

## Women's actions through the FPAR

Through the labour FPAR, the CWUA research team worked with women workers in nine public hospitals in Thailand to: 1) raise awareness of women workers' labour rights; 2) explore the working conditions of women cleaners employed in public Thai hospitals; and 3) identify labour violations at the hospitals and strategise possible solutions.

FPAR findings demonstrate that there is a significant difference in the working conditions of workers classified as 'Daily Worker' and those employed under the status of 'Public Health Ministry Employees' in terms of wages and working conditions. In fact, low wages is one of the most pressing issues facing women workers. Despite the fact that all workers earn a minimum wage, it is far from a living wage and the labour movement will continue to advocate for increasing the minimum wage from 320 THB (USD10.59) to 425 THB (USD14.04) per day.

### Recommendations

#### To the government of Thailand:

- **Raise the minimum wage from 320 THB (USD10.59) to 425 THB (USD14.07).**
- **Ensure that public hospitals abide by national labour laws, particularly the Labour Protection Act, as well as international labour standards and recommendations as set by the International Labour Organisation (ILO).**

#### To Thai public hospitals:

- **Comply with the Labour Protection Act, Social Security Act and Occupational Safety, Health and Environmental Act.**
- **Guarantee women workers regardless of employment status the right to paid sick and paid annual leave regardless of employment status as stipulated in existing labour laws.**

#### About Chemical Workers Union Alliance (CWUA)

CWUA functions as an umbrella organisation of local unions with the purpose of building solidarity among the workplace unions and carrying out national campaigns to voice out the situation of grassroots workers particularly women workers, precariously employed workers and migrant workers. It was founded by trade union activists working in export industries including chemical, garment, textiles and electronics in Samutprakarn and Ayutthaya, in 2000.

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APWLD, a regional feminist and women's rights organisation with 252 members in 27 countries in Asia and the Pacific. This FPAR is part of APWLD's Labour Programme. APWLD worked with and supported 11 partner organisations from nine countries to conduct FPAR on women's labour rights in Asia and the Pacific between 2017 and 2019.



### The situation of women cleaners in Thailand

Due to pervading gender roles and traditional views on what is considered 'women's work', a majority of the cleaners employed at public hospitals are women. Hospital cleaners are some of the lowest paid workers in Thailand and many of them struggle to earn a decent living as the minimum wage they receive is insufficient to cover their basic needs. One of the root causes behind their labour rights violations is hospitals' non-compliance with the Labour Protection Act and the Social Security Act, which entitle women workers to basic labour rights. As a result, many women workers are subjected to unlawful wage deductions and continuously denied paid leave and social security coverage. Many women cleaners are recruited through external agencies and companies who set the terms and conditions of employment that are not in line with the labour standards. Many women workers are in general unaware of their basic labour rights and others refrain from reporting unlawful labour practices out of fear of reprisals from their employers.

### Chemical Workers Union Alliance (CWUA) Feminist Participatory Action Research (FPAR)

Chemical Workers Union Alliance (CWUA) led a Feminist Participatory Action Research (FPAR) to investigate the working conditions and problems that women workers face in public Thai hospitals. The data was collected through focus group discussions (FGDs), individual interviews, observations and a workshop. The labour FPAR was conducted between November 2017 and April 2019 in the following nine public hospitals: Thepparat, Samut Sakhon, Pho Thong, Chaiyo, Phakhai, Rasi Sarai, Non Sung, Phuttaraksa and Pha Nang Klao. FGDs were conducted in the first six hospitals and individual interviews were conducted in the last three hospitals due to time constraint.

At the end of the research, the research team also put together a final workshop with hospital workers from across the country as well as members from the Nursing Union of Thailand (NUOT), Contract Nurses Network (CNN) and the Confederation of Government Employees.



## FPAR FINDINGS: THE WORKING CONDITIONS OF WOMEN HOSPITAL CLEANERS IN THAILAND

### Minimum wage is insufficient to cover basic needs

Hospital cleaners earn 320 THB (USD10.59) per day or 8,320 THB (USD 275.33) per month, which is in line with the national minimum wage in Thailand. However, in light of rising costs of living, the minimum wage is not enough for cleaners to make ends meet and support themselves and their families. In fact, many cleaners have no other choice than to take additional loans at high-interest rates. One woman worker revealed that she owed 200,000 THB (USD 6,615.95) to a bank and informal lenders. Informal lenders even go as far as to withhold women workers' debit cards as a condition for issuing loans. Although hospital cleaners earn a minimum wage, it is evident that they do not receive a living wage - a wage that allows workers to meet their basic needs, support their families and live in dignity.<sup>1</sup>

<sup>1</sup> Asia Pacific Forum on Women, Law and Development (2019). Decent Work and Living Wage Briefer. Retrieved from: <http://apwld.org/wp-content/uploads/2015/04/DECENT-WORK-LIVINGWAGE-BRIEFER.pdf>

### Increased job insecurity

Women workers are either directly employed by the hospitals or through subcontractors. Women workers employed through external companies tend to be hired as 'Daily Workers' and are particularly vulnerable to labour rights violations. Every year, external companies have to negotiate new contracts with the public hospitals. This process can affect both the working conditions and the job security of women workers, since these are largely dependent on whether or not external companies manage to secure new or extended contracts with the hospitals. In addition, women workers in Samut Sakhon Hospital revealed that they were not provided with employment contracts, which further exacerbate their job insecurity. Current labour laws do not address the issue of job security and only cover basic labour rights, which are not always respected by employers either. Due to job insecurity, several women workers reveal to tell the FPAR team that they fear being dismissed if they speak out or attempt to mobilise against unfair labour practices.

### Denial of sick leave and unlawful wage deductions

Under the 1998 Labour Protection Act, all workers are entitled to 30 days of sick leave per year and at least six days of paid annual leave regardless of employment status. However, in practice, public hospitals and external companies do not abide by Thai labour law. In fact, according to FPAR findings, all women workers employed under the status of 'Daily Worker' were informed by either the hospital management or the external agency that they would not get paid for any given day that they did not work due to sickness. In one of the more extreme cases, a woman cleaner at Pho Tong hospital in Ang Thong province was involved in a traffic accident outside of the public hospital that she was working at, which ended in hospitalisation. The worker's wage was cut during the 11 days that she was hospitalised. When the woman worker inquired about the unjust treatment, the hospital management denied her compensation with reference to her employment status as a 'Daily Worker.' This is a clear violation of Thai labour law because, as aforementioned, all workers are entitled to paid leave regardless of employment status. Furthermore, many subcontractors do not provide women workers with salary slips. Salary slips contain important details regarding workers' wages, leave days and number of working hours and days. Without salary slips, it is difficult for workers to keep track of their monthly wages or collect evidence of wrongdoings on the part of their employers.

### Poor occupational health and safety

According to the Occupational Safety, Health and Environmental Act BE 2554 (2011) and the Labour Protection Act (1998), all employers are required to provide employees with at least one medical check-up per year. Yet, findings show that no women employed as 'Daily Workers' at the hospitals surveyed had received medical check-ups, and when they did fall ill, they were required to cover all medical costs themselves. In addition to the denial of medical check-ups, many women workers are not provided with adequate personal protective equipment. One woman worker told the FPAR research team that she had been stuck with disposable needles on four different occasions in the span of a year when handling garbage, despite wearing rubber gloves. The Social Security Act also requires employers to register employees with the Social Security Office which accords women workers with the right to a pension, child support, disability, sickness and death benefit. While most cleaners appeared to be covered, FPAR findings show that this is not the case for all women workers. For instance, the hospital management at Chaiyo Hospital had not registered their workers with the Social Security Office which shows that the Social Security Act is not being respected by all public hospitals across Thailand.



### Varying working conditions

Despite the fact that all public hospitals are required to abide by Thai labour law, FPAR findings show that in practice, there is a significant difference in working conditions between public hospitals across the country. For instance, as exemplified in the Pho Tong hospital case above, women workers employed under the status of 'Daily Worker' are continuously denied paid leave and subject to wage deductions when they fall ill, even in extreme cases of hospitalisation. Daily workers are also more likely to not earn more than the minimum wage, totaling 8,320 THB (USD275.33) per month and many do not have access to social security. In contrast, the situation of women workers employed under the status of 'Public Health Ministry Employee', and who are directly employed by the hospital and not through external companies, tend to work under better conditions. For instance, women workers employed in hospitals such as Rasi Salai Hospital in Sisaket province are entitled to paid sick leave and are registered with the Social Security Office, as is stipulated in national labour laws. The women workers at Rasi Salai Hospital also earned up to 12,000 THB (USD396.56), roughly 4,000 THB (USD132.14) above the minimum wage. There is a clear discrepancy in both wages and the enforcement of the Labour Protection Act and the Social Security Act in public hospitals across the country that needs to be regulated by the Thai government.