

Recruitment of Thai workers (Direct employment between employer and job seeker)

Under Ministry of Labour of Thailand's Regulation 2005 (B.E. 2548), any Thai workers who will be working in the foreign countries must be registered with the Ministry as well as obtain the Ministry's approval prior to their departures from Thailand.

With an aim to protect Thai workers' rights and welfares, therefore, the foreign company that wishes to recruit Thai workers, is required to **have the Work Contract legalized** (stamped) by the Royal Thai Embassy or Consulate accredited to the country where the place of work is located (in case of the Czech Republic, the Royal Thai Embassy in Prague is the authority). The said legalization is considered as a decisive condition for the Ministry of Labour of Thailand's approving process to allow any Thai workers to work abroad according to the Ministry's Act.

Conditions & documents for the legalization of Work Contract at the Royal Thai Embassy in Prague:

1. Basic requirements for the employer

1.1 The employer must be a legal business body which has its valid business registration with the Czech authorities concerned. The said business registration shall also relate to the type of work which Thai workers will be employed.

1.2 The employer must already have the place of work and accommodation to provide to the worker.

2. Basic documents for legalization

2.1 Legalization form can be downloaded at
<http://www.thaiembassy.cz/uploads/download/W6FAsY5WgPnELSGPxfS.pdf>

2.2 Copy of ID card of the person who submits the documents with signature

2.3 Business registration and Official English Translation

2.4 Copy of ID card of the owner with signature

2.5 Work contracts in English AND in Thai completely filled and affixed with company stamp and signatures. The employer has to verify his/her signature on the contract officially at the Notary public and then, legalize it at the Ministry of Justice, and at the Ministry of Foreign Affairs of the Czech Republic)

Work contracts can be downloaded at:

<http://thaiembassy.cz/uploads/download/3MWBvp4nCU4gfH7CUTS.pdf>
<http://www.thaiembassy.cz/uploads/download/zES9Z2HcdtRZ5hBAMJF.pdf>

(In case the employer is a Thai national, please contact Embassy at
(420) 220 570 055 press 6)

- 2.6 Copy of every page of the work contracts
- 2.7 Copy of passport of the coming employee, employer and witnesses with signature
- 2.8 Job Description
- 2.9 In case of new salon, photos of the salon and accommodation for the employee are required.

Remarks:

- The Embassy reserves the rights to request for more documents if deems necessary.
- It is important to note that the employer is also requested to prepare the place of work and worker's accommodation for the Embassy's inspection, as part of legalizing process.

3. The authorization of Thai workers' departure from Thailand

3.1 Once the Work Contract is legalized by the Embassy, it must be sent to the worker in Thailand who will submit it together with other required documents to the Ministry of Labour of Thailand for his/her departure's approval. (see <http://www.doe.go.th> for more information)

3.2 Upon the worker's arrival to the Czech Republic, the employer is obliged to present the worker to the Embassy for registration within 30 days.

WARNING

* The Ministry of Labour of Thailand may not authorize the employee to leave the country, unless his/her work contract is legalized by the Royal Thai Embassy.

* According to the Thai labour laws, the foreign employer should recruit Thai workers through the services of Ministry of Labour itself or licensed recruitment companies or direct contact with the job seeker in Thailand. Recruitment of workers through individual person or unauthorized broker is illegal.

* The Royal Thai Embassy has no policy to support or cooperate with any employers who have shown unfair treatments to the Thai workers, such as abusing of work contract or deterioration of working conditions, etc. The employer has to be responsible to any legal charges both under the Czech laws and the Thai laws due to those unfair treatments done to the Thai workers.

* The Royal Thai Embassy will not legalize the Work Contract in the following cases ;

1) The employer is being filed a lawsuit, either to the Court or the Czech Ministry of Labor, by Thai employee in the case of labour law's violation or related matters and the final verdict is yet delivered.

2) The employer has previously been complained by the Thai employee either to the Embassy or the Thai Ministry of Labour in relation with unfairly working treatment, labour abusing and violation of Work Contract.

3) The employer fails to submit documents as required by the Embassy for legalization.

4) The employer fails to cooperate with the Embassy for the inspection and control of the place of work and worker's accommodation either before or after the importation of worker.

5) Using business name and/or logo which offenses to the Thai monarchy and Buddhism, as well as deteriorates a good image and moral of Thai people.

Updated on 12 January 2017