours and Types of Work

Working hours in the construction camp usually run from 8 a.m. to 5 p.m., with a one-hour lunch break. Interviewed migrant workers, regardless of nationality or job, reported that they were expected to work eight hours a day. However, their experiences differed significantly in terms of days off. Cambodian construction workers reported working Monday to Saturday, with Sundays and national holidays off, as the construction site was closed on those days. In contrast, Myanmar construction workers reported working every day, except for a few casual day labourers who complained about having insufficient workdays to earn a living wage. Those employed every day had no days off and no regular breaks beyond lunch, as illustrated by the following quotes:

On a typical day, I work on scaffolding tasks. I need to carry the necessary materials and tools for building the scaffolding, either from the ground up or to the top of the structure. It is physically demanding, as I am constantly moving and lifting heavy items. I work eight hours a day, seven days a week, with no days off. This means I have no rest days and am expected to work continuously, with no regular breaks for leisure or personal time.²²³

On a typical workday, I begin by preparing steel rods and then installing them according to the engineering design. My job is physically demanding and requires precision because I work on critical structural elements like beams, columns, and slabs...I usually work eight hours every day, with no regular days off. Although we have short breaks during the workday, I don't receive consistent rest days or holidays, which can be physically and mentally exhausting.²²⁴

²²⁰ Interview with Myanmar migrant worker #MMW14.

²²¹ Interview with Myanmar migrant worker #MMW21.

²²² Interview with Myanmar migrant worker #MMW14.

²²³ Interview with Myanmar migrant worker #MMW13.

²²⁴ Interview with Myanmar migrant worker #MMW15.

To explain the differences in work schedules between Cambodian and Myanmar workers within the same construction camps, it is likely necessary to consider once more the different profiles of these workers and the fact that they are employed under different subcontractors. It is also possible that the greater financial pressure faced by newly arrived Myanmar migrants compels them to avoid taking a day off, to accept working without pay, and to work continuously whenever possible. The type of job does not appear to be a significant factor, as both groups are primarily engaged in manual, low-wage labour.

Table 19: Type of Work and Daily Wages of Migrant Construction Worker Sample by Sex and Nationality

Nationality		Myanmar			Cambodia			Total		
Sex		Men	Women	Total	Men	Women	Total	Men	Women	Total
		10	11	21	3	7	10	13	18	31
Type of Work	Daily Wages									
Cleaner and housekeeper	325-350 THB	1	3	4		3	3	1	6	7
Electrician assistant	340-350 THB		1	1		1	1		2	2
General construction labourer	310-350 THB	4		4	1	3	4	5	3	8
Foreman	450 THB				2		2	2		2
Rodbusters and Rebar workers	320-350 THB	2	2	4				2	2	4
Scaffolder worker	200 THB	1		1				1		1
Concrete and flooring worker	300-350 THB	1		1				1		1
Painting and cement worker	350 THB	1	5	6				1	5	6

As shown in Table 19, most sampled migrant construction workers were general labourers, followed by cleaners and housekeepers, and painting and cement workers. A smaller number held more specialized manual roles such as rodbusters and rebar workers, scaffolder workers, and electrician assistant. Only two Cambodian workers, both long-term in Thailand, occupied higher-paid supervisory positions as foremen. According to a representative of a large construction company, migrant labour is primarily used for public infrastructure projects (e.g. roads, drainage, and piling). Once these stages are completed, Thai professionals typically undertake specialized and finishing tasks. Since finishing work does not require on-site accommodation, Thai workers usually commute.²²⁵ In the observed camps, Thai personnel was assigned supervisory, administrative and higher technical roles and lived on site, but in separate quarters from migrant workers.

In addition to nationality, gender also shapes the division of labour. The literature links men’s predominance in construction to its “male-gendered” reputation, often justified by reference to the physically demanding nature of the work. Task assignments reflect and reinforce these perceptions. Previous studies indicate that men are typically allocated semi-skilled roles, such as roofing, carpentry, and electrical work, whereas women (and older workers) are usually assigned domestic duties and construction tasks considered basic or auxiliary. Similarly, company representatives and recruiters in this study produced a consistent narrative that women’s roles are largely confined to supporting their male counterparts and commonly assigned “lighter” clerical and domestic tasks:

²²⁵ Interview with large construction company representative #LCCR1.

Men are usually assigned heavy tasks like lifting, steel fixing, or concrete pouring. Women often do lighter tasks such as cleaning, finishing, or sometimes administrative support. We try to match roles with physical capacity and skills.²²⁶

The company tries not to discriminate between women and men in contracts and benefits. However, some roles are more suitable for men, such as heavy labour, while women are often assigned to quality control or clerical support roles.²²⁷

This assumed division of labour is only partially reflected in the research sample. None of the interviewed women migrant workers held clerical positions, but they were indeed more represented in domestic work: six out of seven workers assigned to cleaning and housekeeping were women living on-site with their spouses and families, while the remaining worker in this group was an older man (again echoing assumptions about physical strength). In other types of work, the pattern diverged. Apart from the two foreman positions held by men, women performed manual, physically demanding and semi-skilled jobs on par with their male counterparts. They worked as general construction workers, painters, concrete and cement mixers, electricians' assistants, rod busters, and rebar workers. As they reported, performing these tasks required considerable strength, endurance, and technical skills.

Women migrant workers also had to fulfil domestic responsibilities, dividing their time between construction work and household tasks, which limited the number of hours they could dedicate to paid work. This dual burden not only supported their families, but also indirectly benefited construction companies, as living quarters were taken care of at no additional cost—a factor overlooked by recruiters in their earlier claim that employers prefer to hire single workers. At the same time, as discussed in Chapter 8, women's specific occupational and health needs remained unmet under current employment practices.

Migrant young people and children also contributed to households' subsistence. The two children and the young person from Myanmar helped with domestic chores and cared for younger siblings. In the words of the 17-year-old girl, this enabled her mother "to work more hours in the construction site, increasing our family income."²²⁸ The two 16-year-old girls from Cambodia worked as manual labourers. One worked with her aunt and uncle-in-law, who are construction contractors, tying steel bars for 350 THB and assisting with household chores as needed. The other helped her father with construction tasks and her mother with domestic duties. Although these young persons were above the minimum legal working age, it should be noted that hazardous environments are precluded for their age group under Thai labour law. They should also have been reported to the DOE and enrolled in social protection and health schemes, which was not the case due to their irregular status.

7.3 Sub-Minimum Wage Earnings

Skill levels only moderately affected wages. In the research sample, daily pay for domestic and manual jobs ranged mostly between 310 and 350 THB, with the highest wage of 450 THB paid to foremen. Overall, this indicates a low wage scale, with only two out of 31 workers earning more than the BMR minimum wage of 372 THB. All others were paid below the threshold and their wages were often further reduced through employer-imposed deductions.

A limitation of this study is that it did not systematically examine overtime (OT). Nonetheless, several Myanmar workers mentioned that they worked long hours, sometimes more than 10-11 hours per day, for the same daily wage. Existing research shows that migrant construction workers depend on overtime to supplement their meagre incomes, yet OT is frequently absorbed into the daily wage rather than paid at the mandated rate of one

²²⁶ Interview with large construction company representative #LCCR1.

²²⁷ Interview with large construction company representative #LCCR4.

²²⁸ Interview with young person from Myanmar #MYP3.

and a half times the hourly wage under the Labour Protection Act.²²⁹ Overtime earnings are also crucial to offset income losses on days when work is suspended due to weather conditions or illness. As a representative of a large construction company explained:

... another factor to consider is that wages are paid daily, not monthly. This presents challenges—if a worker is unwell or injured, they do not receive pay for that day. For instance, if they take a day off due to illness or other reasons, it directly impacts their income. For monthly employees like me, if I am unwell, I can take leave and still receive my salary. However, daily wage workers do not have this security—if they do not work, they do not get paid. This is an important issue. If they can prove their illness and lost income, how should we support them? I am not sure, but this is something to consider.²³⁰

Migrant workers acknowledged that their wages were insufficient relative to the cost of living, especially when workdays were limited. Although they were aware of wage gaps with Thai workers, their irregular status and lack of formal contracts restricted their ability to claim labour rights.

Contrary to common findings in the literature, no pronounced gender-based wage disparity emerged. Among Cambodian workers, men earned more on average than women (416 THB vs 345 THB, respectively), partly due to the inclusion of the two higher-paid foreman positions. Conversely, in the Myanmar sample, women earned slightly more than men (344 THB vs 322 THB), influenced by one low-paid male outlier. These figures should be interpreted cautiously given the small, uneven sample and the lack of controls for job type and hours worked. It should also be noted that women's earning may be lower in practice due to fewer paid workdays, as family and care responsibilities, along with unpaid maternity leave, often require them to take days off.²³¹

Interestingly, no significant wage differences were found between regular and irregular workers, challenging the assumption that legal status determines pay. Although the legal minimum wage is formally guaranteed for MOU workers, this was not reflected in the sample. This further underscores their substandard working conditions, including the previously noted absence of contracts and social protection, which are inconsistent with their declared status.

Wage increases appeared limited and did not correlate clearly with years of experience in Thailand. As shown in Table 19, most migrant workers were clustered in the same 310-350 THB wage range, regardless of their length of employment in the industry. One of the two foremen noted that he had started working seventeen years earlier at a daily wage of 350 THB per day—only 100 THB less than he was earning at the time of the interview. He attributed the minimal increase to wage reductions implemented during COVID-19, which had yet to be fully reversed: “I earn 450 THB per day. Before the COVID-19 pandemic, my daily wage was 500 THB, but since the pandemic, it has been reduced to 450 THB”.²³² More broadly, reduced, delayed and unpaid wages were widespread across the sample, affecting migrant construction workers, regardless of nationality, legal status, or gender.

7.4 Reduced, Delayed and Unpaid Wages

With few exceptions, migrant workers in the research sample identified wage payments as their primary concern and reported experiencing delayed and partially unpaid wages during their employment in the construction industry. Other groups of respondents also stressed the frequency of these wage problems, linking them to subcontracting arrangements and the project-based nature of construction work. A government official explained that wage-related

²²⁹ ILO (2016).

²³⁰ Interview with large construction company representative #LCCR1.

²³¹ ILO (2016).

²³² Interview with Myanmar migrant worker #MMW9.

complaints received by the Ministry of Labour often stem from delays “inherent in how the construction business operates” as subcontractors withhold payments until projects are approved or clients release funds.²³³

Payment disruptions caused financial hardship and heightened uncertainty among the sampled migrant construction workers, undermining their ability to meet basic needs.²³⁴ While some payments were delayed by only a few weeks, others were postponed for several months. One example was given by the lowest-paid migrant worker responsible for installing scaffolding:

I am supposed to receive a wage of 5,000 THB per month. However, I have not received any payment for the past two months. The payment is supposed to come from the employer, but due to delays, I have not been paid for the last couple of months. The camp leader manages my work, but the employer is responsible for paying my wages.²³⁵

One of the two foremen in the research sample stressed the urgency of this issue, highlighting his critical impact on workers’ well-being, their willingness to continue working, and, consequently, the quality of construction work. As reflected in the other foreman’s quote above, he also observed that wage-related problems had worsened since COVID-19:

I suggest measures to address delayed or unpaid wages for migrant workers. I have encountered an issue in which my employer has been behind on paying wages for about two years. For example, after working for four months, I only received payment for one month, and the wages for the remaining three months were postponed, with the employer promising to pay later, but the payment is still pending. This situation has continued since the COVID-19 crisis, and workers have been gradually leaving to find work elsewhere because the employer has not been paying wages.²³⁶

When faced with payment disruptions, migrant workers coped by borrowing money from relatives and friends in other construction camps, increasing the risks of indebtedness and forcing them to cut essential expenses

²³³ Interview with government official #GO4.

²³⁴ For instance, as expressed by Myanmar migrant worker #MMW17.

²³⁵ Interview with Myanmar migrant worker #MMW13.

²³⁶ Interview with Cambodian migrant worker #CMW9.



such as health care and children's education to prioritise food for themselves and their families. Construction camps have introduced mechanisms for workers facing cash shortage due to delayed payments or other causes, suggesting that such delays are entrenched in the construction industry, as recorded also in the literature since at least a decade ago.²³⁷ In the camps observed, vendors provided groceries on credit, with the costs later deducted from workers' wages once payments were eventually made. Some workers reported being given "books" by their team leader to record food taken on credit from these vendors:

The primary challenge I face is that I have not received my salary for almost two months. This is causing financial difficulties, as I rely on the wage to cover basic needs such as food. To cope with this, I am given a book I can use to buy groceries, but without it, I would be unable to afford food.²³⁸

Migrant workers sought to resolve wage-related problems by talking with their on-site leaders or other supervisors. They generally understood that their immediate supervisors were not personally responsible and that delays were structural to the subcontracting system, where payments moved slowly from prime contractors through intermediaries to subcontractors. While many, as reflected in the quotes above, were initially willing to wait, prolonged delays without clear timelines eventually prompted them to leave for other camps. Several reported changing jobs multiple times due to low or delayed wages and poor treatment. During fieldwork, when the research team returned to one camp two weeks later, they found that eight workers had already left, just as they had announced earlier, and others were preparing to follow:

I have faced payment issues, including delays of a few days. When that happened, I spoke to the foreman, who explained that the delay was because the main company had not yet made the payment. They usually tried to resolve the issue by paying us as soon as they could. However, my husband and I are moving to a new job today because the subcontractor didn't pay my wages.²³⁹

I have experienced delayed payments. The employer said the main company hadn't sent the funds yet. This issue is one of the reasons we're switching jobs.²⁴⁰

Company representatives and other stakeholders in the recruitment chain also recognized that streamlining the payment process and ensuring workers receive wages on time remains crucial for worker satisfaction and retention:

Money is the main factor. If wages aren't paid on time, people won't stay. Everyone needs stability, and if the financial part isn't secure, they'll leave. That's the bottom line.²⁴¹

Filing complaints through available channels did not appear viable for the migrant workers in the sample given their limited bargaining power and often irregular status. Nevertheless, the widespread and serious nature of wage abuses sometimes compelled migrants to take action, often with support from CSOs. As government officials observed, although migrants rarely pursue formal claims, when they do, wage complaints are more common than other types of abuses:

The most common problem we encounter is the non-payment of wages. In many cases, wages are withheld temporarily, and only after payments from clients are received are the wages distributed to the workers [by the subcontractors]. However, in most cases, the number of complaints is relatively low. Various agencies are involved in this mediation, particularly DLPW, which is primarily responsible for wage-related issues. Other types of issues are less frequently reported.²⁴²

²³⁷ ILO (2016).

²³⁸ Interview with Myanmar migrant worker #MMW11.

²³⁹ Interview with Myanmar migrant worker #MMW23.

²⁴⁰ Interview with Myanmar migrant worker #MMW24.

²⁴¹ Interview with medium company representative #MCCR2.

²⁴² Interview with government official #GO4.

7.5 Safety at Work

Another concern raised by the interviewed migrant construction workers was the hazardous nature of their work. As mentioned in earlier quotes, they identified occupational risk as one of the job's main drawbacks. In particular, they expressed fear of working at heights, handling heavy material, and using dangerous tools and machinery, all of which they believed exposed them to constant risk of injury. The construction site itself was perceived as inherently dangerous, as one Myanmar worker explained:

Basic safety measures, such as helmets and boots, are provided. However, the worksite still poses many risks, including the danger of falling objects or injury from heavy machinery. Sometimes, safety standards are not fully enforced, increasing the risk of accidents.²⁴³

At the same time, all Cambodian workers and some from Myanmar reported not having experienced major risks at work, although one stressed the need for constant vigilance. Another Myanmar worker said he generally felt safe, but remained anxious, particularly after the recent earthquake²⁴⁴ mentioned in the introduction, which claimed the lives of predominantly migrant workers.

Some migrant workers were further critical of workplace safety measures, describing them as insufficient and inconsistently enforced, likely reflecting differences among subcontractors of varying size and resources. While the standard PPE includes helmets, goggles, earmuffs, face shield, gloves, boots, and protective vests or jackets, most workers in the sample had received only helmets. A few had been provided with boots or other single protection, often without adequate guidance on proper use:

Safety on the worksite requires that I wear a helmet as part of the safety regulations. Wearing a helmet is enforced as a basic safety measure, but there are concerns about the overall work environment. I observe potential risks on-site, such as accidents involving heavy machinery or the handling of construction materials. However, the primary safety measure I am aware of is wearing the helmet.²⁴⁵

There are some safety measures in place. We are given helmets and uniforms, and we're reminded to wear them. A construction leader monitors safety, but there are still risks. It's physically demanding work, and we have to be careful—especially when using machines like metal cutters or when moving heavy objects overhead. Employers or supervisors should keep reminding us about safety rules.²⁴⁶

Among the gaps in workplace safety reported by migrant workers, a Myanmar worker who had just changed job had not yet received a helmet or vest and was still looking for protective shoes.²⁴⁷ Another worker highlighted that sometimes workers would not receive safety gear, such as helmets and gloves, despite the risk.²⁴⁸ Several also highlighted the lack of safety training, with one Myanmar worker stating: "I wear long-sleeved clothes to protect myself from paint, but I do not know about any other safety measures".²⁴⁹ To address these shortcomings, migrant workers called for stronger occupational safety standards, better training and supervision, but the presence of medical personnel in camps to provide first aid in emergencies both on-site and in the living areas, particularly to protect women and children.

²⁴³ Interview with Myanmar migrant worker # MMW13.

²⁴⁴ Interview with Myanmar migrant worker #MMW11.

²⁴⁵ Interview with Myanmar migrant worker #MMW11.

²⁴⁶ Interviews with Myanmar migrant worker MMW21.

²⁴⁷ Interview with Myanmar migrant worker #MMW22.

²⁴⁸ Interview with Myanmar migrant worker #MMW23.

²⁴⁹ Interview with Myanmar migrant worker #MWM28.

8 Labour and Social Protection



8.1 Legal Promise of Labour Protection

Several laws and regulations are relevant to the protection of migrant workers, including the Labour Protection Act and specific legislation governing migrant labour, most notably the Royal Ordinance Concerning Management of Foreign Workers in Thailand, B.E. 2560 (2017) and its 2018 Amendment. As discussed in Chapter 2, the Labour Protection Act applies to all workers, regardless of nationality, with obligations and benefits that extend to both Thai and migrant workers. The Royal Ordinance further introduces additional protections tailored to the migrant workforce. These include zero recruitment fees, the requirement that written employment contracts be in migrants' native language, the prohibition on employers retaining migrants' documents, and the right of migrant workers to change employers under certain conditions. While these measures are not universally applied and, as noted earlier, apply only to migrants legally recruited under the MOU system, they nonetheless represent progress toward closer alignment with international labour standards than previous frameworks.

Government officials interviewed also cited the National Action Plan on Business and Human Rights (NAP-BHR) as a key policy instrument to promote labour rights in line with international norms. The NAP-BHR incorporates several components specifically aimed at improving the rights and welfare of migrant workers, such as non-discrimination and access to basic services for migrant families, including workplace childcare centres with incentives to companies, such as tax deductions.

They further explained that DLPW oversees compliance with labour protection regulations, occupational safety standards, and labour relations. It also helps improve workers' quality of life through self-sufficiency initiatives, such as workplace gardening (still to be implemented in construction camps). In carrying out these responsibilities, the Department is tasked with ensuring that, regardless of the sector in which they work, all workers in Thailand, both Thai and migrant workers, are afforded equal protection under labour laws. This implies that even without specific labour policies for migrant construction workers, "all workers in the construction sector [are subject] to regulations such as maximum working hours, mandatory rest periods, and minimum wage requirements".²⁵⁰

Enforcement of labour laws, beyond work permit checks, also includes verifying employment contracts, ensuring compliance with legal wage and working-hour regulations, and inspecting worksites for occupational safety. The provision of PPE to employees and the delivery of safety briefings at the construction site are meant to be monitored, as is compliance with child labour laws. When employers fail to comply, the Department issues warnings and provides guidance to ensure adherence to the law.

The interviewed government officials highlighted that migrant workers can also report employers' non-compliance through several official complaint channels, including hotlines and walk-in centres. In particular, Hotline 1694 under the DOE offers multilingual support during working hours, while the Ministry of Labour's Hotline 1506 is accessible 24/7 for emergencies (in Thai with the option of bilingual rerouting). For job seeker protection cases, complaints can be made by phone in Thai to the Registration and Protection Unit, or in person at walk-in centres at local DOE offices. A government expert at the Ministry of Labour explained:

I'd like to add that we have established complaint centres. Migrant workers who believe their rights have been violated can file complaints freely. Thailand is currently very open in this regard. The DOE has set up these centres to receive complaints. We aim to uphold human rights and prevent violations. Although most cases we receive relate to wage issues—as noted—workers can report any concerns. There are centres in almost every province, and interpreters are available to assist with language barriers.²⁵¹

²⁵⁰ Interview with government official #G01.

²⁵¹ Interview with government official #G03.

If there are disputes over working conditions, wages, and welfare benefits, DLPW serves as a mediator. It also provides recommendations to employers on improving working conditions, particularly when living and workplace standards do not meet legal requirements.

As discussed earlier, officials expressed confidence that existing immigration mechanisms were sufficient. Likewise, they maintained that the current labour framework adequately protects migrant workers and their dependents, citing comprehensive labour laws, established inspection mechanisms, and accessible complaint channels, without preferential treatment for Thai workers:

Our laws do not discriminate on the basis of nationality. For instance, under the Labour Protection Act, any individual legally employed by an employer in Thailand is entitled to the same labour standards and protections as Thai workers. So, I'm not entirely sure how we could go beyond what is currently being provided under the law, as we already apply the same standards to everyone.²⁵²

From the perspective of government officials, there are no significant legal barriers to the protection of migrant workers; rather, they consider it a “matter of actual practice” and “factual circumstances.”²⁵³

However, it should be noted that views among government officials differed about the extent of labour protection. Some believed that labour protection was guaranteed regardless of legal status. As a government official from the latter group stated: “Our role is to ensure that workers, no matter whether they were recruited through legal channels, receive appropriate labour protection.”²⁵⁴ Others, instead, maintained that labour protection began after a contract was established and applied only to regularised migrants with a valid work permit, with their employment conditions regularly inspected.

Still, even considering the more inclusive perspectives, the question remains whether the DOE's focus on legal compliance ultimately compromises its intention to uphold migrants' labour rights. In this context, a government official outlined the labour inspection procedures as follows:

When conducting workplace inspections, our first step—especially for migrant workers—is to verify their work permits. If a migrant worker possesses a valid work permit, then our process proceeds accordingly. However, if they do not, we refer to the relevant legal framework governing their legal status and documentation.²⁵⁵

Moreover, given that the DOE also conducts operations targeting undocumented migrant workers, including the 2024 nationwide operation titled “Locate, Arrest, Fine, and Deport”, and that the 1506 and 1694 hotlines are also used to “report illegal employment of foreign workers or violations of work permit conditions”²⁵⁶, it is questionable whether migrant protection is truly the primary focus of labour officials, and whether migrant workers can trust these mechanisms (see also below). An unlicensed recruitment agent specialising in the recruitment of women migrant workers from Laos and Cambodia offered a clear perspective on this issue:

Labour and immigration laws are used more as tools to control undocumented workers rather than to protect them. This causes fear among migrants, making them reluctant to report abuse or seek help when their rights are violated.²⁵⁷

Similar findings are reported in a recent regional study of migrant safety at work, which examines complaint and redress mechanisms for workplace accidents, including in the construction sector. The study raised the issue of a lack of independent mechanisms for reporting abusive and unsafe conditions and recommended a “firewall” between labour inspections, immigration matters, and personnel to encourage workers to report labour violations and seek redress irrespective of their migration status.²⁵⁸

²⁵² Interview with government official #G04.

²⁵³ Interview with government official #G03.

²⁵⁴ Interview with government official #G01.

²⁵⁵ Interview with government official #G01.

²⁵⁶ Phalaharn (2025).

²⁵⁷ Interview with unlicensed recruitment agent #URA8.

²⁵⁸ MMN (2025).

8.2 Implementation Challenges and Enforcement Gaps

As shown in the previous chapters, there is a stark gap between labour laws, the normative narratives they produce, and the realities of the construction industry. To begin with, these laws are applied unevenly to Thai and migrant workers, as pointed out by a CSO representative:

All laws—every single one—are meant to apply equally to all workers. None of the labour laws states that they apply only to Thai workers. So, there are no legal frameworks that exclude migrant workers. However, in practice, employers often choose to discriminate. That’s where the problem lies—it’s in the implementation. For example, issues around minimum wages, legal holidays, and working hours under the Labour Protection Act—none of these specify that they apply only to Thai workers. They apply to all employees as defined under the Act. But employers sometimes interpret the law differently. Some assume that because someone is a migrant worker, they don’t have to be paid the same as Thai employees. This kind of discriminatory practice stems from employers’ failure to comply with the law.²⁵⁹

Moreover, as seen earlier, non-compliance by construction companies and employers (including subcontractors and prime contractors) with both regularisation policies and labour laws remains widespread. This affects both general and migrant-specific labour protection provisions. Additionally, subcontracting blurs the definitions of employers and their responsibilities under labour and social protection laws, facilitating the abuse and exploitation of migrant workers.

Interviewed stakeholders observed that, in the face of widespread abuses, migrant workers remained silent due to limited awareness of their rights. The CSO representative cited above argued that many do not know their entitlements and “don’t realise there’s no legal separation between Thai and migrant workers in [labour] protection.” This lack of knowledge, he noted, heightens the risk of exploitation:

Right now, with issues in their home countries, there is an increasing push for them to come here to find work. But for legal knowledge about labour rights or employment law? They do not know any of that in advance. So, when they accept wages below the legal minimum, they often do not realise it is unlawful. They just know that they’re surviving, and if they can make a living, they’ll keep working under those conditions”.²⁶⁰

As discussed earlier, before taking up a job, migrant construction workers typically received basic information through word of mouth—such as daily wage rates, working hours, and the location of the construction site—which they generally considered sufficient. However, as an unlicensed recruitment agent stressed, “Workers receive little or no information on labour rights, workplace safety regulations, or complaint mechanisms”. Other stakeholders, including government officials, share this view. Based on inspections and interaction with workers, they acknowledged that while employers may comply with minimum legal requirements, they often place little or no emphasis on educating workers about their rights under labour law, leaving them with minimal knowledge:

For instance, many migrant workers may only be aware of the requirements to have a passport, undergo a medical examination, and register with the authorities. However, they may not fully understand the specific labour laws that govern their employment. This lack of awareness can become problematic if they encounter workplace issues such as unsafe conditions or wage violations. In such cases, they may not know where to seek assistance or how to assert their rights. One example is the minimum wage policy. If a new minimum wage rate is implemented on January 1st, some workers may not even be aware of their right to receive this updated wage.²⁶¹

²⁵⁹ Interview with CSO representative #CSOR6.

²⁶⁰ Interview with CSO representative #CSOR6.

²⁶¹ Interview with government official #GO1.

This underscores the need to ensure that both employers and employees are well informed through clear, accessible information about their legal rights, responsibilities, and avenues for seeking legal recourse: “employers must comply with labour laws, and workers must understand their rights upon entering the workforce”.²⁶² However, being government efforts primarily concentrated on MOU workers with on-arrival orientation and information manuals, they do not systematically extend to the broader migrant population.

While limited knowledge is certainly a factor discouraging migrant construction workers from lodging complaints, their awareness and understanding often exceed common assumptions. Workers in the sample recognised the discrimination and labour violations they faced, as reflected in their interviews. They were also generally cognisant of the possibility of reporting abuses, although none mentioned any of the government hotlines, or expressed a desire to use official complaint mechanisms. As a CSO representative explained, multiple factors determine migrant workers’ stance:

Migrant workers have legal rights, but in practice, enforcing these rights is not straightforward. While workers may be aware of labour laws, they often do not exercise their rights due to a lack of advocacy from employers. If workers fully understood their entitlements, it could create challenges for employers, who generally prefer to limit workers’ knowledge. For health-related rights, many workers remain uninformed, and employers, especially in small and medium-sized construction camps, do not prioritise these issues. Larger companies often circumvent legal obligations by outsourcing labour through subcontracting.²⁶³

At the same time, government officials acknowledged that they are not always aware of violations. Given the large number of migrant workers, inspection teams cannot proactively identify all abusive and unsafe conditions. Enforcement usually follow a complaint, filed, in person or via dedicated hotlines, yet migrant workers rarely report abuses.²⁶⁴ Financial, cultural and language barriers, along with limited bargaining power and low trust in authorities,²⁶⁵ discourage complaints. Even workers with regular status hesitate; as Bylander observes, they are trapped in a choice between enduring abuses and risking the loss of that status.²⁶⁶ Leaving an exploitative job, for example, can render them irregular if they lack a formal resignation letter and a new sponsoring employer. Moreover, many cannot claim their entitlements due to the mentioned absence of formal contracts even among MOU workers, as highlighted by one unlicensed recruitment agent interviewed for this study:

Workers are frequently hired without formal employment contracts through brokers and subcontractors who are often relatives or members of the same community. In the event of labour disputes, such as wage withholding, there is no legal documentation to support their claims. Resolution relies on informal negotiation within their group. The key challenge is the lack of legal channels for labour protection for these undocumented workers.²⁶⁷

For migrant workers with irregular status, moving out can be a viable response to a negative situation, as it does not further affect their status. They cannot count on formal complaint mechanisms, avoiding official institutions for fear that permit checks could lead to fines or deportation (see next section). This reluctance is unsurprising given the previous section’s discussion of the DOE’s blurred mandate, its punitive operations and the lack of guaranteed safe reporting channels.

Irregularity, compounded by informality, thus exacerbates the intrinsic vulnerability of migrant workers, but it does not render them passive victims. Many migrant workers in the sample proposed practical reforms, such as fixed

²⁶² Interview with government official #G01.

²⁶³ Interview with CSO representative #CS01.

²⁶⁴ Interview with government official #G03.

²⁶⁵ Winrock International (2020).

²⁶⁶ Bylander (2024).

²⁶⁷ Interview with unlicensed recruitment agent #URA8.

payment dates, greater transparency in subcontracting, and improved living conditions through more suitable building materials and the provision of rest and recreational spaces for workers and their children. They also developed their own problem-solving strategies, such as relying on trusted, more experienced relatives, friends, or brokers fluent in Thai to negotiate on their behalf, changing jobs when conditions became untenable, and drawing on community support to cope with limited access to health services and child care. As the previously cited unlicensed recruitment agent remarked: “There are no formal systems from either the government or private sector to protect this group [i.e. migrant workers]. Instead, they develop their own community-based coping mechanisms.”²⁶⁸

8.3 Multiple Impacts of Irregularity

The significant share of sampled migrant workers who were undocumented experienced irregularity differently. Some adapted by developing practical skills and networks to navigate the construction industry’s informal systems. Others ascribed protective value to certain identity documents (particularly passports, CIs, or pink cards), as if different levels of irregularity existed, with some documents conferring more security than others or none at all. A few described construction camps as relatively safe, enclosed spaces they left only briefly during inspections, but feared venturing out for longer periods, as one Myanmar construction worker explained:

Yes, there have been times when I had to leave the camp quickly during a police check. Since I do not have any legal documents, I am at risk of being questioned or detained by authorities during such checks. This has caused me some concern and stress. Not having the proper documents makes me feel scared to go outside. I worry about the potential consequences if I am stopped by the authorities, and I fear legal issues or detention, which makes me avoid leaving the construction area whenever possible.²⁶⁹

Informal payments to authorities also provided some degree of ease, albeit at an additional financial cost, with one Myanmar construction worker, for example, mentioning that “there is a monthly deduction of 300 baht, likely related to local police or legal arrangements”.²⁷⁰ Both the literature and other respondent’s accounts suggest that such unofficial arrangements are not isolated.

For others, however, these circumstances were a constant source of stress. They worried about being unable to produce the required documents and about the risks of fines, detention and deportation—fears compounded by the situation in Myanmar and the prospect of forced return. Anxiety about police encounters also took a toll on their mental health, as the following quotes from Myanmar migrant workers reveal:

I am afraid that the police will stop and check me at night due to my lack of proper documentation. This fear of being apprehended or facing legal issues creates an atmosphere of constant anxiety, affecting both my peace of mind and my ability to work effectively.²⁷¹

The lack of proper documentation is a constant source of worry for me, especially when interacting with the police. I fear being questioned or detained due to my lack of legal documentation. This uncertainty affects my peace of mind, but it does not seem to directly affect my pay or work conditions at this time. Without the necessary documents, I often feel anxious and fearful when I go out. I am constantly worried about the possibility of being stopped by the police and the potential consequences of not having the proper documentation, including the risk of arrest.²⁷²

²⁶⁸ Interview with unlicensed recruitment agent #URA8.

²⁶⁹ Interview with Myanmar migrant worker #MMW12.

²⁷⁰ Interview with Myanmar migrant worker #MMW24.

²⁷¹ Interview with Myanmar migrant worker #MMW17.

²⁷² Interview with Myanmar migrant worker #MMW11.

In contrast to the latter quote, which emphasised the mental toll of irregularity while downplaying its practical consequences, several migrants explicitly linked their status to their inability to approach authorities in cases of labour law violations or to access essential services when ill, as reflected in the following account:

I am restricted in [my] activities, such as going outside the work area, because I do not have the necessary documentation to prove my legal status... I haven't received my salary for the past two months, which is directly linked to the lack of proper documentation [as I cannot complain]. Not having the correct paperwork affects not only my pay but also my ability to interact with authorities and access various services. It is a challenging situation as it causes a lot of uncertainty in my life.²⁷³

All stakeholders recognized that undocumented status constitutes a major, though not the only, barrier to accessing social services, in some cases inappropriately. Regarding education, a representative of a mid-sized construction company noted, "if [migrant workers] have proper documentation, they can enrol their children in school".²⁷⁴ This perception persists despite the Education for All (EFA) Policy B.E. 2542 (1999) and a 2005 Cabinet Resolution on Education for Unregistered Persons, which guarantee all children in Thailand, regardless of nationality or legal status, free education up to age 15. Interviews with migrant parents and children in the research sample indicate that those born in Thailand could generally enrol at various school levels using birth certificates and their parents' identity documents, whereas children born abroad primarily accessed primary education. Linguistic, cultural, financial and administrative challenges sometimes led parents to prefer schooling in the country of origin. Stakeholders also emphasized that many parents lack clear information about enrolment procedures and struggle to obtain or prepare the required documents. Although some company representatives, subcontractors and brokers sought to provide accessible information, challenges persisted, particularly due to irregular status, incomplete documentation and the frequent relocation of migrant construction families, which often leads to missing transfer records and disrupt school enrolment and continued attendance.²⁷⁵

For older undocumented children, even in the rare cases where they had recognised qualifications, attending school was hardly an option. They simply "stay[ed] home,"²⁷⁶ partly because they had already begun working in the camps and partly due to transportation barriers and the costs associated with higher levels of education. This pattern aligns with the literature discussed in Chapter 2, which shows declining enrolment rates as educational attainment increases among migrant children.

Migrant construction workers interviewed for this study also reported hesitating to seek medical care at hospitals or clinics for fear of being asked to present official documents. As one of the Myanmar construction workers interviewed said, "I have faced problems due to not having my documents. For example, I am unable to go to the hospital because I don't have an ID card or any official documents to show." Another Myanmar construction worker described experiencing symptoms of kidney stones but avoiding hospital treatment despite the risk to his health. As he concluded, "This situation reflects the difficulties I face as a migrant worker without proper documentation".²⁷⁷

Social security was a priori not an option for migrant workers with an irregular status and children (up to 18 years of age) of migrant workers under the Cabinet Resolutions. As explained in Section 2.6, the social security scheme SSF and the accident scheme WCF only cover regularised workers under the MoU or Cabinet Resolution arrangements, provided they work in eligible occupations in the formal sector, although, as discussed later, this is in principle rather than in actual practice. Limited access to health care and other social protection benefits, when compounded by poor living conditions in construction camps, further deepens the vulnerability of migrant workers to health risks, while leaving them without adequate care.

²⁷³ Interview with Myanmar migrant worker #MMW13.

²⁷⁴ Interview with middle-sized construction company #MCCR2.

²⁷⁵ For an overview of barriers to schooling for migrant children living in construction camps see BDF (2025b).

²⁷⁶ Additional interview with a foreman from Myanmar who has a regular status through MOU and therefore not in a position to regularize his children.

²⁷⁷ Interview with Myanmar migrant worker MMW17.

8.4 Inadequate Living Conditions in the Construction Camp

All but one of the interviewed migrant workers lived in camp accommodations provided by the project owner (Company1) or a subcontractor (Company2). These facilities were separate from, and generally of lower quality than, those provided to Thai workers, who were typically skilled workers or in managerial roles.

Living arrangements varied by marital status: married couples occupied single-room family units, while single workers stayed in dormitory-style rooms. Conditions at both sites reflected common construction camp standards, with basic shelter, water and electricity, shared bathing facilities, and latrines not fully protected from rain infiltration. At Company1, residents cooked individually electric stoves in open areas outside their rooms. Consistent with the literature, interviews with migrant workers and other stakeholders indicated that these facilities failed to meet sanitary standards:

One of the main challenges I face in my work is the inadequate provision of basic necessities in our accommodation. Specifically, there is not enough water available for us to use for daily activities, such as cooking and personal hygiene. This makes it difficult to maintain basic living standards and makes daily life much harder.²⁷⁸

Facilities are usually basic—shared toilets and temporary housing made of tin sheet or wood. Access to clean water and electricity is sometimes insufficient, especially in smaller construction camps.²⁷⁹

Other respondents also reported inadequate sunlight, poor natural ventilation and overcrowding, conditions conducive to the spread of tuberculosis (TB) and other infectious diseases. Notably, labour camps in the BMR were among the sites where COVID-19 outbreaks were documented, underscoring the elevated risk of contagion in such settings.²⁸⁰

Respondents also expressed concerns about the cleanliness of shared latrines. Yet, a representative of a large construction company stated that the number of bathrooms in the camp exceeded the legal requirements of “one restroom per 15 or 50 workers”,²⁸¹ with the company providing approximately one restroom per ten workers.²⁸² The representative added that toilets were separated by gender, equipped with secure locks on both sides, and located along lit pathways. Each room also had its own power outlet, “allowing workers to charge their smartphones, just like we do”.²⁸³ However, such conditions appeared exceptional rather than typical and were unfamiliar to most interviewed migrants.

Other migrant workers’ concerns were weather-related, such as mosquitoes, particularly during the rainy seasons, and high temperatures, especially in the hot season. Migrants slept under mosquito nets, but ventilation still needed improvement to reduce mosquito intrusion, especially since camps are often located in isolated areas and, despite concrete pathways, some water puddles remained, creating potential breeding grounds. The heat inside their dwellings was their main complaint since the roofs are made from corrugated steel sheets, and they could not sleep at night, especially after a full day of exposure to the heat at work.

Migrant children in their drawings and comments clearly expressed that their homes were too hot and there was no shade for the workers when they took breaks, nor for them when they played. In a child’s words: “Here, I live in a house like this [steel house]. In the future, I’d like to live in a house near trees. Trees make me feel cool and refreshed.”²⁸⁴

²⁷⁸ Interview with Myanmar migrant worker #MWM12.

²⁷⁹ Interview with broker BR2.

²⁸⁰ Sanongdej et al. (2025).

²⁸¹ Here reference is made to the welfare provisions under the Labour Protection Act, which indicates a minimum of 1 toilet for companies below 15 employees and for each additional 50 employees for companies above 81 employees. To be precise: ≤ 15 employees: 1 restroom, 2 toilets, and 1 sink; 16–40 employees: 2 restrooms, 4 toilets, and 2 sinks; 41–80 employees: 3 restrooms, 6 toilets, and 3 sinks; ≤ 81 employees: add 1 restroom, 2 toilets, and 1 sink for every additional 50 employees; see Lorenz and Partners (2018).

²⁸² Interview with large construction company representative #LCCR1.

²⁸³ Interview with large construction company representative #LCCR1.

²⁸⁴ PRA with migrant child #MC1.

Interviewed company representatives acknowledged these conditions, but cited the costs of improving temporary dwellings as a deterrent to making changes. Some large companies were planning improvements using affordable materials that kept cool and provided some isolation. As the representative of a large company extensively explained:

We are currently improving the design to make it more weather-resistant. Right now, the housing is made of corrugated metal sheets with doors, windows, and a roof. However, it gets extremely hot during the day, especially in summer, and there are mosquito issues. We are working on a better housing design, and we are close to finalising it. The cost per unit is around 7,000 THB, and since we are constructing 100 units, the fixed cost is about 700,000 THB. Additional costs include pathways to ensure accessibility during the rainy season, cement walkways, and communal restrooms.... The current conditions do not provide sufficient protection against heat and sunlight. There are criteria set by BSI (British Standards Institution)²⁸⁵ to improve standards. The summer heat is a challenge, while winter is not an issue. During the rainy season, the noise from rain hitting metal roofs can be loud, but overall, workers don't seem to mind. The real challenge is the summer heat. Extreme heat makes it difficult to stay inside. Even with a fan, it's still uncomfortable.²⁸⁶

Site inspections by government agencies were described by research respondents as infrequent and inconsistent in scope, often focusing primarily on document control and neglecting workers' living quarters. As suggested in a media article, this omission may stem from the interpretation that under the Labour Protection Law, living areas are not technically defined as "work places", leading inspectors to hesitate in what may be seen as overstepping legal boundaries.²⁸⁷ However, this view was not shared by the government officials interviewed, who explained that labour inspections are intended to include camp accommodations. According to a DLPW official:

[DLPW] primarily focuses on ensuring compliance with labour laws, particularly in reviewing employment contracts and verifying that workplaces meet legal standards. While the department does not directly provide healthcare, education, or housing services, it plays a role in improving workers' living conditions. This includes inspecting worker accommodations for adequate lighting, ventilation, clean drinking water, and sanitary facilities.²⁸⁸

Even when voluntary, company improvements should not be viewed solely as acts of goodwill. Although company representatives framed housing provision as a service to workers, it is not cost-free. In the camps, a "housekeeper" or "caretaker", hired by the project owner or prime contractor and operating under the on-site leader, governs living arrangements, maintains the quarters, and manage payments. Migrant workers from Cambodia and Myanmar reported paying monthly rents ranging from THB 650 to THB 900, plus around THB 200 for utilities, with little variation between single workers and families, regardless of the number of children. Employers are actually prohibited from deducting accommodation or amenity costs from workers' wages under the Labour Protection Act sections 76 and 131,²⁸⁹ but the use of subcontractors as formal employers, gives project owners and prime contractors leeway to function as "landlords" and charge for the housing provided.²⁹⁰

For the interviewed migrants, accommodation costs were a significant expense, taking up a sizeable portion of their meagre wages. As a migrant worker from Myanmar put it, "This is a financial burden, and it is not always easy to manage, especially considering the irregularity of my salary".²⁹¹ However, as another Myanmar construction worker explained, "to bear this additional cost is a necessary arrangement for me to have a place to stay while working".²⁹² In spite of the shortcomings, migrant workers considered living in the construction site a necessary

²⁸⁵ BSI is the UK National Body providing the organisation, facilities and the structure for the preparation of UK National Standards on health and safety (www.bsigroup.com).

²⁸⁶ Interview with large construction company representative #LCCR1.

²⁸⁷ Aneksomboonphon (2022).

²⁸⁸ Interview with government official #GO1.

²⁸⁹ ILO (2022).

²⁹⁰ ILO (2022).

²⁹¹ Interview with Myanmar migrant worker #MWM12.

²⁹² Interview with Myanmar migrant worker #MWM17.

condition inherent to their job, and some see it as making commuting unnecessary, thus allowing them to save time and costs in transportation:

The accommodation is provided on-site, and I stay in a shared dormitory-style room with other workers. Although the living conditions are basic, it is the most convenient and affordable option for me, as my workplace is also inside the camp.²⁹³

8.5 Unmet Safety Needs of Women and Children

In the previous chapter, the double burden for women migrant workers in the construction industry has been highlighted, as well as the discriminatory work expectations they are subjected to. An additional challenge for them is living in conditions that often do not meet their specific needs. Various subcontractors in the research mentioned that there are safety issues for women workers due to insufficient nighttime lighting. Also, a lack of privacy was seen as a major issue, especially in the dormitory, but across rooms as well, due to metal partitions that let sound pass through. The poor sanitary and hygiene infrastructure, including limited access to water, crowded toilets and bathing facilities, was considered inadequate for their reproductive health needs, especially when menstruating. When pregnant, and if not unfairly dismissed, lack of flexible hours and opportunity to rest compromised their well-being and no space was available for taking care of their baby after delivery.²⁹⁴

The same poor sanitary and hygienic conditions also affected the health of newborns and children. Company representatives and subcontractors acknowledged the hazards faced by children living on-site as well as the absence of on-site or nearby child care facilities. Although some were considering possible responses, they remained hesitant to implement them due to cost concerns:

For workers with families, their children's needs are also important. Older children can attend school, but younger children require a designated space. This is another goal we need to address. The issue is that even if we build day-care centres with air conditioning, TVs, and toys, some camps may only have four or five children. The question then becomes: who will take care of them while their parents work? It's similar to how Thai families rely on nurseries. This raises discussions about costs. One option is to hire unemployed women workers to care for the children. However, this would incur additional costs. The question is whether we should pay 300 THB per person per day to supervise four or five children at the nursery.²⁹⁵

Most often, there is a lack of a designated playground for children in the camps, although in one of the two observed camps, there was an open space for recreational activities. The interviewed children, including two Thai children living in the camp who participated in the PRA exercise of their own will, also wished for a specifically built, preferably shaded, on-site playground. Housing conditions were not optimal, and sometimes mothers had to bring their little children with them when working or find a caregiver among their network in the camp. Similar concerns were also expressed by the interviewed government officials:

When families migrate together for work, children will inevitably be present in these environments, increasing their exposure to potential hazards.... For instance, when parents bring their children to the site, the children may be exposed to hazardous conditions. Sometimes, parents may be occupied with work, such as counting bricks or other materials, while their children play nearby. This can lead to concerns about child labour, even if the child is not actively working but is simply present in a high-risk environment. The main risk, therefore, is the safety of children at construction sites.²⁹⁶

²⁹³ Interview with Myanmar migrant worker #MWM18.

²⁹⁴ Interview with large construction company representative #LCCR2.

²⁹⁵ Interview with large construction company representative #LCCR1.

²⁹⁶ Interview with government official #GO1.

The interviews further suggested, consistent with the literature, that the isolation of construction camps, combined with limited transportation posed a significant barrier to children's regular school attendance for children. Camps are often not served by school or public buses, and parents may be unable to afford transportation fees or accompany their children. The same constraints also restricted both children's and parents' access to health services.

8.6 Elusive Health Access under Insurance and Social Security Schemes

Health care services were largely unavailable in the camps, aside from basic first-aid kits, and preventive and promotive health activities were minimal. As representative of a health-focused CSO with over a decade-long experience in malaria and AIDS education and referrals in construction camps explained:

One of the key challenges in working with construction camps is ensuring continuity in delivering knowledge and support. If a project ends, we are often unable to continue our work. Additional challenges include the varying sizes of construction camps and their willingness to allow NGOs to carry out activities. Some camps do not permit access to NGOs due to the presence of undocumented migrant workers. Only when access is granted, is engagement generally smooth.... Large-scale companies typically use subcontractors for workforce recruitment, which depends on their financial capacity and ability to manage workers. For those not recruited through official MOU agreements, there is a greater level of caution regarding external access to the camps.²⁹⁷

Falling ill is also a risk for the migrant workers as they may be dismissed by their employers rather than treated, as the same CSO representative noted, further increasing migrant workers' reluctance to seek health care services:

In larger camps, workers generally have health insurance cards but often lack knowledge of how to utilise their benefits. [NGOs] provide education in these cases. In smaller camps, our support extends to health screenings and medical assistance. For instance, if a worker is diagnosed with tuberculosis, we facilitate treatment. However, in reality, workers who fall ill are simply dismissed from their jobs, as seen in camp [XXX].²⁹⁸

Financial constraints were a major barrier to seeking care. Since the National Health Security Act, B.E. 2545 (2002), Thailand has aimed to extend universal health coverage (UHC) to include migrants. As mentioned in Chapter 2, in principle, they and their children under 18, can access services by enrolling in the MHIS and paying the required fees. However, interviewed migrant workers, both irregular and registered under Cabinet Resolutions, did not seem to know about MHIS and the possibility to independently purchase MHIS and enrol themselves and their children, reflecting the information gaps noted in the literature. As a result, neither them nor their children were covered. They just reported that they had no access to health care, including maternal and child health services, and relied on personal savings or loans to pay for self-treatment, alternative medicine or private clinics, or forewent care altogether. Most commonly, they purchased over-the-counter medicine from 7-Eleven and hoped for a quick recovery—a practice familiar from their countries of origin.

Third parties noted that some migrants with documentation are able to obtain a health card.²⁹⁹ Yet, even when enrolled, regular or otherwise, additional barriers emerge. Many struggle to maintain premium payments, and not all hospitals accept MHIS members. As one unlicensed recruitment agent explained: "Access depends mainly on word-of-mouth recommendations. Workers share information about hospitals that accept migrant health insurance"³⁰⁰

²⁹⁷ Interview with CSO representative #CSOR1.

²⁹⁸ Interview with CSO representative #CSOR1. The placeholder XXX is used to protect confidentiality.

²⁹⁹ Interview with formal subcontractor #FS3.

³⁰⁰ Interview with unlicensed recruitment agent #URA8.

Like the SSN, the MHIS requires members to use a single designated hospital, which can be problematic when the assigned facility is far from isolated camps. Stakeholders acknowledged the need for companies and subcontractors to provide transportation for schooling and health care, especially in emergencies. Some reported offering such support, but migrant workers in the sample lacked it. Frequent relocation further restricted access to designated facilities, leading some to question the value of paying for services they could not realistically use.

Access to healthcare was also elusive for the sampled Cambodian workers entitled to SSF coverage under the MOU or Cabinet Resolution schemes. Only one out of ten reported being covered. Five explicitly stated that they faced barriers to care, including maternity benefits, because they were not enrolled as required. Of these, two attributed their situation to employers' failure to remit contributions, "resulting in a loss of benefits".³⁰¹ This problem is not exceptional, with one CSO representative even claiming that: "some employers deduct social security contributions from wages but fail to remit the payments".³⁰² The remaining three could not afford the payments,³⁰³ with one of them having enrolled, but later having to discontinue contributions due to financial hardship. In any case, children were excluded, as dependents are not allowed under the SSF (see Chapter 2). As a result, even regular migrant workers generally resorted to self-treatment using traditional methods or over-the-counter medicines, or pay out of pocket for each medical treatment.

These findings are consistent with broader patterns in Thailand (Figure 2, Chapter 2), showing that migrant's utilisation of both MHIS and SSF remains below their formal eligibility based on their regularisation status. The gap would be even greater if irregular migrants were counted as eligible for MHIS. Interviews with construction company representatives also shed light into the low registration of migrant workers. They pointed to the subcontracting system, noting that prime contractors and developers rarely serve as direct employers; responsibility for enrolment falls therefore to subcontractors. If they were to insist on enforcement through inspections, new challenges would arise related to cost sharing. As a representative of a large construction company explained:

If a company hires subcontracted workers, it should, in theory, ensure they are enrolled in Section 40 social security... From the company's perspective, this is an additional cost. From the workers' perspective, they also have to pay the monthly fee, and we do not know whether they are willing to do so. Some may prefer [MHIS]—a cheaper option [or opt for nothing]. The social security system provides broader coverage, but workers may not be willing to pay for it... If we insist on enrolment, the question arises: who will share the cost? Subcontractors pay [a part] employees [a part]. Some may ask why the prime contractor does not bear the cost. The goal is precise monitoring and implementation. However, this will undoubtedly increase company costs. For example, if we have 10 camps, each with a 50,000 THB increase, that's 1 million THB per month—12 million THB per year... When drafting laws, we must consider the broader impact. Could a ministerial regulation be issued specifically for the construction sector? A three-way cost-sharing model³⁰⁴—workers, subcontractors (as employers), and developers (as primary employers)—might be more feasible. If workers contribute less and employers and contractors each pay half of the remaining costs, the costs would be more evenly distributed. Would this arrangement be acceptable to workers? We need to hear their perspectives. Some might not want to contribute at all... Would subcontractors agree?

³⁰¹ Interview with Cambodian construction worker #CCW1.

³⁰² Interview with CSO representative #CSO1.

³⁰³ Interview with Cambodian construction worker #CCW5.

³⁰⁴ Actually, the respondent is not considering that the SSN operates under a tripartite scheme albeit with different contributors, with equal contributions made by the government, the employer and the worker.

Ultimately, costs will still affect the prime contractor, but at least a shared-cost model would appear more equitable.... For example, a subcontractor may typically quote 1 million THB per kilometre of road, but increase it to 1.2 million THB to cover social security and health insurance. Do you see how the mechanism works?³⁰⁵

Non-enrolment in the SSF and WCF has also profound implications for migrant construction workers who suffer workplace accidents, especially since, as discussed earlier, construction is among the highest-risk industries—a reality well-recognized by interviewed workers (Chapter 7). One migrant advocate and expert highlighted that accessing benefits or compensation is extremely difficult for affected migrant construction workers or relatives of deceased workers, even for those formally entitled, due to the lack of accountability in enrolling migrants in social protection schemes, particularly in the context of subcontracting arrangements where the responsible employer is unclear.³⁰⁶ High levels of irregular employment further excluded many workers, including the young persons in the sample, who, by law, should be registered with the DOE and covered by social protection.

While policy reforms remain under consideration, the intersection of labour outsourcing, irregularity, and informality in the construction industry continues to foster undocumented and inadequately protected migrant workers, while undermining the intended benefits of regularisation, including access to health care and social protection, thereby limiting its appeal to workers. This dynamic deepens migrant construction workers' vulnerability, restricts their health care and social protection options, and ultimately compromises their overall well-being.

³⁰⁵ Interview with representative of large construction company #LCCR1.

³⁰⁶ Informal interview with additional CSO representative. See also MMN (2025).

9 Conclusions and Recommendations



9.1 Changing the System to Improve Migrant Construction Workers' Lives

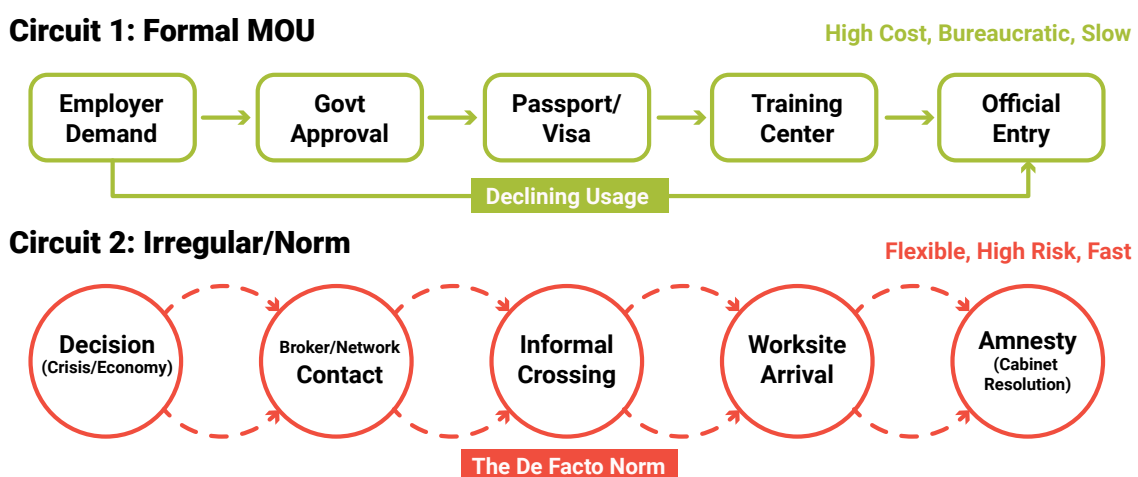
Migration pathways impact both recruitment and employment experiences of migrant workers in Thailand. Broadly speaking, two parallel, though at times intersecting, migration circuits exist, each governed by distinct modalities and sets of actors: one operating through regular channels and the other privileging irregular means.

In the first circuit, as discussed in Chapter 2, migrants are recruited in their country of origin by listed Thai prime contractors and subcontractors acting as authorised employers, with the assistance of LOEAs. Upon arrival in Thailand, they may remain employed in the same companies or, under strict conditions, transfer to another employer with the assistance of licensed recruitment agencies. These agencies also assist with renewing their work permits, typically after two years; facilitating the mandatory return home after four years, and eventually enabling U-turn re-emigration under the MOU framework for another four-year cycle. How many times this cycle can be repeated remains unclear, as current regulations focus primarily on enforcing the required break between contracts. Nonetheless, the process is not intended to be indefinite, reflecting Thailand's approach to migrant importation as a temporary, rotational workforce system.

A commonly used alternative at the end of the MOU period is for recruitment agencies to assist employers in converting migrant workers' status from MOU-based to one recognised under more flexible in-country amnesty schemes, when permitted by Cabinet Resolutions. This approach was notably applied during the COVID-19 pandemic, when the MOU recruitment process was suspended until 2022 and migrant workers were allowed to remain and work in Thailand temporarily for two years. Subsequent Cabinet Resolutions, like the one currently in effect, have expanded eligibility to include not only the previously registered workers, but also MOU workers seeking permit renewal, as well as those who became irregular due to overstaying, unauthorised changes of employers, travel beyond permitted areas, or other forms of non-compliance with official regulations. Uniquely, these amnesty provisions also extend coverage to dependent children up to age 18—a protection not available under other migration channels.

In the second, and much larger circuit, a chain of friends, relatives, brokers and unlicensed recruitment agencies assists migrant workers with irregular status in navigating informal recruitment routes and employment opportunities. When circumstances allow it, these intermediaries also help workers meet regularisation requirements (and become part of the first circuit), either by coordinating with licensed agencies for migrant workers to return home and re-enter through the MOU system, or, more commonly, by registering them under Cabinet Resolutions.

Figure 4: The Two Migration Circuits



Official channels are bypassed for agility. Amnesty (Cabinet Resolutions) is the primary method of regularization.

Associated with these two circuits are unique employment expectations. Migrant workers entering through regular channels are more likely to work for larger, law-abiding companies that demonstrate a higher degree of compliance with existing labour and social security regulations—partly because they are subject to greater, albeit uneven, government oversight in light of their national relevance, BHR frameworks and international scrutiny. These workers are generally better positioned to exercise their rights with less fear of retaliation, and can live more openly in Thailand—accessing the civil registry and other public services. At the same time, they must adhere to strict rules on regularisation, employer changes and geographic mobility, which limit their autonomy.

In contrast, migrant workers with irregular status often find employment in smaller MSMEs, including unregistered subcontracting entities, operating in the informal sector, where enforcement of labour protections is weaker. Operating outside of the legal framework may help them circumvent restrictive regulations and give them greater autonomy to leave intolerable jobs and seek better ones. Still, it also deprives them of full rights and the ability to live openly, free from the constant threat of fines, detention and deportation. Industries that are less “visible” to the public eye and marked by extensive informality and the casualisation of work, such as agriculture, fisheries and construction, are thus particularly suited to, and reliant on, this disadvantaged segment of the workforce.

In fact, this study shows that the construction industry is attractive to migrant workers, despite its hardships, because there is plenty of work available, also for those who are undocumented. As discussed in Chapter 4, irregular entry was the most popular route among migrant workers in the research sample for financial and convenience reasons, but also an absolute necessity for Myanmar migrants who had to hastily leave the country without documentation. To travel and cross the border, migrant construction workers sought the most trusted support from relatives and friends, and only when those were unavailable, did they turn to brokers recommended to them, to reduce the risk of malpractice, which a few experienced. Upon arrival, they could easily find their first job as construction workers, and most managed to remain in the same industry even when they did not change status. Except for the Cambodian migrant workers in the research sample, who had maintained a decade-long presence in Thailand’s construction industry, most other workers remained in irregular status at rates exceeding official figures, even compared with the construction industry overall, which is already known for higher levels of irregularity than other sectors.

Stakeholders across the board, excluding government officials, viewed the regularisation system as overly bureaucratic, with rising costs since COVID-19, rendering it too expensive for both employers and, especially, migrant construction workers, who ultimately bear the financial burden. Moreover, existing legalisation mechanisms were viewed as ill-suited to the project-based nature of the construction industry; the projects’ transient nature; and its casualised, highly mobile workforce. They were further considered inapt to address the specific implications of the most recent wave of Myanmar migrants.

Research findings also indicate that the subcontracting system and the related outsourcing of labour, now deeply embedded in the construction industry, create fertile ground for the prevalence of the second circuit described above, with its persistence of irregularity among migrant construction workers and widespread violations of the Labour Protection Act. The subcontracting model, with its complex, fragmented chain of diverse commissioned entities operating on a single project, has blurred employer-employee relationships and weakened the accountability of both employers and subcontractors regarding their obligations to regularise migrant workers’ legal status and comply with labour laws. The outsourcing of labour enables companies to tap into lower-cost workers in an industry facing chronic labour shortages, paying substandard wages without benefits, on a flexible, as-needed basis³⁰⁷, thereby reducing labour expenses amid upward pressure on construction costs.

³⁰⁷ Wells (2006).

Within this environment, migrant construction workers remain in a precarious position irrespective of their legal status. Although Thailand's Labour Protection Act applies in principle to all workers, in practice, the sampled migrant workers, especially those with irregular status, were treated differently from Thai nationals and faced more precarious working conditions. The most common, and almost universal, grievance concerned reduced, delayed, and unpaid wages, which severely impacted migrant construction workers' already meagre incomes and disrupted their fragile livelihoods. Other violations were equally systemic, ranging from discriminatory policing and the absence of paid leave, including sick and maternity leave, to the denial of social protection entitlements, disregard of labour regulations concerning young persons, and unsafe conditions in both workplace and living quarters.

The promises of regularisation, particularly under the MOU and to a lesser extent, the Cabinet Resolutions, remained largely unfulfilled for migrant construction workers with a regular status who, despite the formal recognition, often faced the same inadequate occupational and social protection conditions as undocumented workers, with the only tangible advantage appearing to be enhanced legal protection from authorities. Yet, ironically, preserving such benefits curtailed their autonomy and increased their dependency on their employer, limiting their ability to leave exploitative situations—an option still available to their irregular peers who were not bound by the same legal constraints.

While government officials maintained that Thailand's existing regulatory labour and social protection frameworks are sufficiently comprehensive and functional, other stakeholders, albeit for different reasons, acknowledged their inadequacy. There was broad recognition that current regularisation, recruitment and employment practices negatively impacted the lives and livelihoods of migrant workers who have to endure harsh work and living conditions to earn substandard incomes just to survive. Specific implications for women migrant workers, migrant children, and young adults were noted. More particularly, women shouldered the double burden of undervalued construction labour and unpaid domestic work, and had to cope with the absence of gender sensitive policies to meet their reproductive and child-caring needs; young persons were deprived of regularisation options, educational alternatives and employed in possibly hazardous environments with disregard of social protection obligation; and children even if born in Thailand had no complete documentation, faced heightened risks and limited and irregular access to schooling, and were frequently assigned domestic responsibilities at a very early age.



Migrants accepted these difficult conditions largely out of necessity, and this was especially true for migrants coming from Myanmar after the 2021 military coup. In this struggle for survival, migrant workers were supported by long-established migrant networks in Thailand that helped them migrate, find jobs, resolve disputes, and access essential services. While brokers and recruitment agents are often blamed for unethical practice in official discourses, with few exceptions of experienced abusive situations, money loss and unreliable information, sampled migrant workers tended to view them as essential to their migration experience. They counted on their services and support also after employment. According to various stakeholders, these intermediaries frequently stepped in to help workers resolve labour disputes, assist with translation, or access services otherwise unavailable. The research found that an increasing number of brokers, unlicensed recruitment agencies and informal subcontractors share the same nationality as migrant workers, despite these occupations being formally reserved for Thai citizens. These shared identities reinforce trust and strengthen social bonds, which are increasingly central to the recruitment and employment of migrant workers.

Looking ahead, Thailand is likely to remain a major destination for migrant workers from neighbouring countries due to its ageing population, unmet labour demand, and growing regional mobility spurred by economic disparities and humanitarian crises, particularly the ongoing conflict in Myanmar. More specifically, migrants will continue to play a vital role in sustaining the construction industry, which Thai nationals increasingly avoid, viewing construction work as physically demanding, low-status, and unstable. However, if the migrant workforce is to be retained and offered sustainable livelihoods—while also making construction work more appealing within Thailand’s domestic labour market— structural changes are urgently required at multiple levels. These are also essential to meaningfully address the widespread gaps in adherence to national laws and international labour standards and to enhance corporate responsibility and migrant workers’ rights in global supply chains, in order for Thailand to be aligned with its HRDD and UNGP commitments as a GMC Champion country and to become an OECD member in the near future.

These reforms should begin with inclusive dialogue among all relevant stakeholders, including migrants and their representatives, to identify both short- and long-term priorities. Consistent with an HRBA approach, this study has been informed by migrants’ views and experiences. Contrary to widespread assumptions about migrants’ lack of knowledge, the analysis has benefited from their awareness of their needs, rights and possible improvements, even within the constraints of limited access to information. This awareness can serve in future policy discussions and should be taken into account at the government level. To begin with, four key actions deserve consideration:

- Reassess migration governance to expand pathways for regular, long-term, and flexible migration, which enable fair recruitment, family union and greater autonomy for migrant workers.³⁰⁸
- Formulate measures to strengthen accountability in labour outsourcing and subcontracting practices within the construction industry.
- Make wage concerns a priority for the enforcement of employment standards already enshrined in law.
- Develop gender- and age-sensitive approaches to improve living conditions for migrants and their children, and to ensure equitable access to health, education and social protection systems, regardless of status.

To support these goals, the final section of this report outlines concrete policy recommendations for both the migration governance system and the construction industry, specifically in relation to the recruitment and employment of migrant construction workers.

³⁰⁸ See also UNDP (2023).

9.2 Changing the System to Improve Migrant Construction Workers' Lives

Drawing on the research findings, a set of recommendations is proposed to enhance the regularisation, recruitment and employment systems for migrant workers in the construction industry. These potential reforms would also benefit construction companies by fostering a more committed workforce, improving worker retention and reducing turnover, minimising operational risks, and strengthening corporate reputation.

The prioritised measures outlined below are those most closely aligned with the main areas of research (see Section 1.2) and the three broadly derived areas of intervention: fair migration governance and recruitment; decent employment; and migrants' welfare. Undertaking them will require collaboration among multiple stakeholders. Still, for most structural changes—targeting improvement in regularisation, recruitment and employment systems, and accountability—the primary responsibility lies with the government and companies. Academia plays a key role in generating the evidence needed for policy and program formulation. At the same time, CSOs and migrant organisations are essential for advocating with and on behalf of migrants. Although not exhaustive, each of these measures, and especially their combined implementation, would offer a valuable starting point for envisioning a fairer migration system that benefits all parties involved.

Fair Migration Governance and Recruitment

- Review and reform the MOU system, including the role of formal recruitment agencies, with particular attention to its complexity and escalating costs and the issue of family reunion. For the system to be accessible and relevant to both migrant workers and employers—and to offer a viable alternative to the many cheaper and more convenient informal migration channels—streamlining is essential. If the characteristics and experiences of Myanmar migrant workers in the research sample are any indication, new, simpler and more responsive cross-border migration options are critically needed to meet the immediate needs of the latest wave of mixed migration driven by crisis conditions. Moreover, the benefits of regularisation need to be felt by migrants, ensuring the enforcement of written contracts, a minimum wage and enrolment in social protection, while opening up options for dependents to migrate regularly (see also below).
- Develop a transparent, sustainable and affordable in-country regularisation mechanism for all migrants already in Thailand, recognising that this pathway is likely to remain the primary route to legal status, particularly given the ongoing crisis in Myanmar. Practical arrangements introduced during the COVID-19 pandemic and provisions in the latest Cabinet resolutions, which allowed MOU workers to renew and extend their permit domestically without leaving the country, signal an implicit acknowledgement of this need. These precedents could be formalised and built upon to ensure more inclusive and effective regularisation frameworks.
- Reassess and expand migration governance mechanisms to reflect the realities of long-settled migrant communities in Thailand that warrant more flexible and longer-term permit options to stay and work, as well as options of family reunion and regularisation of non-working spouses, young persons and children, with long-term permits for those born in Thailand. If options for regular migration of dependents are given in the country of origin under MOUs and Border Pass schemes, children and young persons would not be exposed to risks of irregular travel, often without accompanying parents or relatives, as was the case for two out of five children and young persons in the sample.

- Research the active role of migrant communities in supporting migration, recruitment and employment, thus shaping migration as well as labour market dynamics, including in the construction industry, to integrate them into policies and interventions. Given that migrants often place greater trust in brokers, recruiters, and subcontractors from their own communities, policy options should be explored to bring these actors into the formal system rather than having them operate in the shadow of the law without oversight.
- Reform the employer-centred model of regularisation to grant migrant workers greater autonomy, including the unconditional right to change employers. The current structure of two-year contracts under the MOU system with the same employer is often unsuitable for the project-based and transient nature of work in the construction industry. Moreover, employer-tied permits limit workers' mobility and their ability to pursue better opportunities and freedoms that irregular migrants value and often exercise precisely because formal regulations do not bind them. Policy reforms should also consider allowing migrant workers to work with multiple employers when a single employer cannot provide full-time or consistent work.
- Recognise the independent labour of migrant construction workers. This study highlights that, in addition to working as dependents in line with current policy assumptions, many irregular migrant workers are engaged as self-employed individuals or as part-time or day labourers contracted on a casual basis by subcontractors, foremen or on-site leaders on a casual basis. There are also migrant construction workers who obtain regular status through "front" employment agencies (labour subcontractors) so that they can work directly across multiple projects. Moreover, some migrants act as subcontractors and recruiters, who, even if officially illegal, are fully integrated into the industry. These varied forms of independent employment call for innovative regulatory models to accommodate migrant labour beyond the employee-centred framework, including allowing migrant workers to undertake the regularisation process on their own without requiring employer sponsorship or formalising their independent use of labour subcontractors.³⁰⁹
- Clarify provisions related to recruitment costs by mandating that employers fully bear all expenses (including work permit renewals and identity documents) in line with the ILO General Principles and Operational Guidelines for Fair Recruitment and the Employer Pays Principle. Efforts should also be made to ensure neighbouring countries adopt and apply the same standards. These measures would help eliminate current practices that circumvent the law by exploiting regulatory loopholes. Clear prohibitions and a feasible enforcement mechanism should also be introduced to ensure that migrant workers are not charged, and that no deductions are made from their wages to cover documentation or regularisation costs. The same protections should also be granted to migrant workers under Cabinet Resolutions, alongside educational campaigns to inform them about legal regularisation and recruitment procedures.

³⁰⁹ To note this proposition was already recommended by ILO (2016).

Decent Employment

- Examine the subcontracting system in the construction industry, specifically in relation to migrant workers, to better understand current practices and introduce reforms to promote clearer accountability and compliance with labour laws across all tiers of construction projects. Potential interventions include mandatory registration and licensing requirements, particularly for smaller subcontractors and labour suppliers; more effective enforcement of Section 11/1 of the Labour Protection Act; and strengthening of the shared liability principle.
- Combat the absence of contracts and the payment of substandard wages to ensure that the legal minimum wage becomes the effective standard, and that migrant workers are fully informed of their contractual work conditions and entitlements. These violations are so entrenched in the industry that new approaches are needed to complement traditional labour inspections and achieve meaningful change. Possible interventions include: making wage compliance a precondition for obtaining and renewing construction licences, permits, and contracts for public projects; introducing pay slips that outline wages and deductions; and enforcing the use of registered, auditable contracts that detail wages, payment schedules, and job conditions.
- Research and address the root causes of reduced, delayed, and unpaid wages by examining payment modalities in the subcontractor chain and identifying key points of intervention. At a minimum, all workers should receive the legal minimum wage, and fixed payment schedules should be introduced. Additionally, fund mechanisms could be established to ensure migrant workers' wages are paid in cases of insolvency by either the subcontractor or the prime contractor.
- Ensure that labour inspections and government accountability mechanisms are sensitive to the realities of widespread irregularity in the industry, and that labour rights compliance is prioritised over immigration enforcement, in line with the stated commitment to protect all workers, irrespective of their nationality or status. As suggested by the literature, a firewall should be created between



labour protection and immigration concerns and personnel.³¹⁰ In parallel, develop independent and accessible complaint channels for migrant workers, especially those with irregular status, to report wage theft and other labour violations safely, without fear of retaliation or immigration-related penalties. These alternative grievance mechanisms should be managed by CSOs or migrant networks that have credibility among migrant workers. In addition, concrete safeguards should be put in place to prevent and address retaliation, intimidation or bullying of migrant workers who speak out against abuse.

- Design targeted educational campaigns to challenge gendered perspectives among recruiters, subcontractors, and migrant workers themselves regarding women workers' capabilities in the construction sector. Positive role models, including placing women in supervisory roles such as team leaders and on-site leaders, should be promoted, and women workers should be actively included in skill development and safety training programs, granting them opportunities on par with men. Alongside this, foster dialogue on the division of domestic labour and highlight the contribution of unpaid spousal labour—e.g., cooking and cleaning—which directly supports workers' availability and productivity. Companies could experiment with recognition mechanisms, such as family-support bonuses to acknowledge and compensate this often invisible, yet essential labour that sustains camp life.
- For young migrant persons, ensure strict enforcement of regulations regarding their employment to enhance compliance with regularisation, DOE registration and social protection requirements and to protect them from hazardous work environments.

Migrants' Welfare

- Encourage companies to use heat-resistant and soundproof materials in worker housing, reduce mosquito breeding grounds, and improve sanitary and hygienic conditions, including effective waste management. Ensure the safety of women and children in the camps through proper lighting, secure washroom facilities, adequate infrastructure, and the enforcement of a zero-tolerance policy on sexual harassment across all worksites and living areas.
- Enrol migrant workers in the WCF or, alternatively, in private insurance that covers occupational accidents. This should form part of a comprehensive approach to strengthening safety measures in both the workplace and worker accommodations. Even when employed by different subcontractors, all migrant workers should be provided with a complete set of PPE and receive regular safety training. Workers should also have the right to refuse unsafe work when adequate safeguards are not in place. Priority should also be given to implementing robust occupational and safety standards.
- Resolve the gap between the eligibility of migrants for MIHS and SSF and their actual utilisation. Campaigns to inform employers about their obligation and employees about the benefits, providing information not only on health, but also on the complete spectrum of security benefits (and ensuring those are indeed in due time disbursed) are important pre-requisites, but not sufficient. In view of the financial reasons adduced by both employers and employees for non-compliance, interventions should address these issues, paying particular attention to migrants' actual incomes

³¹⁰ MMN (2025).

and their overburdened status. As recommended by the Thailand Migration Report 2024, “the Government should, at a minimum, ensure the conditions necessary for irregular migrant workers and other eligible migrants to be able to purchase medical insurance under MHIS”.³¹¹

- Ensure that the sexual and reproductive health needs of women are met by facilitating access to gender-sensitive services, including contraception and maternal care, irrespective of legal status. Prevent discrimination by recruiters and subcontractors against women migrant workers and their dismissal during pregnancy. Employers should provide reassignment to (real) lighter duties without wage deduction and offer paid leave with rehiring guarantees. Maternity protection, as guaranteed by Section 43 of the Labour Protection Act, should be expanded to include women migrant workers with irregular status in order to ensure protection for the entire workforce.
- Provide culturally appropriate and confidential counselling services to support migrant construction workers coping with the stress of lacking legal protection. Particular attention should be given to the most recent wave of migrant workers from Myanmar and their children, who face specific traumatic stressors. While advocacy efforts continue to expand legal pathways for this group, addressing their mental health is essential in the interim. Providing such support also benefits employers since mental health directly impacts safety, productivity, and retention. When workers receive adequate psychological support, the risk of workplace accidents decreases. Pregnant workers must not face dismissal; instead, employers should provide reassignment to lighter duties without a wage reduction and ensure paid leave with a guarantee of re-employment. Maternity protection, as guaranteed under Section 43 of the Labour Protection Act, should be expanded to cover migrant women with irregular status, ensuring equal rights and protections for all women in the workforce.
- Protect migrant children and young adults living in construction camps by ensuring they and their parents are registered under Cabinet Resolutions, possess a G-code, are enrolled in school, have access to quality health services, and are safeguarded from a hazardous environment. The employment of young persons in hazardous conditions should be strictly prohibited, with a strong emphasis on promoting and eventually subsidising their education. Investing in skill-building opportunities for this new generation could also serve as a long-term asset for companies, particularly as many of these children are born in Thailand and are likely to remain in the country.
- Establish child safeguarding policies and start child care centres with designated play spaces within construction camps, supervised by qualified caretakers, to reduce the need for mothers to have to bring their children to work or lose essential workdays. As recommended by Baan Dek in a recent report, companies might want to consider hiring adult relatives of workers to take on caretaker roles, thereby supporting both child welfare and family incomes. In this context, ongoing discussions at the Ministry of Education level regarding the launch of a curriculum for individual professional caretakers of young children could be highly relevant, after adaptation, in the camp context.

³¹¹ Engblom and Tangworamongkon (2024, p. 224).

References

- Alffram, H., Denney, L., Domingo, P. and S. Jespersen
2023 *Rethinking Labour Recruitment to Reduce Exploitation and Trafficking*. Bangkok: ODI. https://cdn.odi.org/media/documents/Thematic_Brief_3_Recruitment_-_for_website.pdf
- Aneksomboonphon, N.
2022 Time to Improve Migrants' Housing. *Bangkok Post*. <https://www.bangkokpost.com/opinion/opinion/2400308/time-to-improve-migrants-housing>.
- Banchongduang, S.
2024 Call for better integration of the informal economy. *Bangkok Post*. <https://www.bangkokpost.com/business/general/2745121/call-for-better-integration-of-the-informal-economy>.
- Bangkok Post
2025a Thailand's bid to join Organisation for Economic Cooperation and Development by 2030. 6 May. *Bangkok Post*. <https://www.bangkokpost.com/opinion/opinion/3018510/thailands-bid-to-join-organisation-for-economic-cooperation-and-development-by-2030>
- 2025b Migrant Children Left Behind. 9 April. *Bangkok Post*. <https://www.bangkokpost.com/opinion/opinion/2998911/migrant-kids-left-behind#:~:text=At%20present%2C%20there%20are%20between,on%20community%2Drun%20learning%20centres>.
- 2025c Stop Blaming Migrant Workers. Editorial. 6 July. 2025a Migrant Children Left Behind. *Bangkok Post*. <https://www.bangkokpost.com/opinion/opinion/2998911/migrant-kids-left-behind#:~:text=At%20present%2C%20there%20are%20between,on%20community%2Drun%20learning%20centres>.
- BDF (Baan Dek Foundation)
2025a P6694 Building Social Impact in the Thai Construction Sector. Project Baseline Assessment Report
- 2025b "Barrier Analysis Study: Access to Education for Migrant Children Living in Construction Site Camps." Unpublished report.
- Barber, S. and R. Sciortino (Eds.)
2024 *Thailand Migration Report 2024*. Bangkok: UN Network on Migration.
- Boonchalaksi, W., Chamrathirong, A., and J. W. Huguet. Has permanent settlement of temporary migrant workers in Thailand begun? *Asian and Pacific Migration Journal*, 21(3), 387-404.
- Bylander, M.
2024 *The Trade-off of Legal Status; Safe Migration, Documentation and Debt in Southeast Asia*. Honolulu: Hawai'i Press.
- Buckley, M, Zendel, A., Biggar, J., Frederiksen, L. and J. Wells
2016 *Migrant work and employment in the construction sector*. Geneva: ILO
- Businessasia.blog
2025 Restricted Jobs for Foreigners in Thailand: Complete List and Regulations. *Businessasia.blog* <https://www.businessblog.asia/en/restricted-jobs-for-foreigners-in-thailand-a-comprehensive-guide/>
- CEIC
2024 Thailand Employment: WK: NA: Construction. CEIC. <https://www.ceicdata.com/en/thailand/labour-force-survey-age-15-and-over-employment-by-industry-by-isis-quarterly/employment-wk-na-construction>

- Chairattana S. and T. Khanawiwat
2019 *The Report on the Route of Migration from Myanmar and Cambodia to Thailand*. Bangkok: Plan International
- Chamchan, C.
2025 Protecting Migrant Children in Thailand: Importance of Social Integration and Roles of Civil Society. *Southeast Asian Studies* Vol. 14, No. 1
- Chamchan, C., Apipornchaisakul, K. and P. Muensakda
2021 Final Report An Assessment of Access to Birth Registration among Migrant Children: The Quantitative Study. Unpublished report Institute for Population and Social Research (IPSR) Mahidol University
- Chongkittavorn, K.
2024 "Solving the Myanmar Migrant Surge". *Bangkok Post* <https://www.bangkokpost.com/opinion/opinion/2866687/solving-the-myanmar-migrant-surge>.
- Chan, S. KL.
2022 Transnational Brokers and the Desire for Labour Migration: Decision-making Process of Myanmar Migrant Workers in Thailand. *Int. Migration & Integration* 23, 1987–2007. <https://doi.org/10.1007/s12134-021-00915-0>
- Chanwanpen, K.
2018 Right on Birth Certificate "Neglected". *The Nation Thailand*. [23 August]. <https://www.nationthailand.com/news/30352828>
- Data Insights Market
2025 Thailand Construction Market 2025 Trends and Forecasts 2033: Analyzing Growth Opportunities. Data Insights Market. <https://www.datainsightsmarket.com/reports/thailand-construction-market-17293#>
- Digital Government Development Agency
2025 การขอรับใบอนุญาตทำงานแทนคนต่างด้าวสัญชาติกัมพูชา ลาว เมียนมา และเวียดนามซึ่งประสงค์จะเข้ามาทำงานในราชอาณาจักรตามกฎหมายว่าด้วยคนเข้าเมืองภายใต้บันทึกความตกลงหรือบันทึกความเข้าใจที่รัฐบาลไทยทำไว้ กับรัฐบาลต่างประเทศ (MoU) กรณีดำเนินการโดยนายจ้าง (Application for work permits on behalf of foreigners of Cambodian, Laotian, Myanmarese and Vietnamese nationality who wish to enter the Kingdom to work in accordance with immigration law under a memorandum of understanding (MoU) between the Thai government and foreign governments, in cases where the process is undertaken by employers). *Info.go.th* <https://info.go.th/procedure/95ffd336-621b-49dc-9cee-e8ed779fc21d/view?lat=&lng=>
- DOE (Department of Employment, Ministry of Labour; กรมจัดหางาน กระทรวงแรงงาน)
2025 สถิติการทำงานของคนต่างด้าวประจำเดือน มีนาคม พ.ศ. 2568. Bangkok: DOE [Foreign Workers Administration Office]. https://www.doe.go.th/prd/assets/upload/files/alien_th/ffe0c8ad32fac21f13de08bf82a44ab2.pdf
- Ducanes, G. M., Engblom, A. and J. R. Ramos
2023 Informal employment and irregular migration status: A double whammy for migrant workers in Thailand. *Asia and Pacific Migration Journal*. <https://doi.org/10.1177/01171968231188135>
- Duncan, K.
2025 Thailand's auditing industry fails to protect migrant workers: activists. RFA [16 April] https://www.rfa.org/english/myanmar/2025/04/16/myanmar-thailand-factory-audit/?fbclid=IwY2xjawJsttleHRuA2F1bQIxMQABHjhxEKmDdyKYlpKDWHz-PbBZ_SSCVZMU4nbgig7NG4tgxVIsjtpQ3kbcilk_aem_T7JSAjUiJH8EtCkO5kQhIA

- Engblom, A. and C. Tangworamongkon
 2024 Migrant workers' access to social security in Thailand: Law and practice. In Barber, S. and Sciortino, R. (Eds.) *Thailand Migration Report 2024*, pp. 213-225. Bangkok: UN Network on Migration.
- Ferreira Regis, M., Pinto Varela Alberte, E., dos Santos Liam, D. and R. Leal Simoes Freitas
 2019 Women in construction, shortcomings, difficulties and good practices. *Engineering, Construction and Architectural Management* 5, 26 (11), pp. 2535-2549. <https://doi.org/10.1108/ECAM-09-2018-0425>
- FDA (Foreign Affairs Division, Ministry of Interior)
 2023 ข้อมูลช่องทางผ่านแดนและความตกลงเรื่องการสัญจรข้ามแดน (*Border crossing information and cross-border traffic agreements*). Bangkok: FDA <https://url-shortener.me/819A>
- Htet Khaing Min
 2025 "Killing the Golden Goose: Junta's Conscription and Myanmar Youth – Analysis" 2 May. *Eurasia Review*. [Killing The Golden Goose: Junta's Conscription And Myanmar Youth – Analysis – Eurasia Review](https://www.eurasia-review.com/2025/05/02/killing-the-golden-geese-juntas-conscription-and-myanmar-youth-analysis/)
- Hall, A.
 2011 Migration and Thailand: Policy, Perspectives and Challenges. In Huguet, J. and Chamratrithirong, A. (Eds.) *Migration for Development in Thailand: Overview and Tools for Policymakers*, p. 17-38. Bangkok: IOM
- ILO (International Labour Organization).
 2016 High Rise, Low Pay. Bangkok: ILO https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40asia/%40ro-bangkok/%40sro-bangkok/documents/publication/wcms_537743.pdf
- 2020a *Recruitment Fees and Related Costs: What Migrant Workers from Cambodia, the Lao People's Democratic Republic, and Myanmar Pay to Work in Thailand*. Bangkok: ILO. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_740400.pdf
- 2020b Ensuring Migrant workers access to justice: An assessment of Thailand's Migrant Workers Assistance Centers. Bangkok: ILO
- 2021 *Achieving Fair and Ethical Recruitment: Strengthening Policies and Practices for Migrant Domestic Workers in Asia*. Bangkok: ILO.
- 2022a *Media-Friendly Glossary on Migration Fair Recruitment and Forced Labour Uzbekistan Edition*. Geneva: ILO
- 2022b Home truths. Geneva: ILO
https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40asia/%40ro-bangkok/documents/publication/wcms_838972.pdf
- 2024a Fees and Related Costs at a Glance. Geneva: ILO. Recruitment
- 2024b ILO Fair Recruitment Roadmap: A guide for national implementation. Geneva: ILO <https://www.ilo.org/sites/default/files/2024-07/OIT%20Roadmap%20EN.pdf>
- ILO and ITC (International Training Center)
 2021. *Why Fair Recruitment Matters*. Geneva: ILO and ITC. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_protect/@protrav/@migrant/documents/instructionalmaterial/wcms_682738.pdf
- ILO and OECD (Organisation for Economic Co-operation and Development)
 2017 Immigrant workers do contribute significantly to Thailand's economy, says new ILO-OECD Development Centre report [News release]. ILO <https://www.ilo.org/resource/news/immigrant-workers-do-contribute-significantly-thailands-economy-says-new>.

IOM (International Organization for Migration)

- 2011 *Glossary on Migration* (2nd Edition). Geneva: IOM
- 2017 IRIS: Ethical Recruitment. https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/IRIS_Brochure_2017_Final.pdf
- 2023 *Migrant Worker Guidelines in Practice: Thai Seafood Chapter Training Manual for Employers*. Bangkok: IOM
- 2024a Global conference on the regularisation of international recruitment; Harnessing the potential of regular migration pathways. Unpublished report. Geneva: IOM, <https://policynetwork.iom.int/sites/g/files/tmzbd11441/files/2024-12/IOM%20Second%20Global%20Conference%20on%20the%20Regulation%20of%20International%20Recruitment%20Report.pdf>
- 2024b Cross-border Remittances between Thailand and Myanmar (April-May 2024). Bangkok: IOM Thailand https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/2025-01/iom-thailand-cross-border-remittances_02.01.2025.pdf
- 2024c *Overview of Myanmar Nationals in Thailand* (April 2024) <https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/2024-10/overview-of-myanmar-nationals-in-thailand-october-24.pdf>
- 2024d *Bridging the Gap: Optimizing the Contribution of Labour Migration in Thailand*. Bangkok: IOM. <https://publications.iom.int/system/files/pdf/pub-2023-115-r-bridging-the-gap-labour-migration-thailand.pdf>
- 2025a Enhancing ethical recruitment and employment in Thailand's sugarcane sector; Challenges and recommendations. Policy Brief. Bangkok: IOM <https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/2025-02/policy-brief-bonsucro-en-v5.pdf>
- 2025b *Overview of Myanmar Nationals in Thailand* (January 2025) https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/2025-03/myanmar_migrants_thailand_jan25_final-1.pdf
- IOM (International Organization for Migration) and BHR (Business for Human Rights) UNDP
- 2020 *Solutions to Achieve Fair and Ethical Recruitment and Decent Work of Migrant Workers in Thailand during COVID-19 Recovery*. Bangkok: IOM and BHR UNDP
- IOM (International Organization for Migration), Crest Fashion & Laudes Foundation
- 2020 Key Risks Faced by Migrant Workers in Thailand Fashion Industry. <https://thailand.iom.int/sites/g/files/tmzbd11371/files/documents/key-risks-faced-by-migrant-workers-in-thailands-fashion-industry.pdf>
- Jespersion, S. Alffram, H. Denney, L. and P. Domingo
- 2022 *Labour Migration in Cambodia, Laos, Thailand and Vietnam*. Bangkok: ODI. https://media.odi.org/documents/Thematic_brief_4_FINAL_MR.pdf
- Kaewsri N. and T. Tongthong
- 2012 Analysis of roles and career paths of women civil engineers in the Thai construction companies. *Kasem Bundit Engineering Journal*, Vol.2 No.2, pp. 18-39
- Karim, Mst Umme Habiba Fahmina
- 2024 Human Rights Challenges of Irregular Migrant Laborers' Dependent Children in Thailand's Construction Sectors: An Empirical Analysis. *Journal of Human Rights and Peace Studies*. Vol 10, Issue 1, 125-150. <https://so03.tci-thaijo.org/index.php/HRPS/article/view/276621/184256>
- Khan, M.R. and P. Boonridrerthaikul
- 2024 Rights of Children in the Context of Migration. In Barber, S. and Sciortino R. (Eds.) *Thailand Migration Report 2024*, pp. 82-101. Bangkok: UN Network on Migration.
- Kongchasing, N. and G. Sua-iam
- 2022 The main issue working with migrant construction labor: A case study in Thailand. *Eng. Constr. Archit. Manag.* 29, pp. 1715–1730.

- Khumya, T.
2023 Migrants' Hopes for Longer Stay in Thailand: Gender and Social Space. *Asia Social Issues*, 16(5), e258058. <https://doi.org/10.48048/asi.2023.258058>
- Lee, A., Der Kinderen, N. and Chandrasekhar, S
2020 Migrant Health Research in Thailand: A Literature Review and Annotation 2010 – 2019. Unpublished report. Bangkok: IOM.
- Lorenz and Partners
2018 Employees' Welfare under the Thai Labour Protection Act. *Lorenz and Partners* <https://www.lorenz-partners.com/wp-content/uploads/2018/09/NL146E-Employees-Welfare-under-the-Labour-Protection-Act-Sep18.pdf>
- Lunkam, P.
2024 Industry Outlook 2025-2027: Construction Contractor. *Kungsri Research* <https://www.krungsri.com/en/research/industry/industry-outlook/construction-construction-materials/construction-contractors/io/construction-contractor-2025-2027>.
- Lyu, S., Zhu, Q., Hu, X., Zhu, Z., and M. Skitmore. 2025. Migrant Workers in the Construction Industry: A Bibliometric and Qualitative Content Analysis. *Buildings* 15, 761. <https://doi.org/10.3390/buildings15050761>
- Market Research Thailand
2024a Thailand Construction Workforce Trends and the Challenge. *Market Research Thailand*. <https://marketresearchthailand.com/insights/articles/thailand-construction-workforce-trends-and-challenges>
- 2024b How to Tackle Thailand Construction Labor Market Shortages. *Market Research Thailand*. <https://marketresearchthailand.com/insights/articles/how-to-tackle-thailand-construction-labor-market-shortages>
- MMN (Mekong Migration Network)
2025 "Migrants' Safety at Work in ASEAN". Unpublished paper.
- MWG (Migrant Working Group), CRSP (Coalition for the Rights of Refugees and Stateless Persons) and BCF (Burma Concern Forum)
2023 The situation of migrant workers and refugees in Thailand: Policy recommendations and reform of concerned laws. https://mwgthailand.org/sites/default/files/2023-07/The%20situation%20of%20migrant%20workers%20and%20refugees%20in%20Thailand-%20MWG%20as%20of%20June%208%202023%20_1.pdf
- MitrThai
2023 CLMV Migrant Workers in Thailand. https://mitrthai.com/employers/wp-content/uploads/2023/03/Labour-Migration-in-Thailand-2022-23_compressed.pdf
- 2025 Registration Process for Irregular Migrant Workers. <https://mitrthai.com/employers/en/employment/registration-process-for-irregular-migrant-workers/>
- Mrowka, D.
2022 Protecting migrant workers includes protecting the right to change employers. Institute for Human Rights and Business (IHRB) <https://www.ihrb.org/latest/protecting-migrant-workers-includes-protecting-the-right-to-change-employers>
- Nader, Bhandari, L., Netroj, N.; Ponchamni, D., Warangkanand, A., Turavinina, D., V. Premjai and A. Mounsookjarean
2024 Strengthening the Health System to Enhance Universal Health Coverage of Migrants in Thailand. In Barber, S. and Sciortino, R. (Eds.) *Thailand Migration Report 2024*, pp. 227-249. Bangkok: UN Network on Migration.

- NSO (National Statistical Office of Thailand)
2024 *Informal Employment Survey 2024*. Bangkok: NSO
- NESDC (Office of the National Economic and Social Development Council)
2024 Thai Economic Performance in Q4 of 2024 and the Outlook for 2025. NESDC News. https://www.nesdc.go.th/wordpress/wp-content/uploads/2025/04/article_20250217090230-1.pdf
- Offermanns, C.
2025 Solving Thailand's migrant worker retention crisis. *Bangkok Post* <https://www.bangkokpost.com/opinion/opinion/2966575/solving-thailands-migrant-worker-retention-crisis>.
- OECD Organisation for Economic Co-operation and Development
2024 Roadmap for the OECD Accession Process of Thailand. Adopted on 10 July. [https://one.oecd.org/document/C\(2024\)118/FINAL/en/pdf](https://one.oecd.org/document/C(2024)118/FINAL/en/pdf)
- OHCHR (United Nations Human Rights Office of the High Commissioner).
2011 *Guiding Principles on Business and Human Rights*. New York and Geneva: OHCHR. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf
- Phalaham, K.
2025 "Thai Government Enforces Strict Measures on Illegal Employment Practices". *The Pattaya News*. <https://thepattayanews.com/2024/08/18/thai-government-enforces-strict-measures-on-illegal-employment-practices/>
- P.C. 80
2024 Renewal Guidelines for Work Permits Expires on 13 February 13, 2025 <https://pcpservice.com/en/employer-guide/renew-work-permit-guideline-2025/>
- PRD (Public Relations Department).
2025 Thailand Extends Work Permit Renewals for Southeast Asia Nationals. <https://thailand.prd.go.th/en/content/category/detail/id/2874/iid/362743>
- Rapid Asia
2022. *Effectiveness of Bilateral Memoranda of Understanding on Employment Cooperation*. Bangkok: Winrock International <https://winrock.org/wp-content/uploads/2022/10/Effectiveness-of-Bilateral-Memoranda-of-Understanding-on-Employment-Cooperation-with-the-Governments-of-Cambodia-Lao-Peoples-Democratic-Republic-and-Myanmar.pdf>
- Rende T., Lisa M, AM. Soto Bernal, M. Taylor, and J. Basedow
2021 *Repayment of Recruitment Fees to Workers: 4 Emerging Best Practices*. Palo Alto and Bangkok: Issara Institute https://www.issarainstitute.org/_files/ugd/5bf36e_ebd2566bc7d64b61b94818af3055ae92.pdf
- Sachdev, S., Liang, V. and M. Pottler
2024 Thailand's Future and the Promise of Migration. In Barber, S. and Sciortino R. (Eds.) *Thailand Migration Report 2024*, pp. 227-249. Bangkok: UN Network on Migration.
- Sanongdej, W. et al.
2025 Navigating the challenges of COVID-19: a case study of construction worker camps in Thailand. *Front. Built Environ., Sec. Construction Management. Volume 11 - 2025* | <https://doi.org/10.3389/fbuil.2025.1510093>
- Sciortino R. and S. Barber
2024 Thailand as a regional Migration hub: An introduction. In Barber, S. and Sciortino R. (Eds.) *Thailand Migration Report 2024*, pp. 25-33. Bangkok: UN Network on Migration.
- Siam Center Law Group
2024 Understanding child labor laws in Thailand: A guide for foreign employers – Insights from a leading law firm in Bangkok. *Siam Center Law Group* <https://siamcenterlawgroup.com/thailand-child-labor-laws/>

- Sumano B. and N. Aneksomboonphon
 2021 Closing worker camps needs a rethink. *Bangkok Post* <https://www.bangkokpost.com/opinion/opinion/2144651/closing-worker-camps-needs-a-rethink>.
- Syed Zwick, H. and D. Gonzalez
 2024 Migration Profile and Policies. In S. Barber and R. Sciortino (Eds) *Thailand Migration Report*, pp. 35 - 65. Bangkok: UN Network on Migration in Thailand.
- Thaicharoen, Y.
 2025 Thailand's 2025 Economic Outlook. Powerpoint SCB, EIC https://your.fitch.group/rs/732-CKH-767/images/Fitch-Thailand%202025%20Economic%20outlook_K.Yunyong_1Apr25.pdf?version=0
- Thai PBS (Public Broadcasting Services)
 2024 Countdown to chaos: Thai experts sound alarm over migrant worker registration. *Thai PBS* <https://world.thaipbs.or.th/detail/countdown-to-chaos-thai-experts-sound-alarm-over-migrant-worker-registration/55781>
- 2025 One quake, many fault lines: Bangkok building collapse exposes gaps in disaster response. *Thai PBS* <https://world.thaipbs.or.th/detail/one-quake-many-fault-lines-bangkok-building-collapse-exposes-gaps-in-disaster-response/57123>
- Thai Union
 2024 Thai Union Group; Ethical migrant recruitment guidelines. *Thai Union* <https://www.thaiunion.com/files/download/sustainability/2024/20240229-tu-ethical-recruitment-guidelines-thailand.pdf>
- The First Good Man Group Company
 2025 Employer change service, notification in – notification out. Blog. <https://thefirstgoodmangroup.com/en/employer-change-service/>
- The Legal
 2025 Social Security: Registration of Migrant Workers. *The Legal*. <https://thelegal.co.th/2025/01/21/social-security-registration-for-migrant-workers/#:~:text=In%20a%20significant%20move%20to,under%20the%20social%20security%20system.>
- The Nation
 2022 Thailand's most dangerous job in 2021: building construction. *The Nation*. <https://www.nationthailand.com/thailand/general/40020697>
- 2025a
 2025b Where are the 15 Thai–Cambodian border checkpoints? [24 June]. *The Nation*. <https://www.nationthailand.com/news/general/40051697>
- Tilleke & Gibbins
 2014 Subcontracted workers and employer liability. *Bangkok Post*. <https://www.bangkokpost.com/business/general/430570/subcontracted-workers-and-employer-liability2025>
 Thailand Increases Minimum Wage across All Provinces
<https://www.tilleke.com/insights/thailand-increases-minimum-wage-across-all-provinces/#:~:text=With%20these%20changes%2C%20the%20minimum,Bangkok>
- TMRC (Thailand Migration Reform Consortium)
 2024 Facebook post https://www.facebook.com/story.php?story_fbid=122154917600268962&id=61558068878998
- UNDP (United Nations Development Program)
 2023 Seeking Opportunities Elsewhere: Exploring the Lives and Challenges of Myanmar Migrant Workers in Thailand. Yangon: UNDP. https://www.undp.org/sites/g/files/zskgke326/files/2023-12/undp-mmr_seeking-opportunities-elsewhere_nov_2023_final.pdf

UNESCAP

2018 Towards Safe, Orderly and Regular Migration in the Asia-Pacific Region Challenges and Opportunities <https://repository.unescap.org/bitstream/handle/20.500.12870/2880/ESCAP-2018-RP-Towards-safe-orderly-regular-migration-Asia-Pacific-Region.pdf?sequence=1&isAllowed=y>

UNICEF and BDF (Baan Dek Foundation).

2018 *Building Futures in Thailand*. Bangkok: UNICEF and BDF https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40asia/%40ro-bangkok/%40sro-bangkok/documents/publication/wcms_537743.pdf

Wells, J.

2006 Labour subcontracting in the construction industries of developing countries: An assessment from two perspectives. *Journal of Construction in Developing Countries*. 11.

Winrock International

2020 *Labor Abuse Complaints Mechanisms in Thailand*. Bangkok: Winrock International.

2024a *Safeguarding Migrant Workers in Asia: Lessons from Policy Implementation*. Bangkok: Winrock International.

2024b *Cambodian Migrant Worker Landscape Assessment*. Final Report (Version for Publication) https://winrock.org/wp-content/uploads/2024/11/Final-Report-Publication_-Winrock-CMW-Mapping-SEP-2024.pdf

Wongsuwanphon, S., Chottanapund, S., Knust, B., Wongjindanon, N. and R. Suphanchaimat

2024 Access to healthcare services and factors associated with unmet needs among migrants in Phuket Province, Thailand, a cross-sectional mixed-method study. *BMC Health Serv Res* 24, 1161 <https://doi.org/10.1186/s12913-024-11589-6>

World Bank

2023 Thailand; SME Program Review <https://documents1.worldbank.org/curated/en/099122003162330565/pdf/P180261038f7a00610a89101ddec1bf2b9.pdf>

World Education and Save the Children.

2014 *Pathway to a Better Future: A Review of Education for Migrant Children in Thailand*. Bangkok: World Education and Save the Children. <http://thailand.worlded.org/wp-content/uploads/2016/04/MESR-Full-Report.pdf>.



Mahidol University
Institute for Population
and Social Research

