

Chapter 4

Research Finding

4.1 Migration

4.1.1 Demographic Characteristics of Myanmar Migrants

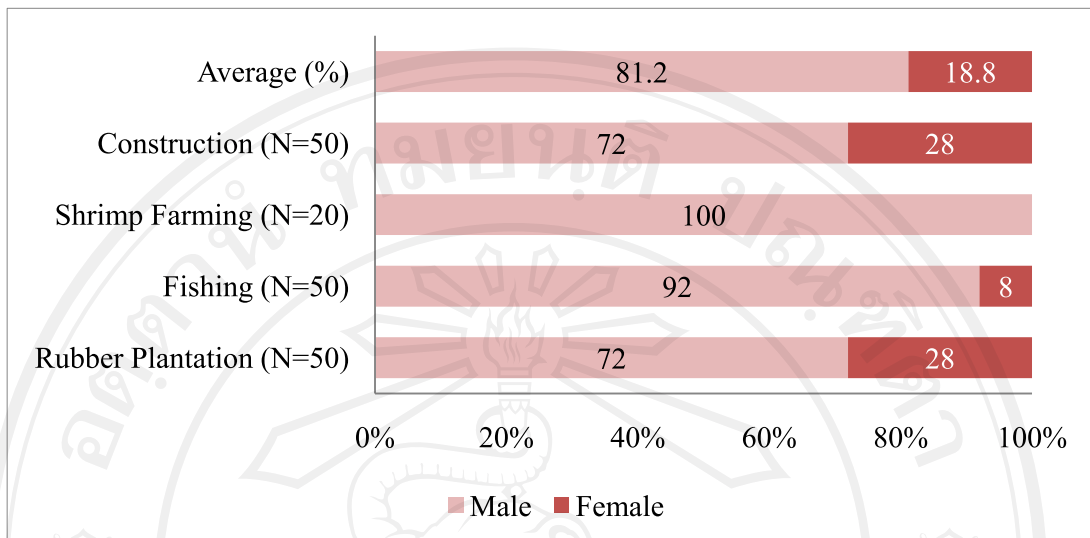
Gender: All migrants interviewed in shrimp farming were males. Most females in this sector were housewives. Even though the number of females in rubber plantations was lower than males, they were working as a household. In fish processing however slightly more males than females were recorded. All of those surveyed on fishing boats were male workers. Unlike those three sectors, the reason for the number of females being less was because of lack of jobs available for them.

Table 4.1: Migrant Gender (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Male	72.0	92.0	100.0	72.0	81.2
Female	28.0	8.0	0.0	28.0	18.8

Source: Field survey (2009)

Figure 4.1: Migrant Gender (%)



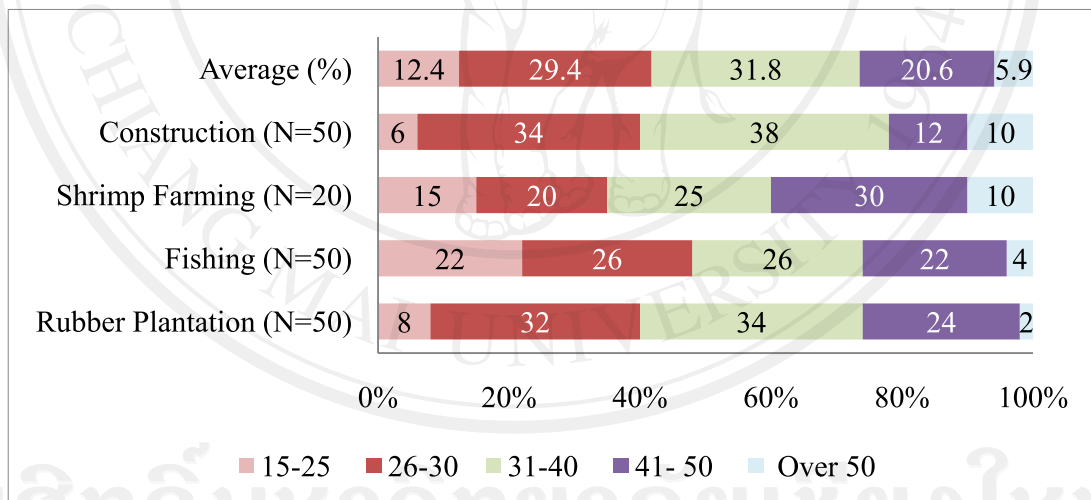
Age: By and large, migrants of Myanmar origin surveyed were in the younger age groups. The youngest workers were 18 years old in this survey. A small proportion of workers aged 25 and below was found. Most of their marital statuses were married except those working on the fishing boats. Even though children below age 15 were not regular employed, they were helping their parents in the work sectors especially in rubber plantations, fish processing and shrimp farming. Three age groups, 26-30, 31-40 and 41-50 were split quite evenly across the sectors.

Table 4.2: Migrant Age (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
15-25	8.0	22.0	15.0	6.0	12.4
26-30	32.0	26.0	20.0	34.0	29.4
31-40	34.0	26.0	25.0	38.0	31.8
41- 50	24.0	22.0	30.0	12.0	20.6
Over 50	2.0	4.0	10.0	10.0	5.9

Source: Field survey (2009)

Figure 4.2: Migrant Age (%)



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4.1.2 Socio-economic Characteristic

Ethnicity: Phan-Nga is well known as an area of predominantly Myanmar workers. In comparing the ethnicity of migrant workers in the four sectors, the rubber plantation workers were predominantly Mon people, followed by Dawei¹, as the major ethnicities employed. Fishing and shrimp farming have mostly Dawei migrants. Construction was split quite evenly between Mon and Dawei migrants. There were a small number of Karen, Rakhaing and Burma ethnicities employed in these four sectors.

Table 4.3: Migrant Ethnicity (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Mon	52.0	14.0	25.0	40.0	34.1
Dawei	34.0	66.0	65.0	48.0	51.2
Other	14.0	20.0	10.0	12.0	14.7

Source: Field survey (2009)

Education level: The bulk of Myanmar migrants in Phang-Nga had a primary or secondary education level. The reason for attracting migrants is the rural nature of the economy of the province, where the demand for low skill labor is widespread. People across the border with low education found their services usable in the areas. On the other hand, this province has economy homogeneity with Tenasserim Division and Mon State especially, having rubber plantations and fishing.

¹ Dawei is Burma sub-ethnic who live in Tenasserim Division, the Southern Part of Myanmar.

Surprisingly, the studied found that the number of migrants with no education is lower than those with high school or higher education level from those surveyed. Those with no education were found in the elder age group. Most parents support their children until the level of being able to read and write only. Thus, primary education was predominantly average for 52.4% of the number of interviewed. In Myanmar education, primary education is a sufficient level for a student to be able to read and write Myanmar language.

Table 4.4: Migrant Education Level (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Did not attend school	16.0	0.0	0.0	4.0	5.9
Primary	60.0	44.0	75.0	44.0	52.4
Secondary	4.0	38.0	10.0	40.0	25.3
High school or higher	16.0	10.0	0.0	12.0	11.2
Other	4.0	8.0	15.0	0.0	5.3

Source: Field survey (2009)

Ability to speak Thai: Ability to speak Thai language was surveyed to determine migrants' communication with their Thai employers and moreover with others in the communities who could probably assist them if they faced problems in the workplace. About 59.4% across four sectors spoke some Thai words. For those 18.8% who spoke Thai language very well typically were migrants who migrated to Thai when they were children or teenagers. Migrants who could speak Thai well were

mostly key persons between the Thai employers and migrant workers in their workplace. Some were leaders in the workplace. Moreover, they were trusted by Thai employers as well as got more benefits than other migrant workers in the workplace. Interestingly, in rubber plantation and construction sectors more than a quarter of migrant workers could not speak Thai at all.

Table 4.5: Migrant Ability to Speak Thai (%)

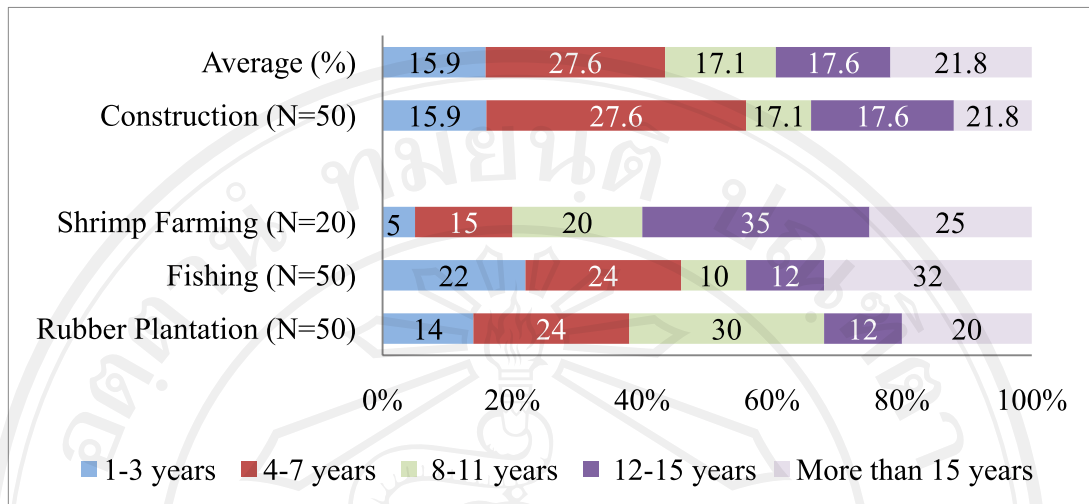
Question: How would you rate your ability to speak Thai?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Cannot speak Thai	26.0	16.0	0.0	32.0	21.8
Can speak some Thai words	54.0	64.0	100.0	44.0	59.4
Very well but not as Thai	20.0	20.0	0.0	24.0	18.8
Fluent like Thai	0.0	0.0	0.0	0.0	0.0

Source: Field survey (2009)

Years working in Thailand: For those who could not speak Thai or couldn't speak some Thai words, they found it extremely difficult to communicate when they got sick, as well as when they had problems in their workplace. A considerable number of Myanmar migrants were not interested in learning Thai language. Even though they were working in Thailand for many years, their Thai language skills had not improved because migrants resided mainly with their own communities.

Figure 4.3: Year of working in Thailand (%)



4.1.3 Motivation for Migration

The most important variable driving international migration is migration networks, or contacts with family members and possibly neighbors, who have previously migrated (Taylor, 2006). From the number of immigrants surveyed, 68.2% of them migrated because of this kind of association. In rubber plantations, 30% of the workers moved to Thailand because they followed their families. This was especially true for females. Considerable female migrants in this area migrated to follow their spouses. Jansen noted that many people, if given the choice between two places, would prefer going to one where they already had relatives or friends or even acquaintances of their own friends (Jansen, 1970). On fishing boats, most young migrants moving to Thailand because of an association with friends.

Table 4.6: Association in Thailand (%)

Question: Do you have any Association in Thailand?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Yes	66.0	66.0	80.0	68.0	68.2
	N=33	N=33	N=16	N=34	
Family	30.0	24.0	45.0	18.0	26.5
Friend	6.0	32.0	35.0	4.0	16.5
Relatives	22.0	10.0	0.0	32.0	18.8
Other	8.0	0.0	0.0	14.0	6.5

Source: Field survey (2009)

The decision to move and the choice of destination were affected by the differences of the existence of income or employment opportunities between the place of origin and of destination (Jansen, 1970). Migrants in Chiang Mai and Mae Sot² stated that they left Myanmar largely as a consequence of war and government policies which affected the economy and their families. They expressed a life where they were hardpressed to meet their most basic needs as a result of the near-half century of military conflict and the State Peace and Development Council of Burma (SPDC) economic policies. Moreover, people migrated because of practices including forced labor, portering, relocation, fixed pricing, imposed compulsory crops and arbitrary taxes (Panam, Zaw, Caouette and Punpuing, 2004).

² Migrant workers in Chiang Mai and Mae Sot were mostly from Shan State and some were from Karen State.

Table 4.7: Reason for Migrating to Thailand (%)

Question: What cause you migrate to Thai?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Insufficient income	50.0	54.0	35.0	18.0	40.0
unemployed	28.0	18.0	35.0	42.0	30.0
For higher income	8.0	14.0	20.0	30.0	17.6
Other	14.0	14.0	10.0	10.0	12.4

Source: Field survey (2009)

In Shan State, there were the most empower anti Myanmar military government groups. Thus, number of government troops was high. Although there were small groups of anti Myanmar military government in Mon State and no anti Myanmar government groups in Tenasserim Division, but motivation that drove Myanmar migrants migrated in Phang-Nag was poverty. 40% of migrants migrated because of insufficient income in their place of origin. 30% migrated because of unemployment in their place of origin. Migrants consider the various labor market opportunities and choose the one that maximizes their expected gains from migration (Todaro and Smith, 2003). Migrants who migrated for the motivation of higher income stated that:

“Before I migrated to Thailand I thought that I will earn a higher income than in my place of origin. The reality was contrary to what I had thought. Not only could I not send home a remittance, but my income is sometimes even insufficient for myself.” (Migrant, 25 year old male, Mon, Construction worker).

81.2% of Myanmar migrant workers in four sectors (fishing, construction, shrimp farming and rubber plantation) were male. Most of them were in the 26-50 year old age group. Mon and Dawei ethnicities are considerably represented in this study. Migrants migrated because of insufficient economic situations in the place where they came from. They migrated because of the association with family, friends and relatives rather than association from others.

The Myanmar migrants in this study worked in four sectors of employment: fishing, construction, shrimp farming and rubber plantation, and most were male. Most of them were in the age range 26-50; a productive age and most were of Mon and Dawei ethnicity. It was found that the migrant workers has migrated due to the poor economic situation in their place of origin. They migrated due to an association with family, friends or relatives, rather than an association with others.

4.2 Decent Work

This research examined the comparison of key indicators of exploitation and decent work. On the other hand, the study compared the case between Phang-Nga province and ILO research which has been done in Bangkok. Since this study of key indicators of exploitation was adopted from ILO research, to see whether the indicators of exploitation cases in Phang-Nga is serious or not when compared to ILO research. ILO focuses on four sectors (fishing, manufacturing, agriculture and domestic migrant workers) in Bangkok and its vicinities.

4.2.1 Force to Work

The majority of this study did not mainly focus on migrants' age groups. Thus, those surveyed were randomly selected. None of the migrant workers from the surveyed sample were forced to work against their will or forced to work under certain conditions by someone, not even by family members. Most migrants aged below 25 years old were married except some on the fishing boats. By of the nature of being married they were willing to work because of the responsibility of being a household head. For those single status migrants in the fishing boat sector, they work by their own free will.

Table 4.8: Number of Migrants Below Age 25 (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
15-25	8.0(4)	22.0(11)	15.0(3)	6.0(3)	12.4

Source: Field survey (2009)

4.2.2 Constraints Preventing a Migrant from Leaving Their Job

With regard to the very broad question, 'Is there anything preventing you from leaving this job if you wanted to?' and questions regarding constraints preventing migrants from leaving their job, freedom of movement, violence, control over documents, long working hours with insufficient rest or sleep and no pay, these were sensitive question and few respondents answered them. Some were not willing to answer. (UN, 2009).

Beyond the question of being forced to work or not, lies a more considerable question of what prevents a migrant from leaving their job. Constraints preventing migrants from leaving their job illustrated that migrants feel that they cannot leave or show fear or anxiety (UN, 2009).

Under the sub-title of ‘fair treatment at work’ from the International ILO Convention on Decent Work, called ‘freedom to complain’ according with sub-title of force labor called ‘freedom to change job’ are described as follows:

“‘Freedom to complain’³ means you should know whom to turn to for help in case of discrimination. Whenever you ask questions about discrimination or file a complaint you shall feel protected against intimidation and against being dismissed.”

“‘Freedom to change job’⁴ means employers have to allow you to look for work elsewhere. If you do, you should not be shortened on wages or threatened with dismissal. (In the reverse cases international law considers this is forced labor).” (ILO Convention, 2009).

A slight number of migrants in all sectors from the sample size 25.3% had constraints on leaving their current jobs. 74.7% of Myanmar migrants in this study area reached the minimum rights according to the above description of ‘freedom to complain’ and ‘freedom to change job’. 40% of migrants in construction, 34% in fishing and 12% in rubber plantation experienced constraints that prevented them from leaving their current jobs.

³ ‘Decent Work’ ILO Convention 111 (1958) and 100 (1952): this is under the subject of fair treatment at work

⁴ ‘Decent Work’ ILO Convention 29 (1930) and 105 (1957): under the subject of forced labor

Different sectors met with different types of constraints on leaving their workplace. There was correlation beyond the series of constraints on leaving workplace. In rubber plantations, for 8% of workers, constraints were the result of the employer owing them money and another 4% did not get the full amount of payment due them. They were afraid to ask for payment from their employer because of fear that the employer might use violence against them. 8% of workers in this sector had faced this problem. Faced with these kinds of problems, why did they not quit their jobs? Because they had nowhere else to go. Surprisingly, there was no significant incidence of this problem found in shrimp farming. A male migrant who has constraints on leaving his workplace expressed following:

“I haven’t gotten full payment for the work I have done for many months. Nevertheless, I did not dare to report the to authorities or ask for the money from my employer because I am afraid my employer will use violence against me if he got mad. I heard many stories about migrants being killed for the reason of being against their employer. Even though it has never happen on this site yet, I am scared this thing will happen to me. Despite this, payment in the rubber plantation sector is higher than other kinds of work.” (Migrant, 37 year old, Male, Mon, rubber plantation worker).

In fishing, 10% of migrants constraints on leaving were because they did not get paid for the work they had done, 6% were because their employer owed them money and 24% were because of having debt with their employers. More significant numbers of migrants in fish processing were in debt to their employers. 18% of migrants constraints on leaving in the fishing sector were the result of the employer having their original ID documents, retained so that they could not leave their job.

However, 16% of them stated that it is difficult to find another job. The other 2% were because employers might block their way in searching a job.

In construction, 32% of migrants had not gotten paid for the work they had done, 24% were in debt to their employer and 28% had employers who owed them money. Under ‘pay back loan’⁵, the situation when you do not receive any pay, since you still have not yet fully paid back the personal loan provided by your employer, is considered to be forced labor.” Among the four sectors, construction migrant workers had the most substantial number of this type of case.

Constraints preventing them leaving their current jobs were because of the fact that employers had retention of their original ID documents. This was true for 32% of workers. 8% were afraid of being arrested by authorities. Their registration meant they had to stay with this employer in 4% of cases; migrants cannot work in any other place nor work part time with a different employer. On the other hand, the reason for still working with this employer was that 24% had nowhere else to go and 40% stated that it was difficult to find another job.

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⁵ ILO Conventions 29 (1930) and 105 (1957) one of the specification of the qualifications of ‘force labor’.

Table 4.9: Constraints on Leaving Current Job (by sector) (%)

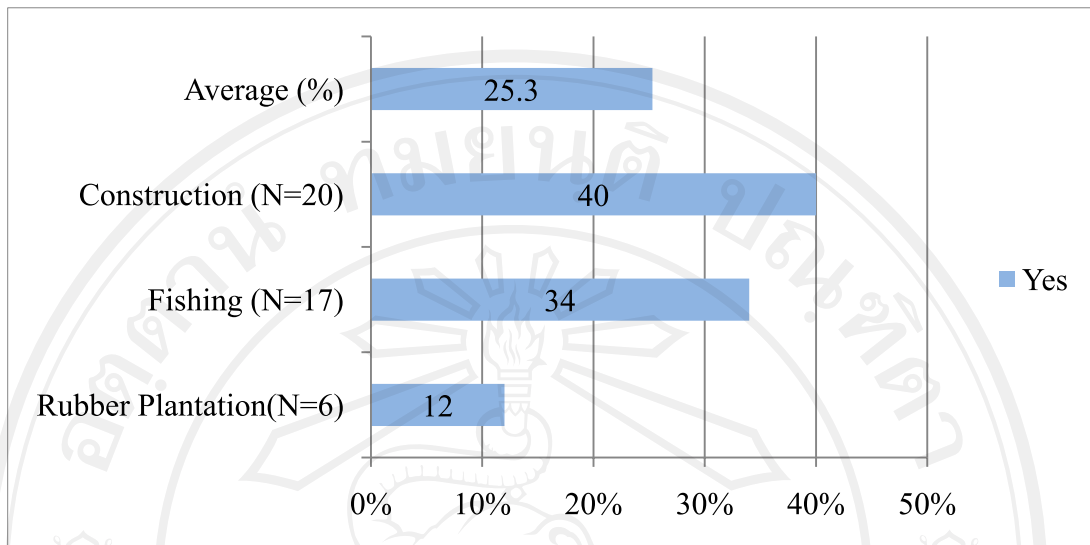
Question: Are there any constraints on you leaving this job if you want to?

If yes, what are the reasons?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Construction (N=50)	Average (%)
Yes	12.0	34.0	40.0	25.3
	N=6	N=17	N=20	
Debt to employer	0.0	24.0(12)	24.0(12)	14.1
Employer might report me to the authorities	0.0	0.0	8.0(4)	2.4
I won't get paid for the work I have done	0.0	10.0(5)	32.0(16)	12.4
Employer might use violence against me	8.0(4)	0.0	0.0	2.4
Registration means I have to stay with this employer	0.0	0.0	4.0(2)	1.2
Employer has my documents	0.0	18.0(9)	32.0(16)	14.7
Difficult to find another job	0.0	16.0(8)	40.0(20)	16.5
Afraid of being arrested by police	0.0	0.0	8.0(4)	2.4
Nowhere else to go	8.0(4)	0.0	24.0(12)	9.4
The employer owes me money	8.0(4)	6.0(3)	28.0(14)	12.4
Other	4.0(2)	2.0(1)	8.0(4)	4.1

Source: Field survey (2009)

Figure 4.4: Constraints on Leaving Current Job (by sector) (%)



Comparison with ILO research (2006): When compared to ILO research of 30.3%, this study has only 25.3% of migrants who feel constrained from leaving their job. As far as constraints on leaving their job, the cases in these two areas were different. In Phang-Nga, a considerable number 16.5% of migrants found it difficult to find other jobs, 14.7% had employers who had their documents and 14.1% were in debt to their employer.

For the ILO research, a considerable number 12.2% of migrants were afraid of being arrested by police because 33.1% of them were not registered migrant workers. 8.8% found it difficult to find other jobs. Even the average percentage number has not higher than ILO research, but when we look at number of series cases, Phang-Nga was significantly higher than the ILO research which caused constraints on Myanmar migrants leaving their current jobs.

Table 4.10: Comparison of Constrain on Leaving Job between Phang-Nga and Bangkok (ILO research) (%)

Migrant Responses	Average (%) Migrants in Phang-Nga (N=170)	Average (%) Migrants in Bangkok and its vicinities (N=375)
Yes	25.3	30.3
	N=43	N=114
Afraid of being arrested by police	2.4	12.2
Difficult to find other jobs	16.5	8.8
Employer has my documents	14.7	6.9
Nowhere else to go	9.4	6.6
Employer might report me to authorities	2.4	6.1
Afraid of being sent home	0.0	4.3
Debt to employer	14.1	2.7
Registration means I have to stay with this employer	1.2	1.9
Employer owes me money	12.4	1.3
Employer might use violence against me	2.4	1.1
Employer might use violence against those close to me	0.0	0.8
Debt to recruiter	0.0	0.8
Personal debts	0.0	0.8
I will not be paid for the work I have done	12.4	0.5
Other	4.1	0.5

Source: Field survey (2009) and ILO (2006)

4.2.3 Retention of ID Documents by Employers

For registered migrants there are two kinds of cards that they hold. For those who have a work permit, it is possible to apply for a health card. All registered migrants were entitled to use services in the public hospital when they got sick. They were entitled to pay 30 baht for general sickness plus free medicine. For those

migrants who did not hold a health card, it was because their employers did not apply for them.

Table 4.11: Kind of ID Document Migrants Hold (by sector) (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Work permit	100.0	100.0	100.0	100.0	100.0
Health card	58.0	76.0	100.0	100.0	80.6

Source: Field survey (2009)

Retention of ID documents means migrants were afraid of revealing their immigration status, or they were not in possession of their passports or other travel or identity documents, as those documents are being held by someone else, lack basic training and professional licenses (UN, 2009).

“No passport or ID’ indicated as you should hold your own passport or ID. Not your employer. (One of the indicators of forced labor is whether the worker can freely use their passport or ID. Too often still, especially in the context of migration, the employer confiscates this personal document. Whenever this happens it is a matter of forced labor.)” (ILO Convention, 2009)

All migrant workers from the surveyed sample size were registered migrants. The reason is that only registered migrants were willing to answer the questions. The failure to hold the original of their identification documents starts a negative chain of events for migrants. Thereby, those workers who have the legal

status to stay and work in Thailand, still fear being arrested if they leave the work place.

38.2% of all migrants in the four sectors (rubber plantation, fishing, shrimp farming and construction) did not hold their original ID documents. As cited in International Labor Standard, Section 18 of the Working of Aliens Act 1978⁶ registered migrants are required to personally retain their original work permit. Despite this, 38.2% of the sample size of registered migrants across all sectors stated they did not hold their original ID documents and their employers were not meeting the minimum standard of decent work under the sub title of ‘freedom to complain’ and ‘freedom to change job’. In the fishing sector, migrants working on fish processing were less likely to have access to their documents than those working in fishing boats.

Table 4.12: Retention of ID Document by employer (by sector) (%)

Question: Do you hold your original ID document?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
No	12.0	68.0	15.0	44.0	38.2

Source: Field survey (2009)

⁶ The employment of migrant workers, including those under the current registration scheme, is regulated by the Working of Aliens Act 1978. This is clearly stated by Muntarbhorn, V., *The Mekong Challenge: Employment and Protection of Migrant Workers in Thailand: National Laws/Practices versus International Labor Standards*, International Labor Organization, Bangkok, 2005.

Migrants were also asked if they could obtain their documents (from their employer) if they wanted them or needed them. Migrants working in fishing have the most limited access to their original documentation. Only 36.9% of migrants across all sectors were unable to get their original documents when they wanted them or needed them. Migrants working in construction industry 54.5% are more likely to feel bound to their employer and their worksite, due to the failure to have access to their original ID documents.

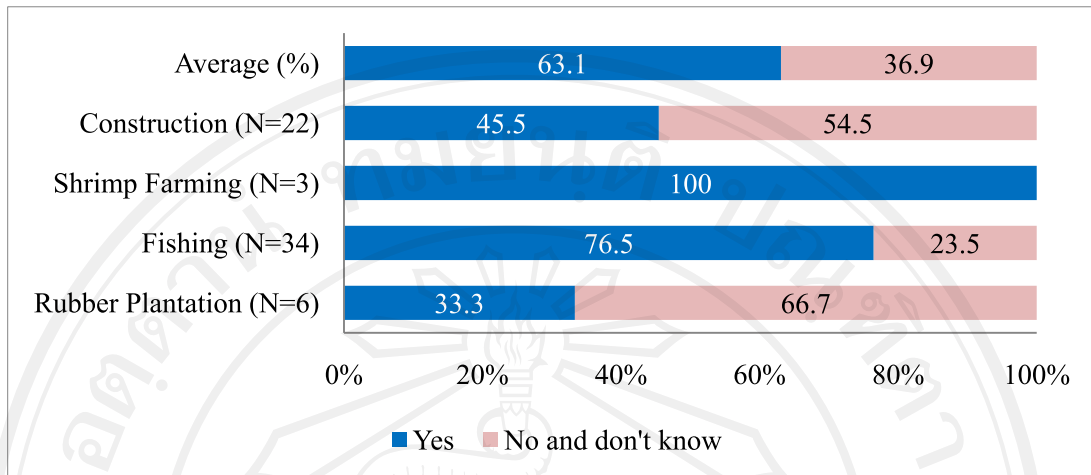
Table 4.13: Retention of ID Document by employer (by sector) (%)

Question: If you do not hold your ID document, can you get it when you want them?

Migrant Responses	Rubber Plantation (N=6)	Fishing (N=34)	Shrimp Farming (N=3)	Construction (N=22)	Average (%)
Yes	33.3	76.5	100.0	45.5	63.1
No and don't know	66.7	23.5	0.0	54.5	36.9

Source: Field survey (2009)

Figure 4.5: Retention of ID Document by employer (by sector) (%)



Comparison with ILO research (2006): According to ILO research (2006), 29.8% of migrants did not hold their original ID documents. Of migrant workers in this study, 38.2% did not hold their original ID document, whereas 40.2% of migrants from ILO research could not get their ID document when they wanted or needed to, which was slightly higher than in this study 36.9%. The consequence of employers retention of ID documents are that it is easy for them control the workers. In addition, employers believe that by keeping the workers original ID, this will reduce problems for them.

Table 4.14: Comparison in Retention of ID Document by employers between Phang-Nga and Bangkok (ILO research) (%)

Migrant Responses	Average (%) Migrants in Phang-Nga (N=170)	Average (%) Migrants in Bangkok and its vicinities (N=375)
Yes Do you hold your original ID document? (No)	63.1	29.8
	N=65	N=92
If 'No' (to above) can you get the ID document when you want them?	36.9	40.2

Source: Field survey (2009) and ILO (2006)

4.2.4 Freedom of Movement

Freedom of movement indicated the condition of being unable to move freely. This also uncludes migrants who are unable to leave their work environment or never leave the work premises without their employer or show signs that their movements are being controlled, or that they allow others to speak for them when addressed directly (UN, 2009).

An average 86.5% of migrants in this study stay in their work place. Substantial numbers of migrant workers of all sectors stayed in the workplace (on-site) except a slight number of those in fishing who did not stay on-site. Significantly, 100% of workers in rubber plantation and shrimp farming sectors stayed in the workplace (on-site).

Table 4.15: Freedom of Movement (by sector) (%)

Question: Do you live in the workplace (on-site)?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Yes	100.0	62.0	100.0	92.0	86.5

Source: Field survey (2009)

The question of do you live in the workplace alone is insignificant in proving that migrants were unable to move freely. The subsequent questions might include ‘Can you choose to live off-site?’. Although ‘decent work’ did not explain about this subject, substantial numbers of workers (80% of rubber plantation and 100% of shrimp farming workers) were unable to choose to live off-site. Conversely, migrants in the fishing sector were free to choose to live off-site.

Even if they cannot choose to live off-site, this alone does not mean migrants were controlled by their employer. Thus, the following question might ask ‘If you live on-site, can you go out when you want to?’ Only shrimp farming workers answered substantially that they cannot live on-site when they want to. The consequence of it was the condition of work. Shrimp must be paid attention to 24 hours a day or else they will die and employers will lose profit. Workers did not earn their incentive from catching shrimp. They were allowed to go out when they had someone replace them when shrimp had been caught. In fishing, a few 0.2% migrants were under employer control.

Table 4.16: Freedom of movement (by sector) (%)

Question: Can you choose to live off-site?

If you live on-site, can you go out when you want to?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Can you choose to live off-site?					
No and Not applicable	80.0	16.0	100.0	44.0	52.9
If you live on-site, can you go out when you want to?					
No	0.0	0.2	100.0	0.0	11.8

Source: Field survey (2009)

A small number of workers in shrimp farming and fishing were not allowed to go outside by employers. Although migrants in construction has no access to unable to move freely, but their employers were not allowed or dislike outsider visit the workplace 28%. Some indicated they were by employers and some described employers were legally responsible for the migrants who register with them. Unlike construction, employers in shrimp farming did not allow outsider visits as a consequence of protecting their farm. Nevertheless, 16% of fish processing migrants were totally under control of their employer.

Table 4.17: Reason of migrants cannot go outside the work place (by sector) (%)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
employer will not allow me to go out	0.0	16.0	100.0	0.0	16.5
Employer don't like outsider visit	0.0	16.0	100.0	28.0	24.7

Source: Field survey (2009)

Comparison with ILO research (2006): ILO research stated that 10.4% of migrants were unable to move because of many consequences, that is – some employers felt that migrants should not have the same rights as Thai workers, some employers believe they should restrict freedom of movement of workers, and some were under the impression that they were legally responsible for the migrants who register with them. In this study, migrants were unable to go outside the workplace because of the responsibility of work and sometimes because their employers believed that they were legally responsible for the migrants who were registered with them.

Table 4.18: Comparison Freedom of movement between Phang-Nga and Bangkok

(ILO research) (%)

Migrant Responses	Average (%) Migrants in Phang-Nga (N=170)	Average (%) Migrants in Bangkok and its vicinities (N=375)
If you live on-site, can you go out when you want to? (No)	11.8	10.4

Source: Field survey (2009) and ILO (2006)

4.2.5 Violence

Violence indicated the existing of subject to insults, abuse, threats or violence, be subjected to violence or treats of violence against themselves or against their family, suffer injuries that appear to be the result of an assault (UN, 2009)

From ‘decent work’ on the title of ‘force labor’ Conventions 29 (1930) and 105 (1957) specify the qualifications of forced labor. It is work one has to perform under treat of punishment: forfeit of wages, dismissal, harassment or violence, even corporal punishment. Forced labor means violation of human rights (ILO Convention, 2009).

Migrants in this study met the minimum standard under International Convention of Decent Work called ‘forced labor’. Minimal numbers of migrants in all sectors, 10.6% on average, have been verbally abused or shouted at by employers/senior workers. 12.9% were exposed to employers swearing at them (using bad words). The sector with the most substantial number among all sectors was

construction, with 24% who were verbally abused or shouted at by employers/ senior workers, and 28% who had employers swear at them (use bad words).

“Before the tsunami hit, migrants situation was very bad. They were faced with various kinds of abuse not only by employers but also by the Thai community. After the tsunami hit, all this abuse has substantially decreased. We offer all the updated training for them. Those trainings were regarding the right of migrants, and their registration status. Nowadays, we barely get complaints from migrants about abuse.” (NGO officer, 36 year old, Male, Myanmar Worker Social Welfare Association).

Table 4.19: Violence in the workplace (by sector) (%)

Question: Which of the following has happened to you at work?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Verbally abused or shouted at by employers / senior workers	0.0	12.0	0.0	24.0	10.6
Employer swears at you (uses bad words)	4.0	12.0	0.0	28.0	12.9

Source: Field survey (2009)

Comparison with ILO research (2006): 45.5% of migrants in ILO research were verbally abused or shouted at by employers. 6.5% were physical abused by employers/senior workers. The condition of migrants in this study was substantially better.

4.2.6 Payment violations

Table 4.20 is only basic wages for the month of December that migrants earned. As stated in Chapter 3, the month of December is the high season for rubber cultivation. Thus, 44% of respondents in rubber plantations earn between 10,001 and 20,000 baht, 30% of them earn over 20,000 baht and 18% earn between 7,001 and 10,000 baht. The highest level of earning was between 3,001 and 5,000 baht. 44% of fishing boat respondents were at this level, 60% in fish processing and 65% in shrimp farming. Unlike these three sectors, the most considerable level of earning in construction was between 7,001 and 10,000 baht with 30% of respondents.

Table 4.20: Basic Wages (by sector) (%)

Question: How much cash are you paid (on average)?

Migrant Responses	Rubber Plantation N=50	Fish Boat N=25	Fish Processing N=25	Shrimp Farming N=20	Construction N=50	Average %
3,000 baht or less than	0.0	28.0	24.0	0.0	22.0	14.1
3,001 – 5,000 baht	0.0	44.0	60.0	65.0	24.0	30.0
5,001 – 7,000 baht	8.0	24.0	16.0	35.0	24.0	19.4
7,001 – 10,000 baht	18.0	0.0	0.0	0.0	30.0	14.1
10,001 – 20,000 baht	44.0	4.0	0.0	0.0	0.0	13.5
Over 20,000 baht	30.0	0.0	0.0	0.0	0.0	8.8

Source: Field survey (2009)

As stated in Chapter 3, terms of payment in the rubber plantation sector was irregular. A monthly payment system was the most significant on fishing boats and in shrimp farming. Respondents in construction tended to get paid every two weeks or every month. For fish processing, the main payment system was every two weeks. Under Regular Pay Conventions 95 (1949) and 117 (1962) – wages must be paid regularly. Respondents in rubber plantation were the most irregularly paid.

Table 4.21: Terms of Payment (by sector) (%)

Question: On average, how often do you get paid?

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
Every week	0.0	0.0	4.0	0.0	0.0	0.6
Every two weeks	0.0	4.0	84.0	0.0	44.0	25.9
Every month	0.0	76.0	0.0	100.0	44.0	35.9
Every six months	0.0	12.0	0.0	0.0	2.0	2.4
Irregularly	100.0	4.0	12.0	0.0	10.0	34.7

Source: Field survey (2009)

Incentive payment stated in Table 4.22 is the payment for only the month of December that migrants received. Fishing boat and shrimp farming were entitled to additional incentive payment. For rubber plantation, their average monthly wages were only the incentive payment which has been stated in Chapter 3. For ordinary

workers on fishing boats, 60% of them received 3,000 baht or less. Those who got paid above 5,000 baht were senior workers on the fishing boats. The term of incentive payment was irregular. Interestingly, the amount of incentive and terms of payment for basic fishing boat workers was under control of their senior worker.

Table 4.22: Incentive Payment (by sector) (%)

Question: How much incentive you get paid (on average)?

Migrant Responses	Fish Boat (N=25)	Shrimp Farming (N=20)
3000 baht or less than	60.0	0.0
3001 - 5000 baht	0.0	5.0
5001 - 7000 baht	4.0	10.0
7001 - 10000 baht	4.0	15.0
10001 - 20000 baht	4.0	60.0
Over 20000 baht	0.0	10.0

Source: Field survey (2009)

‘Equal pay’⁷ signified at the workplace as equal pay for men and women for work of equal value is a must, regardless of marital status. Pay inequality based on religion, race or ethnic background is also forbidden. A transparent remuneration system and the clear matching of pay and position are in place and help to prevent wage discrimination (ILO, 2009).

Female migrant workers existed in three of the sectors (fish processing, construction and rubber plantation). Among these three sectors, female in fish processing and construction were discriminated against in terms of equal pay. In fish

⁷ The international ILO convention on Decent Work, subjects: fair treatment at work, Convention 111 (1958) and 100 (1952).

processing, 75% of female wages were less than 3,000 baht compared with males who did the same job as them. For this male group, 66.7% of them earned wages between 3,001 and 5,000 baht. Similarly, in regard to respondents who did the same job in construction, 57.1% of females got paid less than 3,000 baht while 22.2% of males got paid between 3,001 and 5,000 baht. Equal payment was a non-issue for females on rubber plantations existed since they worked as a family in the workplace.

Figure 4.6: Male Wages (by sector)

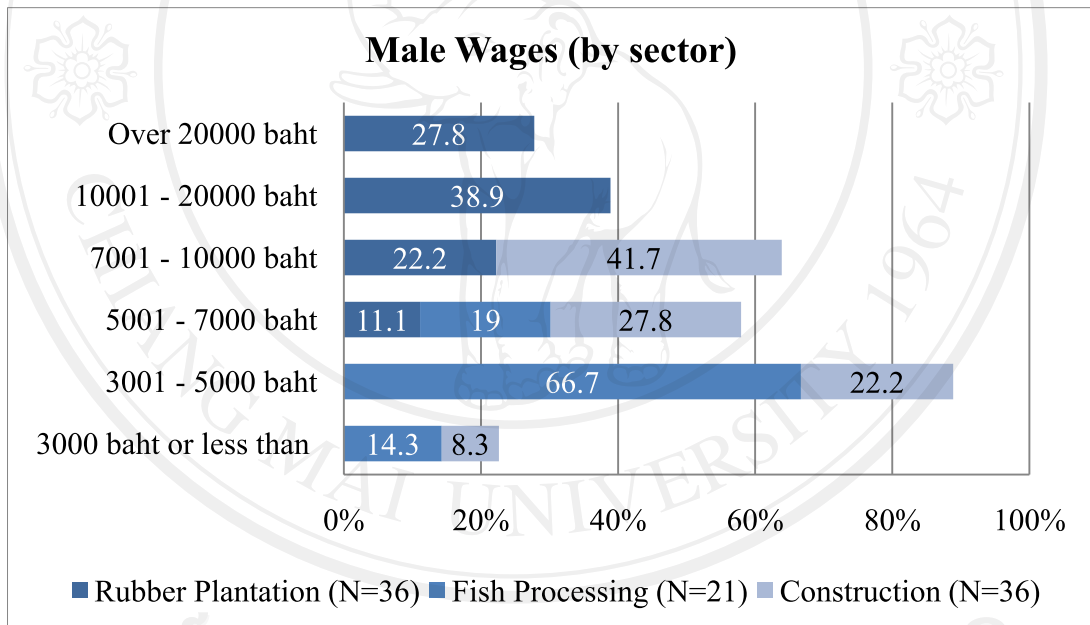
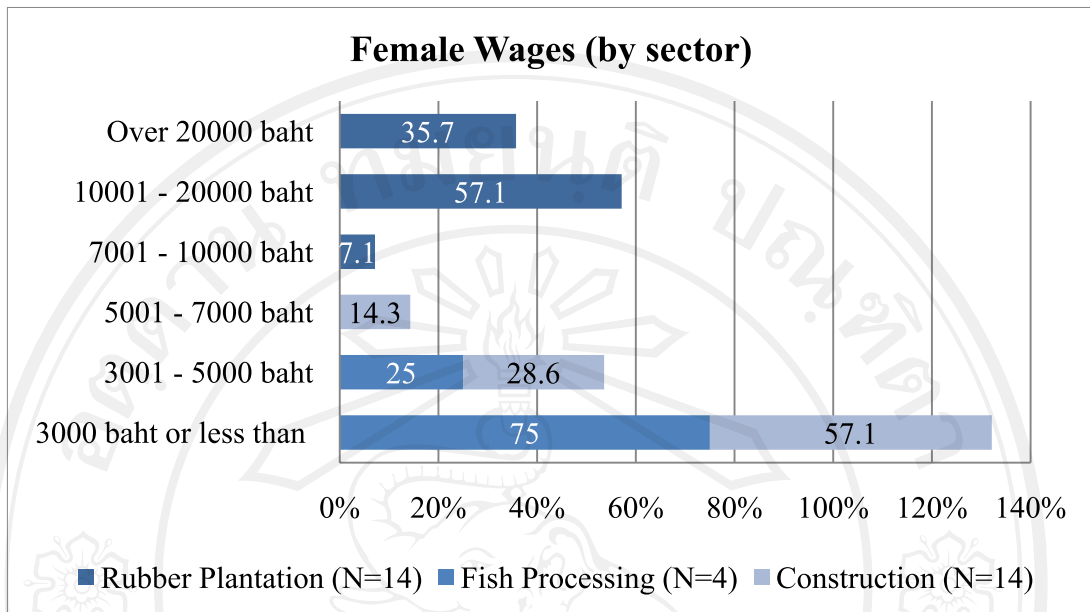


Figure 4.7: Female Wages (by sector)



Many Myanmar workers thought that they earn less than local Thai workers. Part of the subject of ‘equal pay’ states that pay inequality based on religion, race or ethnic background is also forbidden. Thus, the study is interesting to examine regarding ‘equal payment’ between local Thai labor and Myanmar migrant labor in the study area. Table 4.23 and 4.24 proved that Myanmar migrants in this study were entitled to equal value with local Thai labor.

Table 4.23: Thailand Average Wage of Employed Persons by Industry 2008

Industry	Unit : Baht Per Month
Agriculture, hunting and forestry	3,608.1
Fishing	5,366.2
Construction	6,067.3

Source: Report of the Labor Force Survey, National Statistical Office, Ministry of Information and Communication Technology. (Quarter 4, July-Sep)

Table 4.24: Average Minimum and Max Wage (by sector) (%)

Note: Migrant's both male and female wage rate is calculate by total earning within 12 months

Industry	Unit : Baht Per Month	
	Minimum	Max
Rubber	3300	16600
Fish boat	3500	12000
Fish processing	2200	6000
Shrimp farming	4500	8500
Construction	1920	8400

Source: Field survey (2009)

'Payment violations' signified receive little or no payment, be under the perception that they are bonded by debt, be disciplined through punishment by payment deduction, have no access to their earnings (UN, 2009).

The Table 4.25 was focus on the question that migrants have not obtained payment in cash. But they obtained other services instate of cash payment.

Respondents in fish boat and construction (8%), and fish processing (12%) reported that their monthly wages were violated by employers. Instead of monthly wages, they received loan payments when they need money. Their total amount of loans had never been explained by employers. The most significant number of payment deduction for mistakes among all sectors was in fish processing (32%). Delayed payment frequently occurred in construction. Above all, migrants in fish processing had the most significant occurrence of payment violations.

Table 4.25: Payment Violations (by sector) (%)

Question: What did you received instate of cash payment?

Migrant Responses	Rubber Plantation N=50	Fish Boat N=25	Fish Processing N=25	Shrimp Farming N=20	Construction N=50	Average %
Yes	0.0	8.0	12.0	0.0	8.0	5.3
I got food, clothing instead of a cash payment	0.0	0.0	8.0	0.0	0.0	1.2
I have to pay back a debt to my employer first.	0.0	0.0	4.0	0.0	0.0	0.6
I got loan payment instate of salary	0.0	8.0	12.0	0.0	8.0	5.3
Payment deduction for mistakes	0.0	0.0	32.0	0.0	8.0	7.1
Delayed payment	0.0	0.0	0.0	0.0	30.0	8.8

Source: Field survey (2009)

When the average wage rate of respondents is low, the essential question to ask is ‘do you have enough food to eat?’. Significantly, 64% of respondents in fish processing reported that their earnings were insufficient for food. In shrimp farming, employers offered rice monthly even though their wage rates were low.

Table 4.26: Payment Violations (by sector) (%)

Question: Do you have enough food to eat?

Migrant Despondences	Fish Boat (N=25)	Fish Processing (N=25)	shrimp Farming (N=20)	Construction (N=50)	Average (%)
No and Sometime	32.0%	64.0%	25.0%	0.0%	17.1%

Source: Field survey (2009)

A significant portion 74.1% of respondents reported they have had money deducted from payment for registration. Moreover, most of them have to pay more than 5,000 baht instead of over 3,000 baht for regular registration fees. The reason is that employers transferred this duty to recruiters. In ILO research (2006), respondents were entitled to free registration from their employers.

Table 4.27: Payment Deduction for Registration (by sector) (%)

Migrant Despondences	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Payment deduct	88.0	48.0	90.0	80.0	74.1

Source: Field survey (2009)

4.2.7 Working Hours

Working hours indicated that migrants worked excessively long hours over long periods (UN, 2009). Conventions 47 (1935) and 106 (1957) regarding ‘compensation overtime’ indicated that working overtime is to be avoided. Whenever it is unavoidable, extra compensation is at stake – minimally the basic hourly wage plus all additional benefits you are entitled to.

Working hours for these four sectors was complicated. Working hours in the rubber plantation sector depended on the number of plants. At some sites, the plantations produced rubber patches but other sites produced only rubber latex. Regular working hours for those workers who cultivated 1,000 or more than 1,000 plants and produce rubber patches started cultivation from 11:00 pm to 12:00 noon or 1:00 pm. Workers who produced only rubber latex started rubber cultivation at 11:00 pm to 10:00 am or 11:00 am. Hence, migrants in the rubber plantation sector work 12-14 hours a day.

Workers in shrimp farming were work only on the time of feeding shrimp. Feeding shrimp was taken only 30 minutes or 1 hour. Shrimp was feed 3-4 times a day. However, workers must pay 24 hours attention on shrimp condition and protecting the harmful from outsiders. Construction workers work regularly 9 hours a day. They got overtime payment when it was necessary to do overtime.

Working hours in the fishing boat and fish processing sectors were different. There was no description of working hours in the fishing boat sector. Their working hours depended on the number of fish caught. In fish processing, their working hours depended on the type of job which migrants did. Workers who worked 9 hours or less a day were the senior workers who took responsibility for the

machinery. 68% of migrants in fish processing worked a minimum of 12 hours a day. Working hours increased depending on the number of fishing boats sited. Sometimes fish processing workers had to work 14-16 hours a day if there were considerable fishing boats sited.

Table 4.28: Working Hours of Fish Processing Sector (%)

Question: How many hours do you usually work each day?

Migrant Responses	Fish Processing (N=25)
Less than 9 hours	4.0(1)
9 hours	24.0(6)
12 hours	68.0(17)
13 hours	4.0(1)

Source: Field survey (2009)

With migrant working hours being this complex, they have no bargaining power on their working hours. Questions should be asked – ‘Do they have enough break time during work? Do they have enough time to rest/sleep? Do they have voluntary overtime?’ Workers in the rubber plantation sector seemed to enjoy their 12-14 hours of work because they earned a higher income due to their hard work. Shrimp farming workers 25% felt they did not have enough break time during work as well as not have enough rest/sleep since they have full responsible for controlling the situation of shrimp.

Although working hours of fishing boat workers were irregular and not clearly described, 96% of them did not obtain sufficient break times during work and

working overtime was unavoidable. 92% of them stated they did not have enough time to rest/sleep. All migrants in fish processing had no voluntary overtime. Nonetheless, a number of migrants did not have enough break times during work 60% and did not have enough rest/sleep 52% which was less than in the fishing boat industry.

“Our working hours depends on fish caught. We cannot stop or take a break when fish are caught. My body can barely handle this job. I must rely on ASEAN⁸ in order to continue working.” (Migrant, 24 year old, Male, Fishing boat worker).

The situation in shrimp farming was different from other sectors. Migrants felt they had insufficient break times during work and insufficient time to rest/sleep because they had to pay full attention to the work. Over all sectors, only construction migrants reached a minimum standard of ‘compensation overtime’ under regular working hours. When overtime was unavoidable, they received overtime compensation.

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⁸ A kind of drug which combines creamer, miro, cough medicine and a kind of leaf call paikathon (in Thai).

Table 4.29: Working Hours (by sector) (%)

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
	Do you have enough break times during work?					
No and Sometime	0.0	96.0	60.0	25.0	0.0	25.9
	Do you have enough time to rest/sleep?					
No and Sometime	0.0	92.0	52.0	25.0	0.0	24.1
	Do you have voluntary overtime?					
No and Sometime	0.0	96.0	100.0	90.0	4.0	40.6

Source: Field survey (2009)

Comparison with ILO research (2006): According to migrants in ILO research, 17.9% reported insufficient time to rest/sleep and 15.2% reported they had insufficient times for breaks during the day. Myanmar migrants in this study were significantly more violated regarding working hours than migrants in ILO research (2006).

4.2.8 Days Off

‘Weekend work compensation’ specifies whether or not you have to work during the weekend, and if you do, you should thereby acquire the right to a rest period of 24 uninterrupted hours instead, not necessarily in the weekend, but at least in the course of the following week (ILO Convention, 2009).

Surely, the convention of weekend work compensation doesn't exist for migrant workers. This issue was not comparable with ILO research (2006) since the focus on consequences of 'days off' was different. Except rubber plantation workers, migrants in all sectors were under the condition of irregular day/s off each week. This was apparently due to the seasonal nature of the rubber cultivating work, by which one day was allocated per week, regularly.

Table 4.30: Regular day/s off each week (by sector) (%)

Question: Do you have regular day/s off each week?

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
No and Sometime	0.0	96.0	84.0	100.0	82.0	62.4

Source: Field survey (2009)

Shrimp farming workers reported they had no access to days off. They were entitled to take time off, only if they had someone who could take their place at work. As stated in Chapter 3, work days of construction workers depended on the employers' projects. In the fishing industry, a slight amount of migrants (32%) in the fishing boat sector had no access to regular day/s off each month. Unlike the fishing boat sector, 84% of fish processing workers had no access to regular day/s off each month. Except for the shrimp farming and fish processing sectors, workers in the rest

of the sectors did not want to take a day off because of the potential that they can earn extra money.

Table 4.31: Regular day/s off each month (by sector) (%)

Question: Do you have regular day/s off each month?

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
No and Sometime	0.0	32.0	84.0	100.0	74.0	50.6

Source: Field survey (2009)

‘Work and sickness’ concerned income when sick – your rights to work and income should be protected when illness strikes. Minimally, you should be entitled to an income during 6 months or 60 percent of minimum wage plus job security during the first 6 months of illness you should not be fired.

Regardless, both day/s off and sick leave or holiday tend to be unpaid in construction industry. They were totally violated in the area of days off. However, 35% of shrimp farming workers were violated in this part. Workers engaging in fishing boat work (68%) and fish processing (48%) also reported unpaid sick leave.

Table 4.32: Paid Sick Leave (by sector) (%)

Question: If you are sick, can you take days off with pay?

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
No and Sometime	16.0	68.0	48.0	35.0	100.0	55.3

Source: Field survey (2009)

‘Paid holiday’ specified a minimum of three weeks holiday per year, national and religious holidays not included⁹. In addition, you should be entitled to paid leave during national and officially recognized religious holidays¹⁰.

Only respondents in the rubber plantation sector were entitled to paid holidays. The reason is they were seasonal workers. Most of their working periods were only November, December, January and some days in February. The other three sectors were violated on the concept of ‘paid holiday’ from ‘decent work’ and the concept of ‘days off’, according to the key indicators of exploitation.

⁹The International ILO Convention 132 (1970) on the subject of holiday with Pay Convention

¹⁰ ILO Convention 14, 47 and 106

Table 4.33: Annual Paid Holiday (by sector) (%)

Question: Do you have annual paid holidays where you take a holiday, such as, during New Year, but are still paid by employer?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
No and Sometime	0.0	92.0	90.0	96.0	65.9

Source: Field survey (2009)

Over half of all respondents in the four sectors have no entitlement to annual holidays and a return back to their current job after the holiday. If they desire to visit their country of origin, they must quit this current job. This issue was significantly high in construction (74%) compared with the other three sectors.

Table 4.34: Annual holiday without pay (by sector) (%)

Question: Can you take annual holiday without pay? (and still can come back to your job later)

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
No and Sometime	52.0	58.0	45.0	74.0	59.4

Source: Field survey (2009)

4.2.9 Written Contracts

‘Written contracts’ indicated migrants have no labor contract with their employers (UN, 2009). None of the migrant workers in this study had written contracts. If a lack of written contracts is an indicator of labor exploitation¹¹, all migrants in these four sectors (fishing, rubber plantation, shrimp farming and construction) were existed in this concern.

4.2.10 Living Condition

‘Living condition’ signified migrants live in groups in the same place where they work and leave those premises infrequently, if at all, live in degraded, unsuitable places, such as in agricultural or industrial buildings, having no choice of accommodation (UN, 2009).

Migrants (averaged 86.5% across four sectors) lived in the workplace (on-site). Workers who lived on-site were automatically violated under the issue of living in degraded, unsuitable places, such as in agricultural or industrial buildings. On the other hand, 100% of shrimp farming, 80% of rubber plantation, 44% of construction and 16% of fishing have no choice to live off-site. They are violated under the issue of no choice of accommodation. Regarding the issue of migrants living in groups where they work and leaving those premises infrequently, construction workers tended to exist in this issue. Although 84% of them stayed with their spouse, their residents were infrequently depend on employers’ project sited. However, migrants preferred that employers provided accommodation because they could save money on rental cost.

¹¹ The indicators of people who have been trafficked for the purpose of ‘Labor Exploitation’ under UN tool 6.4 Indicators of trafficking.

Table 4.35: Migrants Live in Groups (by sector) (%)

Question: Currently, who do you live with?

Migrant Responses	Rubber Plantation (N=50)	Fishing (N=50)	Shrimp Farming (N=20)	Construction (N=50)	Average (%)
Parents	0	0	15.0	0	1.8
Spouse	80.0	48.0	85.0	84.0	72.4
Friends	0	0	0	4.0	1.2
By myself	4.0	10.0	0	8.0	6.5
Co-workers	8.0	36.0	0	4.0	14.1
Other relatives	8.0	6.0	0	0	4.1

Source: Field survey (2009)

Migrants working in the construction sector suffered the most in terms of having their original ID documents retained by their employers, and not being able to obtain them when needed. Working on rubber plantation ranked highest in terms of desirability for the migrant workers, since the wage rate in this sector is high compared to the other three sectors. Myanmar migrants in two sectors: rubber plantation and fishing, worked excessively long working hours without receiving overtime payments. Myanmar migrant workers in all four work sectors were living in unhygienic surroundings.

Types of Migrants' Accommodation in Phang-Nga Province



4.3 Expenditure

As stated above, rubber plantation workers got paid as a household. And the household earning was compiled by active participation in labor by the family. The other three sectors got paid as an individual. Fishing and shrimp farming workers get paid by monthly. Construction workers earnings were counted daily.

Expenditure was surveyed by looking at household expenses of migrants since migrants were spending as a household rather than as an individual. Expenditure was divided into three parts: housekeeping expenses, children and grandchildren expenses and personal expenses. Housekeeping expenses included electricity, gas, water rates, solid fuel, food and oil, housing rental cost and other expenses. Children and grandchildren expenses include clothing and foot wear, education, pocket money and other children's expenses.

Items under personal expenses were divided into two parts: necessary and non-necessary items. Necessary items included clothing and foot wear, partner's clothing and foot wear, the workers own uniform, the partner's uniform, personal care products and services, personal healthcare, public transportation, taxes and debt payment. Non-necessary items include cigarettes, alcoholic beverages, eating out and wedding/ birthdays/ funeral expenses and festival expenses, among other things.

From the research findings, construction workers spent more than other sectors with 75.7% spent on housekeeping expenses. Over half of construction workers had to pay electricity and some of them had to pay housing rental costs. Although the number of consumers in this sector was lower than in the rubber plantation sector, their expenses in housekeeping were the highest, especially spending on food and oil items. In shrimp farming, migrants spent more (73.7%) even

though they got the benefit of monthly rice offered by their employer. Conversely, the highest number of consumers, in the rubber plantation sector, spent the lowest on housekeeping expenses.

Expenditure of migrants in the rubber plantation sector was the most sustainable among four sectors. The highest spending on non-necessary items across the four sectors was fishing (19.4%). The first non-necessary item was phone call charges, the second highest was cigarettes and tobacco and the third was alcoholic beverages. In construction, workers spent more on non-necessary items than on necessary items. The highest amount of spending on non-necessary items was the cost of phone calls, unlike fishing.

Table 4.36: Expenditure of Four Sectors (%)

Background	Rubber Plantation	Fishing	Shrimp Farming	Construction
Number of consumers	165	112	51	152
Number of earners	113	86	32	95
Items	Rubber Plantation	Fishing	Shrimp Farming	Construction
Housekeeping Expenses	62.7	69.7	73.7	75.7
Children and Grandchildren Expenses	9.0	3.7	2.8	10.1
Person Expenses				
Necessary Items	19.2	7.2	13.1	6.0
Non-Necessary Items	9.1	19.4	10.4	8.2
Total	100.0	100.0	100.0	100.0

Source: Field survey (2009)

The third objective of this study is whether migrants' expenditures can meet their 'minimum wages'. 'Minimum wage'¹² signified that the minimum wage must cover the living expenses of the employee and his/her family members. Moreover, it must relate reasonably to the general level of wages earned and the living standard of other social groups (ILO, 2009).

The minimum wage rate in table 4.37 was taken from the survey done in the month of December in 2009. The minimum wage rate for males and females was different. The highest demand for workers, especially migrant workers, was on rubber plantations. The minimum wage of rubber plantation workers was higher than that for local Thai people. Females in fish processing earned the lowest minimum wage rate. However, fish boat workers' minimum wage rate was lowest among the male wage rate although they received incentive payment. Thus, their expenditure was sufficient. In construction, the female minimum wage rate was lower than the males since they work in the same position. It has violated the subject of fair treatment at work.

From the survey findings, expenditure in construction was insufficient although their minimum wage rate was higher than fishing and shrimp farming. Also, their wage rate was paid daily and they had irregular working days, another fact which causes difficulties in spending.

¹² The International ILO Convention of Decent Work 131(1970), subject: minimum wage.

Table 4.37: Compare Local Thai and Myanmar Migrant Workers' Minimum Wages
(Baht/day) in Phang-Nga Province

Phang-Nga Province	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction
(Jan/2010)	(Dec/2009)	(Dec/2009)	(Dec/2009)	(Dec/2009)	(Dec/2009)
173	269	83	100/73	110	220/165

Note: Migrants' wage rates were taken from the survey done in the month of December, 2009.

Source: Field survey (2009) & Office of Wage Committee, Ministry of Labor (2010)

In regards to the lower minimum wage paid, some migrants had sufficient money for food but some did not. To examine migrants' sufficiency in food consumption, the following question was asked: 'Do you have sufficient food to eat?'. Respondents in fish processing reported their total wage was insufficient because of

low wages. On the other hand, unlike the fishing boat sector, they earned only a basic wage. No additional earning was accessible to them. Among all sectors, only 36% of fish processing migrants reported they had sufficient food to eat from their basic salary.

Interestingly, in Phang-Nga province there is a kind of special service – migrants can get advanced products at a general shop on credit. Debts were liable to be paid back when they received their wages. None of the construction workers had

insufficient food to eat. For some migrants in this study, they could easily survive because more members of the family actively participated in labor.

Table 4.38: Do you have sufficient food to eat? (by sector) (%)

Migrant Responses	Rubber Plantation	Fish Boat	Fish Processing	Shrimp Farming	Construction	Average
	N=50	N=25	N=25	N=20	N=50	%
Yes	100.0	68.0	36.0	75.0	100.0	80.0

Source: Field survey (2009)

Finally, although minimum wage in construction was higher than fishing and shrimp farming, their expenditure was the most unsustainable. Fish processing migrant workers had substantial numbers of lower wage rate causing insufficient funds for their living costs as well as for their family members. The more active male laborers in the family, the more easily they could survive.