

Amendment to Thai Labour Protection Law

The Labor Protection Act (No. 7) B.E. 2562 (A.D. 2019) was passed by the National Legislative Assembly (NLA) on 13th December 2018 to amend the Labour Protection Act B.E. 2541 (A.D. 1998) (LPA). It was published in the Government Gazette on 5th April 2019. It will become effective on and from 5th May 2019. The major changes to the LPA include the followings:

1. If the employer fails to pay any money payable to the employee, the employer must pay an interest at the rate of 15% per annum to the employee.
2. The employee's prior consent is required if there is a change in the employer or a transfer, succession or merger of legal entities resulting in a transfer of the employee to a new employer.
3. If the employer terminates an employee without cause with immediate effect, the employer must pay wages in lieu of advance termination notice to the employee on the termination date.
4. The employee can take a personal business leave with pay for at least 3 working days per year.
5. The pregnant employee can take a maternity leave, before and after the delivery, for not more than 98 days per delivery.
6. Male and female employees have equal rights in relation to wages and compensation.
7. If the employee has worked for the employer for 20 years or more and if he/she is terminated without cause, he/she is entitled to receive a severance pay equal to wages of 400 days.
8. If the employer relocates its business premises, an announcement must be published at its current business premises for at least 30 consecutive days prior to the relocation by specifying the names of the employees to be relocated, the timing and other details of the relocation.
9. The employer who disagrees with the reasons given by the employee resigning/terminating his/her employment as a result of the relocation of the employer's business premises can file a complaint with the Labour Welfare Committee and the court respectively.



Kowit Somwaiya
Managing Partner

kowit.somwaiya@lawplusltd.com



Oramart Aurore Saardphak
Associate

oramart.saardphak@lawplusltd.com

LawPlus Ltd.

Unit 1401, 14th Fl., Abdulrahim Place, 990 Rama IV Road, Bangkok 10500, Thailand

Tel. +66 (0)2 636 0662 Fax. +66 (0)2 636 0663

www.lawplusltd.com

The information provided in this newsletter is general in nature and may not apply to any specific situation. Specific advice should be sought before taking any action based on the information provided. Under no circumstances shall LawPlus Ltd. or any of its directors, partners and lawyers be liable for any direct or indirect, incidental or consequential loss or damage that may result from the use of or the reliance upon the information contained in this newsletter. Copyright © 2019 LawPlus Ltd.

G:\Marketing\Newsletter\2019\04.April\2002.0410.Amendment LPA No.7.docx