

Thailand Amends the Labour Protection Act to Recognize Working-From-Home

The Labour Protection Act (No. 8) B.E. 2566 (2023) (“**Act No. 8**”) was gazetted on 19th March 2023 to amend the Labour Protection Act B.E. 2541 (1998) (“**LPA**”) to set out the requirements and guidelines for work-from-home arrangements. The Act No. 8 will come into force on and from 18th April 2023.

The Act No. 8 adds Section 23/1 to the LPA. We summarized the key provisions of Section 23/1 as follows:

1. The employer and the employee may enter into a work-from-home agreement. Such agreement must be made in writing, or in an electronic data format which is accessible and retrievable, to allow the employee to work from his/her home or residence or any other place through the use of the information technology.
2. The work-from-home agreement may include provisions on: (i) the time of beginning and ending of the agreement; (ii) the normal working days and hours, break times and overtime work; (iii) the rules on overtime and holiday works and different types of leave; (iv) the scope of work and the employer’s supervision; and (v) the obligations of the employer to provide the necessary working tools or equipment and expenses in relation to the performance of the work, etc.
3. The employee has the right to refuse to remain in contact with his/her employer or supervisor after the normal working hours, unless the employee has given a written consent to the employer in advance.
4. The employer must give the work-from-home employees the rights and benefits equal to those of the on-premises employees of the employer.

Section 23/1 of the LPA does not require the employer to allow the employee to work from home. It does not impose any penalty on the employer who fails to enter into a work-from-home agreement with the employee.



Kowit Somwaiya
Managing Partner
kowit.somwaiya@lawplusltd.com



Kulkanya Vorawanichar
Senior Associate
kulkanya.vorawanichar@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