GUIDELINES FOR DEVELOPING THE MANAGEMENT SYSTEM FOR MIGRANT WORKERS: A CASE STUDY OF LAO MIGRANT WORKERS IN DUSIT AREA, BANGKOK

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Abstract - The study titled "Guidelines for developing the management system for migrant workers: A case study of Lao migrant workers in Dusit area, Bangkok" has the purpose to study the problems and quality of life of Lao migrant workers, as well as to study the needs of employers on employing Lao migrant workers as well as to develop a system for managing Lao migrant workers in in Dusit area In this area. It is considered that there are many foreign workers working in this area. This research has selected Dusit area as a study area to find out how to develop a foreign workers management system to become accuracy and clarity to match the needs of the stakeholders. The results of this survey can be used as a reference for the related authorities to take into action.

Index Terms - Migrant worker, Lao migrant, Dusit area

I. INTRODUCTION

Thailand is one of the destination countries for migrant workers to come to work. There are both foreign workers comingto work legally and illegally. Foreign workers who come to work legally are aliens who entered into the Kingdom legally as immigrant workers. The visa is valid for a period of 3 years or more. Most of these types of foreigners come to work in skilled or semi-skilled occupations such as work administrator, engineers, technicians, specialists, etc.These foreign workers are Japanese, British, Chinese, American, and Indian. For the foreign workers who come to work illegally or migrate to the Kingdom by violating the immigration law and work illegally by violating Working of Alien Act, especially migrant workers from Myanmar, Laos, and Cambodia who smuggle to work in Thailand. Currently, the exact numbers are unknown [1].

Currently, Thailand has implemented measures to achieve the goal of employing legal foreign workers, and it is determined as 2 phases. The first phase is to allow all Myanmar, Lao, and Cambodian migrant workers to enter into the Kingdom and are living in Thailand to report themselves, make personal backgrounds, and specify personal identification for non-Thai citizens, then request for work permit [2]. The second phase is to change the status from the migrant workers who reported themselves and made personal backgrounds in the first phase to be those who entered into the Kingdom legally. The announcement shall be made to migrant workers from Myanmar, Laos, and Cambodia to prove their nationalities and certify the status as well as providing the personal certification or checking and affixing the seals for passport of the foreign workers of the employer to allow to stay in the Kingdom to change the status from being migrant workers to those who entered into the Kingdom legally, and they shall be permitted to work legally. Moreover, measure to bring new foreign workers to work legally under the MOU is specified as the government has signed with the Myanmar's, Laos', and Cambodia's governments for registering the migrant workers who are from Myanmar, Lao, and Cambodia. In each year, it is found that there are missing foreign workers from the attenuational system and become illegal foreign workers who are working illegally. Because migrant workers who are Myanmar, Lao, and Cambodia are missing from the attenuational system, the researcher is interested to study on the registration of the migrant workers who are from Myanmar, Lao, and Cambodia of the Office of Work Permit; Ministry of Labour to acknowledge the operational processes, results, and the problems on registering migrant workers under the processes whether how it is by choosing to study only on the registration process on the migrant workers who are Myanmar, Lao, and Cambodia [3].

Thailand has started to organize foreign workers and available the registration for foreign workers from 1992 until present. The government's actions in the past applied the law and Cabinet's resolution as a policy tool to effectively manage the foreign workers in order to secure the state and maximize the benefits to the country. Although the number of foreign workers has increased due to the demand of entrepreneurs and the economic development potential of the country, as well as the promotion of SME business, the government has seen a high level of economic growth, especially after 1987 onwards [4-5]. The result of this economic expansion created variety of careers, and as the result, there is a growing demand for labor. The reason for this is that Thai people have the opportunity to select works according to their needs, so some Thai workers do no choose to work in some fields until some Thai entrepreneurs are facing a shortage of labors whether in agricultural sector, industrial sector, and service sector. When Thai

entrepreneurs in such business sectors have high demand for labor but lack of labor, especially Thai workers; whereas, neighboring countries such as Myanmar, Laos, and Cambodia have many poor workers who do not have employment in the country but need to work, Thai entrepreneurs who face the problem on the lack of labor have requested the government to import these foreign workers from neighboring countries to work in those fields instead of Thai workers.

According to the Office of the Foreign Workers Administration (2016), it was found that foreign workers are allowed to work throughout the country under the Immigration Act, 1979 and the Alien Act, 2008 until the end of 2008. There were 790,664 foreign workers, divided into 2 groups: 288,353 legal foreign workers, calculated as 28.9%, and 562,311 illegal foreign workers, calculated as 71.1 percent of foreign workers from all over the country. From this proportion, illegal foreign workers are found to be more than the legal foreign workers for 333,958 people. However, in 2015, 1,544,904 foreign workers were granted work permits throughout the Kingdom. And, it can be found that, in 2014, the numbers are increased to 754,238 people, or calculated as 95.39 percent. It can be seen that there is an increasing trend of foreign workers from neighboring countries to come and work in Thailand.

From the above situation, itis easy to see that these problems will be eliminated in the future. We will have to integrate into the ASEAN community, so it is predicted that there will be a freedom on labor mobility [6-7]. If we do not have a good and adequate foreign worker management system, the problem of foreign workers in the future will be more serious than it is now. Dusit area is considered to be the area where many and variety of foreign workers come to work. This research has chosen Dusit area as a study area to find out how to develop an effective foreign worker management system accurately and clearly to meet the needs of the real stakeholders.

II. OBJECTIVE

1. To study the problem and quality of life of Lao migrant workers in Dusit area.
2. To study the needs of employing Lao migrant workers from employers in Dusit area
3. To seek for guidelines for the development of the Lao migrant workers' management system in Dusit area.

III. EXPECTED BENEFITS

1. To acknowledge the problem and quality of life of Lao migrant workers in Dusit area.
2. To understand the needs of employing Lao migrant workers from employers inDusit area
3. To propose guidelines for the development of the Lao migrant workers' management system in Dusit area.

IV. SCOPE OF THE RESEARCH

For the scope of research, the researcher has specified the scope of research by studying in the Dusit area, and the information providers are divided into two groups which are:

1. The Lao migrant workers who work in Dusit area. This group is divided into 2 types. The first group is workers who come to work illegally (information from the source is reserved) to ask for feedback, including the reason of choosing to work illegally as well as problems and obstacles. The second group is the migrant workers who come to the kingdom legally to ask for their opinions and reasons for choosing to come to work legally with work permit, including the problems and obstacles.
2. Entrepreneurs who work in Dusit area conducting SMEs by focusing on the business related to services.

V. RESULT

Important factors that foreign workers want to work in Thailand.

From the past, many foreign workers come to work in Thailand, especially workers in countries that have borders connected to Thailand. In recent years, these countries have experienced slower economic growth than Thailand. Moreover, there was the history of the political conflict in the past. This political factor is considered to be a major contributor to lead migrant workers to come to work in Thailand.

Political factors play an important role in migration, especially in terms of insecurity in life, such as the dictatorship of the military government, a military dictatorship, rejection of the opposition political party, suppress student movement during protests, and the struggle between ethnic minorities and the Burmese junta over the past 10-15 years as well as the violation of human rights in the country. In addition to the factors mentioned above, in Thailand, the other factor that has led to migration is the high economic growth in Thailand, which resulted in a shortage of workers in the industrial and agricultural sectors.

When this group of people is moved in a lot, other than the status of being a worker, the significance of being an illegal immigrant is also difficult to control. The Thai government began to panic and tried to deal with the phenomenon by using a perspective that began with problematic phenomena. The problem of the Thai government is based on two main issues: the need to deal with the problem of migrant workers to solve security problems, and the demand for unskilled labor to replace Thai workers that are shortage in some parts of manufacturing sectors.

In the latter part, there is a question whether the replacement workforce is needed to be a cheap labor or not. Thus, it is to response to the competitive advantage of entrepreneurs in Thailand. The important thing is that both of these needs have become an important concept in the management of migrant workers in Thailand over the past decade. However, under the circumstance that Thai society attaches importance to national security discourse that focuses on organizing to create peace within. The Thai government's policy towards migrant workers is discontinuous, hitching, and do not go in the same way. It is often used to reduce the number of migrant workers to the minimum, or there is a policy to push them back to their domiciles when there is an opportunity.

At the same time, with the status of a refugees, the Thai society's attitude towards migrant workers, together with the Thai government's management concept, is based on the concept of national security and the need to address labor shortages. It does not focus on the protection of foreign workers, so it means to give opportunities to do human rights violations, especially for labor rights, which are fundamental to the lives of these workers, are important foundations for a peaceful society.

Concepts of international migration

International Migration refers to the movement of large numbers of people across borders from their own country of residence or to other countries in order to live a long life to carry out the paid activities. Normally, the International Trarul Regulation determines that living in another place for one year is a migration (SupangJanwanich et. al, 1998,6 - 15). However, some immigrant workers can become settlers when they decide to settle down in the country where they live and work most of the time.

Migration can be classified into two categories: migration bynatural disasters and migration caused by acts of human hands. Other types of migrant workers include voluntary migration and forced migration, including refugee migration.

Neoclassical economists explained that human beings decide to migrate for economic reasons, so migrant workers are economic migrant workers. The major attraction for migrant workers is increased wages and job opportunities. In addition to pay rates, it also proposed that the choice to travel to any country depends on the difference between the gross national product (GNP) of the country of origin and the GNP of the recipient country. The variables that affect migration to work also include travel expenses and the type of work to be done.

Economists who perceive the influence of economic structure on migration have proposed structural causes that are attributable to economic factors in the recipient country of the migrant workers. Economic conditions in the recipient country where there is high-progress economic will develop as an economy with the primary structure of labor market. This must be a very advanced level, and it is also a profession that requires high skills with high severance, and it does not require physical force. At the same time, there is a secondary structure of the labor market, which is the secondary labor market. It does not require a professional job as it is focusing on the body and physical skills, and it provides lower wages payment. This is called 3Ds work which refers to dirty, dangerous, and difficult works in such society. The population of the country will try to develop themselves into the labor market in the primary level, so it is lack of labors to work in secondary labor market. Capitalism has made the capitalist labor market evolved into a two-tiered market like this. When capitalist countries grow to such economic conditions, it will have a condition that attracts workers from other countries with slower economic development to moving to seek jobs with a shortage of workers. Foreign workers often go to work where the citizens of that country do not want to do 3Ds works. And, from globalization condition, which links the economies of Europe, America, the Middle East and Asia Pacific, the migration direction of migrant workers from country of the origin to the host country which is central to the economy and information of the world is occurred. Moreover, World Systems make some cities and some countries grow as a core of the Capitalism. It is called "Global City." The economy of these cities and countries will develop into two economies that need the foreign workers to work in the secondary labor market system because their citizens want to work only in the primary labor market. Foreign workers from advanced economic countries are slower than the periplural countries that move into jobs in capitalist countries. However, the move is possible through the transportation. As the Global City attract foreign workers to go to work until there is the problem of heavy illegal immigration, the governments of these big cities have been trying to push the investment policies and manufacturing in the capitalist periplural countries instead.

Sociologists try to look at the phenomenon of cross-country migration in terms different from economists. Socio-economists considered that economic variables are only one component of the migration system. Migration is a system that encompasses economic, social, cultural, legal, and political factors. Migration is also a process that starts with the decision to leave the country of origin to the recipient country through the network of migrant workers in the country of origin, Network of Facilitation between Migration, Network of Migrant workers, and the employers who hired migrated in the recipient country. The migration process is divided into 3 major stages as follows:

The first step is the migration decision. The variables in this stage are the variables on the cause of migration. Important factors in this stage are the variables in the economic subsystem such as the

economic disadvantage of the migrant. That means, they have no right to occupy land or other manufacturing inputs, unemployment in the country of origin, higher wages and opportunity to work in destination countries. Political variants include the traditional relationship or relationship between the country of origin and the recipient country, such as colonization. Accepting migrant workers to live in the pass was to assign them to work in the works with a shortage of workers, and most of works were 3Ds work in a secondary labor market. For the variables in the social subsystem include being induced by acquaintances to migrate from the same family members, relatives, and local members, and the finding of news related to the migration from the culture variable which is the desirable value to work there, especially for young people in working age who will migrate to work in other countries. We call them as "goal digger," and it creates the new culture which is called culture of migration; whereas, the last subsystem is legal system. The important factor in this matter is the immigration law in the country of origin that encourage citizens to emigrate to work abroad without barriers or protectionist policies on exporting labors.

Second step, while migrating, there is a migration process which is consisting of travel cost, commission fee, and cost of each migrant's head that shall be paid to the manager and the facilitators.Variables in the political system include government policies to control the export of migrant workers or available for a private business that can compete. In this process, political variation refers to international integration for economic, commercial, or other reasons. This will result in easier movement of population in these countries. Variations in the social system include the employment system that exists both legally and illegally. Cultural systems include the relationship between the migrant and the broker, values, and personal trust rather than the state service in travel management.

Third step is the traveling to the destination country and able to stay in that country. The variable in this stage is the variable effect of the migration when immigrant workers arrive in the destination country and live by working in that country. The impact of migration on the economy is a higher employment and higher wages for migrant workers, the making of employment contract, which determines the length of time to work and live in the recipient country, sending money back home to a family or relative of a migrant worker as well as the economic activities that migrant workers carry out. The migration is continuing as an economic network that supports each other.

For the problem of foreign worker management system, currently, there are several organizations taking responsible for the management of foreign workers without working together in overview, and no organizations that are taking responsibility is unclear, so the system of foreign workers cannot be fully implemented. Information on foreign workers is not complete, and there are several related laws that many organizations are taking responsibility; hence, the operation is not unity. If this continues, the health, social, and economic security of the country could be affected, and the management of foreign workers in the future, which is difficult to amend or modify.

Supervision of migrant workers in the past

1. Policy failure, which is lack of long-term policy on foreign workers.
2. Existing policies have not responded to the actual situation of migrant workers. There is no clear policy that reflects the demand in the economy, including structural reform of the agricultural economy, production, and services.
3. Ineffective foreign worker'sregistrationsystem, and it is costly.
4. The process is quite complicated
5. The projects in the MOU system, lack of clarity, and it is expensive, especially the process of citizenship proving, as well as the employer's quota problems.

CONCLUSION

From this research the New Development Guidelines: The Ministry of Labor and related agencies have formulated a strategy to solve the problem of foreign workers for the whole system which is consisting of 7 strategies. The working committee in each strategy shall be appointed to work in each strategy for totally 7 committees, consisting of the representative from the related organizations, work on education, specify forms and operational methodology, the suggestion for the amendment, addition, related rules as well the budgets for the operation of each strategy under the Executive Committee for the whole system. Each member in the work group shall specify the operation measure for each strategy in order to manage and handle the foreign workers in order to connect and operate it continuously. I can be summarized as follows:

1. Strategy for the employment of foreign workers with the principle that is to adjust the status of illegal migrant workers who escape into the city in order to work as legal migrant by providing the opportunity for employers to accompany foreign workers to report and send the name list to the foreign workers' original countries to prove and certify their status for the further legalize.
2. Strategy for setting standards for hiring foreign workers with the principle to protect, monitor, and control the standards of foreign workers as well as Thai workers.
3. Strategy to prevent foreign workers from smuggling by using more frontier border forces with no more than a specialized infantry/cavalry battalion. For the inner-city communities, it is proposed to set up an

ad hoc unit consisting of all relevant units to work directly with the governor.

4. Strategy to suppress the prosecution of illegal migrant workers with the principle that is to increase the concentration of news by focusing on suppressing and arresting employers who act against laws.
5. Strategy to push and return foreign workers focuses on two increasing of operational performances. The first part is to set up a waiting center to accommodate 5,000 people in three areas such as Tak, Chiang Rai, and Ranong, because the existing quarantine facilities cannot accommodate the arrest that might be more than this in the future. The second part is the development of a migrant worker database to record systematically captured workers for effective control.
6. Strategy of public relations and organizing migrant workers to understand the policies and guidelines of the government in order to lead to the coordination of all parties to solve common problems.
7. Monitoring and Evaluation Strategy which establish a plan and metrics systematically. The evaluation will have the term of 1 year.

Under the new guidelines, this is a guideline that the current government has adopted to bring about significant results in solving the problems of migrant workers. In this section, the research team needs to study on the details to provide the correct guidance.

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