



# **MIGRANT WORKERS DURING THE PANDEMIC OF THE COVID-19 IN FISHERY AND FISHERY-RELATED SECTOR IN RANONG AND SONGKLA**



**MIGRANT WORKING GROUP**

**JUNE - 15 AUGUST 2021**

# WORK CONDITIONS, RIGHTS AND WELFARE OF WORKERS

	SEAFOOD FACTORY	FISHERY	FISHERY-RELATED
<b>Work Conditions</b>	<ul style="list-style-type: none"> <li>In-compliance with Thai labour law</li> <li>weekly day off (no payment)</li> <li>scheduled working hours and OT</li> </ul> <p>during COVID-19 pandemic: affected from company closure for 14 days</p>	<ul style="list-style-type: none"> <li>uncertain working hours depending on amount of aquatic animals</li> <li>do not use weekly day off (e.g. vessel 15 days and stay on land 2 days)</li> <li>work in a situation that is risky and difficult to inspect</li> </ul> <p>during COVID-19 pandemic: No effects. Vessels depart normally.</p>	<ul style="list-style-type: none"> <li>uncertain working hours</li> <li>weekly day off (no payment)</li> <li>piece-rate payment/ hour-rate payment are insecure employment.</li> </ul> <p>during COVID-19 pandemic: Ranong: uncertain and decreased working days/hours Songkla: no effects on employment / have quarantine</p>
<b>Wage</b>	<ul style="list-style-type: none"> <li>receive daily minimum wage</li> <li>pay twice a month</li> <li>receive income by Bank account</li> </ul>  <p>during COVID-19 pandemic: compensated by Social Security/receive normal wage</p>	<ul style="list-style-type: none"> <li>Wage is more than Minimum wage.</li> <li>pay by calculating only days when vessels depart from the port</li> <li>pay a lump sum before departure/ pay monthly</li> <li>often pay in cash</li> </ul> <p>during COVID-19 pandemic: COVID treated crews do not receive compensation.</p>	<ul style="list-style-type: none"> <li>For piece-rate/ hour-rate/ animal-weight-rate payment workers, income is unstable depending on productivity.</li> <li>A day worker wage is equal to minimum wage.</li> <li>pay in cash</li> <li>pay daily/weekly or as agreed</li> </ul> <p>during COVID-19 pandemic: Ranong: decreased income due to decreased work/ working days/ working hours Songkla: no compensation for quarantine</p>
<b>Rights and Welfare</b>	<ul style="list-style-type: none"> <li>register for Social Security</li> </ul>  <p>during COVID-19 pandemic: Social Security/offered by company</p>	<ul style="list-style-type: none"> <li>no Social Security</li> <li>have crews' welfare arranged by vessel owners</li> <li>have health insurance (Workers pay by themselves)</li> </ul> <p>during COVID-19 pandemic: cannot access to income compensation</p>	<ul style="list-style-type: none"> <li>Some workers cannot access Social Security.</li> <li>Employers often do not register Social Security for Section 64 workers and informally employ workers which is not compiled with the law.</li> <li>have health insurance (Workers pay by themselves)</li> </ul> <p>during COVID-19 pandemic: cannot access to income compensation</p>

"During this wave of the pandemic, day-off is uncertain. Some weeks have 1-2 day-off and once 7 day-off. There is no payment on the day off. At 6 PM, the employer will call if there is work tomorrow. If not, they will not call. I wait for their call every day. I have to be patient during this time. There is no work from another employer like previously."  
(fisher-related workers in Ranong)

"This wave of the pandemic immensely affects me. Work decreases. On some days I got only around 100 Bath. Sometimes, there is no work, yet I have to go to the factory. If not, the supervisor will insult us. I go to work late than usual. I arrive at the workplace at 8 AM to see if there are squids. If not, I return home. There is no work at other places as well."  
(squid selecting factory workers in Ranong)

Vessel owners do not pay compensation as the crews's rights mentioned in the announcement of the ministry.

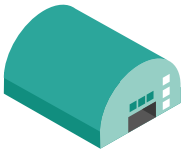
1. not register for social security  
2. register for social security but cannot access to the benefits  
\*Migrant workers do not understand the benefits and welfare from Social Security.

## OBSTACLES FROM METHODS AND CONDITIONS OF SUBMITTING A REQUEST TO COMPENSATION FOR NORMAL UNEMPLOYMENT /UNEMPLOYMENT DUE TO FORCE MAJEURE

- (1) Cannot claim normal unemployment benefits on the online platform because the website receives Thai ID numbers only
- (2) Requesting forms and documents are mostly in Thai.
- (3) Claiming for unemployment due to Force Majeure, employers have to be responsible for the documents.
- (4) Employers do not submit a request because of the complicated methods or no recognition of workers lack income from decreased working days/working hours due to COVID.
- (5) Conditions for claiming compensation for unemployment are not relevant to working/ unemployment/ income conditions of fishery-related workers. They are not laid off but decreased working days/hours and working load.

# SEAFOOD PROCESSING COMPANY (BUBBLE & SEAL POLICY)

## MIGRANT WORKERS MANAGEMENT AND WELFARE DURING PANDEMIC

	Company 1 (closed by provincial order)	Company 2 (closed by themselves for COVID control)
income compensation	social security compensation for unemployment due to Force Majeure	receive normal wage during the company closure
company reopens 	After 14 days of closure, the company reopens as regular. Workers work regularly and live normally.	<ul style="list-style-type: none"> <li>- High-risk workers who quarantine receive normal wages while those who come to work receive extra payment (because of their workload as some remain quarantine). "5- 31 Jul 21 - receive extra 1 time 1- 31 Aug 2021 - receive extra 0.5 times"</li> <li>- Workers who live outside the company have to travel only from the home - company directly. They can buy food in only an agreed shop.</li> </ul>
Vaccine	Social Security Management	free alternative Vaccine offered by company
Bubble and Seal	<ul style="list-style-type: none"> <li>- Thai workers stay at their residence.</li> <li>- Migrants stay at the company dorm.</li> <li>- received inadequate rice and food, expired fresh chicken, later replace it</li> <li>- NGO cannot provide relief package because of no entry regulation</li> <li>- Price of fresh food from a food truck allowed to sell in the company is high.</li> <li>- Quarantine space is crowded. The toilet is unclean. The face mask is inadequately provided.</li> </ul> <p><i>"We got an egg for each and one bag of milled rice for 4 people." (Worker' company 1 posted this message and photo in their social media)</i></p>	<ul style="list-style-type: none"> <li>- Thai workers stay at their residence.</li> <li>- Migrants stay at the company dorm.</li> <li>- The company orders ready-to-eat food 3 meals per day.</li> <li>- The food is cooked according to Myanmar workers' eating culture.</li> </ul>

## OVERVIEW OF DISEASE CONTROL AND ACCESS TO HEALTHCARE

<b>QUARANTINE MEASURE TO CONTROL COVID</b>	<ul style="list-style-type: none"> <li>- Measures of travel restriction were enacted more severely to migrants than Thais.</li> <li>- Bubble and Seal was enacted with mainly migrant workers</li> <li>- To force the crews to stay on a vessel is more strict to migrant workers than Thais.</li> </ul>
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### RIGHTS TO HEALTH CARE



### COVID-19 TEST AND TREATMENT

- Migrant workers can access COVID screening, tests and treatment.
- If there is a case, the province will proactively test in the area.
- In the risk area for spreading in Ranong, employers and residences owners will be asked to accompany migrant workers to get tests.
- Fishery-related workers in Ranong avoid getting a test and conceal information because of income issues. There is no compensation.

### VACCINE

#### RANONG

- Migrants can be vaccinated after Thais.
- Private sector is allowed to arrange alternative vaccination for their workers.
- On 23 July 2021, it is reported that the entrepreneur arranged the alternative vaccination for factory and fishery-related workers both Thai and Myanmar for free.



#### SONGKLA

- N/A information about vaccination policy for migrants
- Over 300k Thai/migrants register for SSO vaccination
- Private sector is allowed to arrange an alternative vaccination for their workers.
- Vessel owners express their interest in reserve alternative vaccine.
- All informative fishery-related workers are not notified by employers about vaccines.

### FACTORY MANAGEMENT METHOD

- create a manual of good practices in protection and control the pandemic of the COVID-19 for large factory
- The state should have a measure to oversee and examine the protection and control of the pandemic in factory and dorm

### IMPROVE LABOUR RIGHTS

FISHERY AND FISHERY RELATED INDUSTRIES

- have a measure to compel and examine working contracts upon legal standards. Workers must have access to and understand contracts.
- The welfare department must examine working conditions to follow the working contracts.

### SOCIAL SECURITY

- enact regulations that employers who employ Section 64 workers in the fishery-related sector to register them for Social Security immediately
- assign a committee that consists of the employer, employee, and local CSO to examine and make a decision on approving normal unemployment and due to Force Majeure according to their area context, working and unemployment condition, lack of income and approve the retroactive submission

### ASSISTING COMMITTEE

assign a provincial committee to receive a complaint, provide assistance to workers during the pandemic in order to increase efficiency in worker management, COVID screen and control, healthcare guarantee, and labour rights protection

### QUARANTINE MEASURE TO CONTROL COVID

The responsibilities of employers to employees during quarantine/ treatment

- arrange adequate facilities, food, consumer goods for employees, and health care measures
- for quarantine in an arranged place, facilitate employees to contact with their family and other people e.g. free internet service, top-up balance, and take care employees' family
- pay a rental fee if employees rent a room for quarantine and pay for COVID test if request employee to test before returning to work
- day off for quarantine is considered sick leave

### ACCESS TO VACCINE

- Vessels are not suitable for quarantine due to unsanitary and difficult access to emergency treatment. Vessels' crews should be quarantined at a port.
- In the vessels, crews need to swab their positions so social distancing is impossible. Crews have a high risk so vaccines must be urgently distributed.

### COVID-19 TEST AND TREATMENT

- COVID-risk workers must have access to ATK or RT-PCR test free and immediately.
- ATK tested with positive detection, to confirm, must have free access to RT-PCR immediately.
- confirmed patients must have access to treatment upon local authority's policies free and immediately.
- employees must receive income or compensation for lacking income when they do not go to work because of quarantine or treatment.

### ACCESS TO VACCINE

- the state must have a clear policy on vaccination for migrants.
- have a vaccination registration system for migrant workers in workers' language.
- have the policy to encourage employers to provide alternative vaccination to migrants.

