

Regional Management of Formal Recruitment and Formal Workers in Greater Mekong Subregion

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Formal recruitment: Services for job seeking and job placement provided by formal recruiters.

Formal recruiter: Any natural or legal person or enterprise licensed by the State to provide one or more of the following labour market services:

What is the formal recruitment?

- **Matching offers of employment with applications for employment, without becoming a party to the employment relationship that may arise as a result of this service;**
- **Employing workers with a view to making them available to a third party;**
- **Other services related to job seeking, determined by the competent authority after consulting the most representative employers' and workers' organizations, such as the provision of job-related information, that do not set out to match offers and applications for employment.**

MOU on Cooperation in the Employment
of Workers signed with

Lao PDR 2002

Cambodia 2003

Mynmar 2003

International legal framework supporting MOU

- **ILO Convention no. 97 on Migration for Employment, which contains provisions to assist migrants in securing employment ILO Convention.**
- **ILO Convention no. 143 on Migrant Workers, which addresses migration in abusive conditions and deals with equality of opportunity and treatment .**
- **ILO Convention no. 181 on Private Employment Agencies, which sets parameters for the regulation, placement, and employment of workers recruited by private employment agencies**

- **The ILO Multilateral Framework on Labour Migration**
- **The UN Convention on the Protection of Migrant Workers and Members of Their Families.**

Regional legal framework supporting MOU

- **ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.**

National legislation

Thailand.

- **Guideline for Migrant Worker Management; the Comprehensive Migrant Worker Management System; and the Implementation Plan of the MOU**
- **Guideline of Procedures of Formal Recruitment 2007**

Lao PDR.

- **described in more detail in the Prime Minister Decree 68/2002 Export of Lao Workers Abroad (2002)**
- **guidelines No. 2417/MOLSW On Implementation of Decree on Export of Lao Workers Abroad (2002)**

Cambodia.

- **Sub-Decree 57 on Sending Khmer Migrants to Work Abroad**
- **Sub-Decree 57 on Sending Khmer Migrants to Work Abroad. Sub-Decree 70 on the Creation of the Manpower Training and Overseas Sending Board (MTOSB)**

Formal Recruitment Process

1. The employer applies for a quota to hire migrant workers



2. The employer assigns a recruitment company as the employer's representative in recruiting migrant workers



3. The recruitment company announces the job opening, selects workers, and obtains passports and visas for the migrants



4. The employer applies for the migrant's work permit and gets permission to bring the worker into Thailand



5. Migrant workers arrive at the workplace, undergo medical checkups, and request work permits



6. Implementation of the employment contract

**The entire process takes
approximately 110 days
(3-4 months).**

Costs of recruitment (Cambodia)

Expenses for preparation of documentation in Cambodia (passport + visa)4,000 baht	4,000 baht
Expenses for procedures in Thailand (work permit + medical checkup)	4,300 baht
Service charge (includes a guarantee for 50% of all costs and compensation if a worker runs away within 6 months)	11,700 baht
Total	20,000 baht

Costs of recruitment(Lao PDR)

Lao side	
Medical examination	570 baht
Passport and Visa	1,330 baht
Thai Visa: -Single entry -Multiple entry	2,000 baht 5,000 baht
Work permit form	74 baht
Training	500 baht
Traveling	1,500 baht
Total Single entry visa/multiple entry visa	5,974/8,974 baht

Thai side	
Medical examination	600 baht
Social Security (5% per month for 2 years)	4,493 baht
Work permit	3,800 baht
Total	8,893 baht
Total with single entry visa	14,867 baht
Total with multiple entry visa	17,867 baht

Protection of workers' rights

The image features the text 'Protection of workers' rights' in a large, bold, sans-serif font. The text is rendered with a vibrant rainbow color gradient, starting with purple on the left, transitioning through pink, red, orange, yellow, green, and ending in blue on the right. The letters have a slight 3D effect, with a soft, grey shadow cast beneath them, giving the impression of text floating above a surface. The background is plain white.

Contract made with employer

Legal status	Contract made with Employers in Thailand	Cambodian	Laotian	Total
		%	%	%
Formal migrants	Yes	62.30	49.15	54.17
	No	27.87	50.85	38.33
	No answer	9.84	0.00	5.00
	Total	100	100	100

Person who kept the contract

Legal status	Person keeping a copy of the employment contract	Cambodian	Laotian	Total
		%	%	%
Formal migrants	Worker	3.28	1.69	2.50
	Employer	47.54	45.76	46.67
	Recruiter	4.92	1.69	3.33
	Broker	3.28	0.00	1.67
	Migrant does not know	0.00	1.69	0.83
	Other	1.64	0.00	0.83
	Does not apply	29.51	47.54	39.17
	No answer	9.84	0.00	5.00
	Total	100	100	100

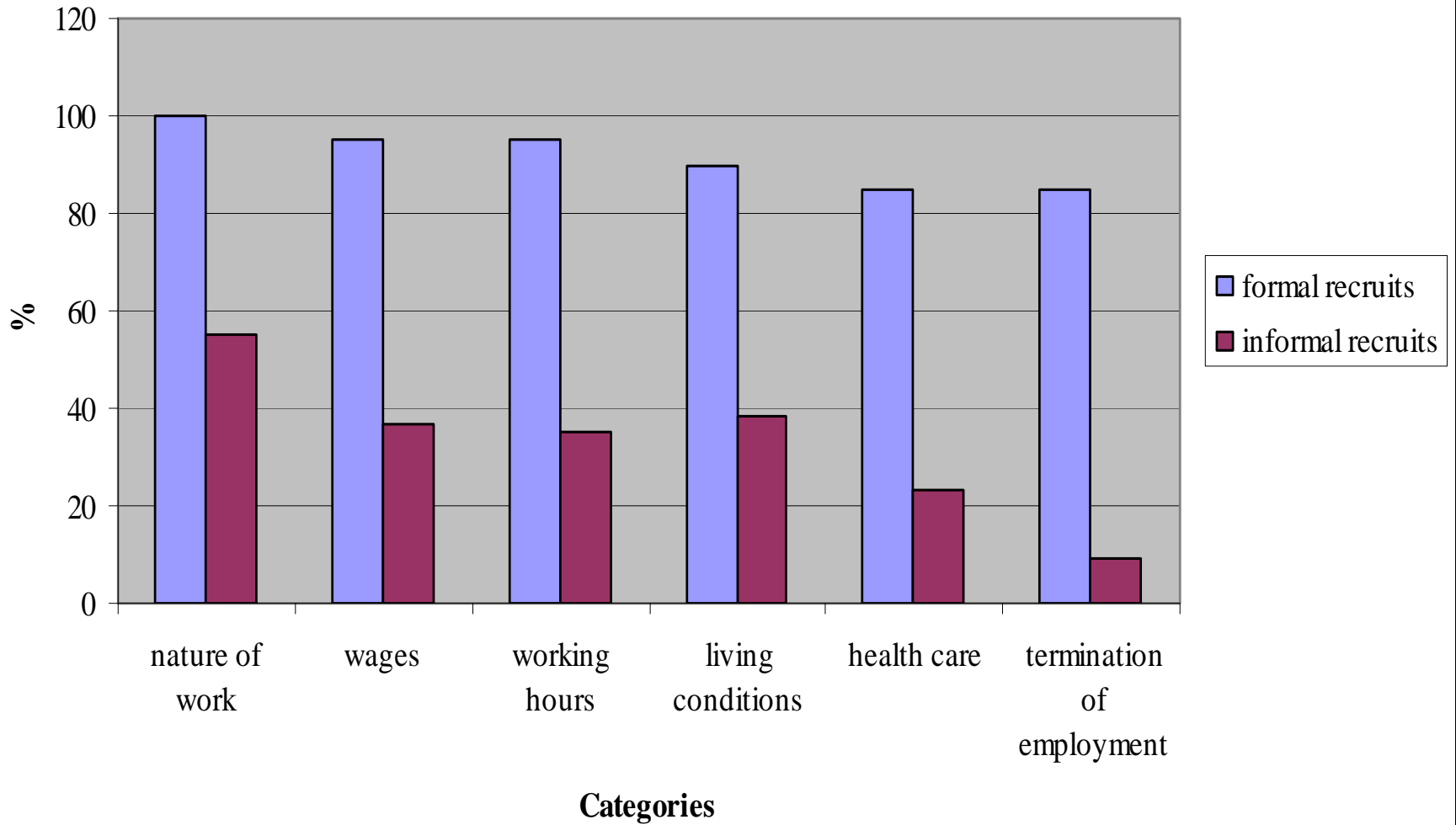
Types of services provided by formal or informal recruiter

	Formal migrants	Informal migrants	Total
	%	%	%
Job placement	89.74	91.76	90.80
Making of travel and/or ID documents	89.74	10.59	48.47
Safe travel across border and to destination	41.03	63.53	52.76
Pre-departure orientation or training	15.38	4.71	9.82
Free or inexpensive accommodation at destination	17.95	35.29	26.99
Follow-up or support at destination	12.82	25.88	19.63
Access to complaints mechanism	10.26	1.18	5.52
Creation of bank accounts and/or facilitation of remittances	10.26	5.88	7.98

Orientation and training prior to departure

Duration of pre-departure orientation or training	Cambodian	Laotian	Total
	%	%	%
No orientation or training	72.13	38.98	55.83
1 - 4 hours	0.00	59.32	29.16
1 day	11.48	1.69	6.67
2 - 7 days	11.48	0.00	5.87
No answer	4.92	0.00	2.50
Total	100	100	100

Information provisioning prior to departure



Fees paid for recruitment

Amount paid to recruiter	Formal migrants	Informal migrants
Nothing	3	34
Cannot remember	0	4
0-2500 Baht	5	9
2500-5000 Baht	0	14
5000-8000 Baht	0	2
15000-20000 Baht	11	0
Does not apply	1	2
Total	20	65

Salary

**95% of formal worker received
minimum wage or higher**

channel for future migration to Thailand

Legal status	Migration channel migrant expects to use in future	Cambodian		Laotian		Total	
		%	number	%	number	%	number
Formal migrants	Recruitment agency	78.	48	81.3	48	80.0	96
	By myself	18.9	10	18.6	11	17.5	21
	Informal recruiter	3.0	1	0.00	0	0.83	1
	Do not answer	3.2	2	0.00	0	1.67	2
	Total	100	61	100	59	100	120
Informal migrants	Recruitment agency		2		5		7
	By myself		8		4		12
	Informal recruiter		0		1		1
	Total		10		10		20

Recommendations

- **Lower the cost of recruitment.**
- **Prohibit pre-departure fees for workers.**
- **A public fund should be created for migrants.**
- **Governments should subsidize employment services for migrants.**

Recommendations for law enforcement

- Regulate and monitor recruitment agencies' activities and accountability.
- The provision of pre-departure information must be monitored.
- Curb excessive recruitment fees.
- Ensure the minimum wage for formal workers
- Protect workers' rights

- **Penalize the seizure of workers' identification documents.**
- **Create mechanisms to address workers' grievances and labour disputes.**
- **Monitor the situation of migrant workers in Thailand**

Recommendations for revision of regulatory framework

- **Include more sectors of employment in formal recruitment**
- **Standardize recruitment procedures and streamline the migration process.**
- **Consider an incentive system for good practices**

Other recommendation

- **Consider G-to-G recruitment**
- **Consider independent migration**