

Building Homeworkers' Collective Power: Lessons from Thailand's Homeworker Protection Act

Krithika Dinesh, Poonsap S. Tulaphan and Allison Corkery

Key Points

- 1 Making the most of a limited window of political opportunity, HomeNet Thailand strategically advocated for the enactment of the Homeworker Protection Act in 2010. Their success came from sustained collective action that combined research, worker organizing, and advocacy.
- 2 The legislation formalizes the work arrangements of homeworkers and brings in important protections. It adopts a broad definition of hirer and sets out clear responsibilities in relation to contracts, payments, and occupational health and safety – supported by enforcement mechanisms. Also, it has a tripartite social dialogue structure that includes elected homeworker representatives.



Home-based worker Phongmuan Phansanga sews life jackets and other products from her home in Bangkok, Thailand, to support her family. Photo credit: Chanakarn Laosarakham

- 3 Enforcement of the Act remains a major challenge. This highlights critical shortcomings in its design: It relies on a model of individual enforcement that has proved difficult for homeworkers to take up in practice, and it assumes an employer-employee paradigm, rather than a supply chain paradigm.
- 4 Thailand and other countries in Asia are considering introducing mandatory human rights due diligence laws. If designed well, they can create pathways for homeworkers to build collective power to hold multinational corporations accountable.

Introduction

Only a handful of countries have extended labour protections to homeworkers. They've done so in various ways: inclusion in a country's labour law, sector or occupation-specific laws or legislation designed to apply along a supply chain (HNI, 2025). The design of the legislation influences the strategies that homeworkers can use to challenge "distributional injustices" across global supply chains, which see homeworkers bearing a disproportionately large share of the risks, while only receiving minimal share of the rewards (Marshall et al. 2023).

Thailand is one country that enacted specific legislation for homeworkers. Following a decade of sustained advocacy by workers, the government enacted the Homeworkers Protection Act in 2010. This was a significant achievement, and the Act contains a number of unique features, including the establishment of a tripartite social dialogue structure: the Homeworker Protection Committee. Nevertheless, the Act remains poorly enforced.

This brief analyses the organizing strategies adopted by homeworker organizations while advocating for the legislation and analyses the degree to which its key provisions have helped or hindered homeworkers' efforts to build collective power, 16 years since its enactment. It has a particular focus on the functioning of the Homeworker Protection Committee. The research for it includes a review of secondary

literature and select key informant interviews. Interviewees included elected representatives of the Homeworker Protection Committee, a representative from the Ministry of Labour, and a lawyer who was part of the advocacy process. It also draws on key insights shared by homeworker leaders, academics, lawyers, activists and allies during a meeting WIEGO convened in April 2016.

In the next section, we briefly discuss the political and legal context for homework in Thailand. We then look at the organizing efforts that led to legal recognition for homeworkers. After, we analyse key provisions of the Homeworkers Protection Act, including the establishment of the Homeworker Protection Committee. Then, we lay out the key challenges for securing homeworkers' rights – on paper and in practice, closely examining the functioning of the Homeworker Protection Committee, and discuss the opportunities for strengthening homeworkers' rights in Thailand. In the final section, we draw out broader lessons that can inform legal advocacy strategies for homeworker organizations in other countries.

The Political and Legal Background for Homework in Thailand

Subcontracted work, or *Chang Mao*, has existed since the industrialization of the garment sector in Thailand (Arunotai et al. 2007). Initially, subcontracted work was limited to domestic markets. But, with a shift towards export-oriented policies from the 1970s onwards, homework

took different forms and expanded into foreign markets as well into more sectors (Arunotai et al. 2007). When the Asian financial crisis hit in 1997, factories increasingly outsourced work to homeworkers (Ponsapich et al. 2002).

According to data from 2024, there are approximately 4.1 million home-based workers in Thailand (Paweenawat and Vechbanyongratana 2026). Of these, only 3.4 per cent are classified as employees. However, this data is based on an earlier classification of employment status, which does not include the category of dependent contractor. As a result, many homeworkers dependent on hirers may be incorrectly classified as own-account workers.

Homeworkers work in different sectors, such as textile and garments, wood and pulp products, basket making, artificial flower making, food processing, leather goods and plastics, metal products, jewellery. Shifts in international production in these sectors creates a "race to the bottom", which makes homework more precarious. When work can be relocated easily, workers' bargaining power is weakened, reducing job security and income stability. For instance, Thailand's garment industry, which accounts for a major share of exports, has been facing decline since 2005 (Goto and Endo 2014). Low piece rates, irregular work, limited social security and poor occupational health and safety are common challenges.

Thailand is nominally a constitutional monarchy and parliamentary democracy, though it has faced multiple military coups, frequent constitutional changes and ongoing political instability. Under the 2017 Constitution, all workers have broad guarantees to work, to organize, to bargain collectively, to receive a living wage, and to social security. Article 42 of the Constitution guarantees that “a person shall enjoy the liberty to unite and form an association, co-operative, union, organization, community, or any other group.” Article 74 obligates the state to guarantee work and to ensure workers “receive income, welfare, social security and other benefits which are suitable for their living and should provide for or promote savings for living after their working age.”

Systemic limitations on labour rights have contributed to a relatively weak labour movement in Thailand. The International Labour Organization (ILO) attributes this to “a combination of factors such as restrictive laws, resistance from employers and lack of enforcement of workers’ rights that in the end also weakens trade unions’ capacities to represent workers effectively” (ILO 2017). Only an estimated 3.7 per cent of workers in the formal sector are members of trade unions (Ayudhya 2010).

Since Thailand is a civil law country, “primary” legislation and “secondary” regulations are the principal sources of law, with judicial opinions

less prominent (which is different for common law countries). The primary legislation governing labour relations are the Labour Relations Act 1975 and the Labour Protection Act 1998. As is the case in most countries, these Acts limit freedom of association in the workplace (meaning the right to register an organization as a trade union) and collective bargaining to workers with an employment relationship (Ayudhya 2010). This excludes about 75 per cent of the country’s workforce, including homeworkers, who do not have contracts and are classified as independent contractors (IndustriALL 2015). Nevertheless, informal workers have organized as associations.

Homeworkers Organizing for Legal Recognition

Despite a context where unionizing and industrial action are not encouraged, homeworker organizing still took off. Established in 1992, HomeNet Thailand is a network that organizes homeworkers. It began to organize and advocate for the recognition of homeworkers’ contribution to the economy and to society in the aftermath of the Asian Financial Crisis. Institutional support from the ILO was critical for this, and having a former trade unionist as an ILO representative helped in understanding and supporting the organizing strategies of HomeNet Thailand (von Broembsen 2020).

HomeNet comprises two organizations: the Association of Informal Workers (AIW) and the Foundation for Labour and Employment Promotion (FLEP). AIW is a membership-based organization, which operates like a trade union. It presently has about 4,000 members.¹ FLEP is registered as a foundation and provides technical support to AIW and other membership-based organizations in Thailand.

Initially, it was difficult to get legal recognition of homeworkers as workers from the state. Officials argued that recognizing homeworkers as workers was impossible, characterizing informal work “as livelihood activities for villages rather than as work that contributed to the economy” (von Broembsen 2020, 2). HomeNet Thailand, with support from a coalition of other organizations, including WIEGO, led a decade-long advocacy effort to extend statutory labour protection to homeworkers (WIEGO 2012).

Like other countries, Thailand has a labour law with a restrictive definition of the employer-employee relationship. Given the political context, this would have been hard to challenge. A lawyer who was part of the advocacy process explained that the coalition decided to campaign for a new piece of legislation. In addition to getting minimum wages and social protection, they wanted the right to organize and institutionalize collective negotiation.

¹ Before COVID, the association had about 5,000 members, but this dropped during and after COVID.

HomeNet Thailand adopted the following multi-pronged strategy:

- Making homeworkers visible through statistics – “if we have statistics, they cannot deny their existence” (von Broembsen 2020). Cultivating allies in the National Statistics Office (NSO) and the National Economic and Social Development Board (NESDB) was critical for this (Reed 2016).
- Organizing homeworkers to build a democratic membership-based organization that could be mobilized as a political constituency.
- Conducting research to identify issues for homeworkers, which HomeNet used to mobilize homeworkers and to engage them in the legislative processes.
- Preparing draft legislation with homemaker leaders, university professors, and lawyers; this involved taking homemaker leaders to Parliament to gain an understanding of parliamentary processes and training them on the importance of law and of a participatory democracy. The draft was prepared in 2003 (Nirathron 2022).

- Conducting a campaign for the adoption of the law, as well as universal healthcare and social security for informally employed workers, which included advocating at the Parliament, including the Standing Committee on Labour; a media strategy; and a series of public hearings (von Broembsen 2020).
- Submitting a draft Homeworkers Protection Bill to read at the Parliament through political parties. At the time, the Constitution provided that 20 members together could submit a new law. Meanwhile, HomeNet advocated with the Ministry of Labour to prioritize reading the Bill at the Parliament.

Throughout this process, at key moments, FLEP, the Standing Committee on Labour and homeworkers’ leaders held public campaigns and advocacy by conducting labour workshops across the country. Combining these “insider” and “outsider” strategies – while maintaining strong links to homeworkers through regular communication – enabled HomeNet Thailand to build the collective power necessary to participate meaningfully in the reform process and support legal change.

Following this advocacy, the Thai Government issued a Ministerial Regulation on the Protection of Homeworkers in 2004.² While an important step, the Ministerial Regulation nevertheless suffered from several shortcomings and discrepancies with the ILO’s Home Work Convention No. 177. HomeNet believed that a ministerial regulation was ultimately too weak and that the introduction of a full law was necessary (Reed 2016).

In 2007, a general election was called, marking a highly uncertain transition from military rule back to electoral politics. HomeNet Thailand used this opportunity to influence the country’s future democratic direction (Reed 2016). In particular, they petitioned three political parties to submit the draft Homemaker Protection Act to Parliament.³ All three submitted HomeNet’s version, in an attempt to secure the votes of informal workers, which represented an important political constituency (von Broembsen 2020). Finally in 2010, the Thai Parliament passed the Homeworkers Protection Act. In addition, homeworkers can also access a voluntary social insurance scheme under the Social Security Act, which was amended in 2011 to include non-standard workers (Marshall et al. 2023).

² The regulation required employers to: declare to the labour inspectorate any homeworkers under their employment; provide a working contract and payment within 15 days of delivery; ensure equal treatment and remuneration for male and female workers, prohibition of sexual harassment; and provide safety equipment. It also upheld the rights of homeworkers as workers under the Labour Protection Act, including prohibiting child employment under the age of 15 and hazardous work and establishing the right of employees to file complaints with the labour inspector of the Labour Court (Thanachaisethavut et al. 2008).

³ Around the same time, the Ministry of Labour also put forth a proposal for the Act, which was missing many of the provisions outlined by the HomeNet Thailand coalition. Subsequently, a series of policy dialogues took place between the two groups (Harvey 2019).

Dedicated Legislation Protecting Homeworkers

The Act formalizes work arrangements between homeworkers and the entities that hire them (Marshall et al. 2023). The scope of who is covered under the legislation is based on the definitions of homemaker and hirer. Section 3 of the Act defines a homemaker as a person, or group of persons, who agree, with a hirer, to accept work that is carried out at home. The legislation defines a hirer as “an entrepreneur who, either directly or through an agent or acting as a subcontractor, agrees to employ a home worker to carry out home work”. This wide-ranging definition is significant, as it takes into account the different layers in supply chains and covers all the different parties that might contract a homemaker.

Section 9 of the Act stipulates that homeworkers must be given a written contract, an important change in the context of work typically based on informal relationships (Marshall et al. 2023). These contracts need to include details such as the name and addresses of the hirer, the piece-rate, type and quantity of work, delivery and date when the worker must be remunerated. Section 8 states that if the contract gives the hirer an undue advantage over the homemaker, this can be challenged, and it gives labour courts the power to order that the contracts are enforced only to the extent they are fair

and reasonable. This is a critical provision. Acknowledging unequal bargaining power when negotiating contracts, the law steps in to prevent exploitation and ensures contracts are not used as tools to legitimize unfair arrangements.

Chapter 3 sets out how and when payment and deductions to homeworkers are made. In particular, the piece-rate should not be below the statutory minimum wage.⁴ Significantly, paying homeworkers below the minimum wage is a criminal offence. Payment to homeworkers must be made at their place of work within seven days of delivery of the finished products. Hirers can only make deductions to compensate for loss, if the loss is a result of or caused by the homemaker’s wilful act or gross negligence, and only with consent from the homemaker.

Hirers are prohibited from engaging homeworkers when the work involves hazardous materials or tools. Hirers should give notice to homeworkers about the dangers that could arise from use of raw materials, equipment or other inputs for the work; information about protective and remedial measures; and equipment for their protection and safety. Further, hirers have to pay medical, rehabilitation and funeral expenses if a homemaker is injured, ill, disabled or dies due to use of raw material, equipment or failure of hirer to provide protective and safety equipment.

Under Section 4, the Ministry of Labour has the power to issue ministerial regulations and notifications to enforce the Act, as well as to appoint a Labour Inspection Officer. If a hirer does not pay a homemaker, the worker can file a petition to the local labour inspector. Once the petition is filed, the labour inspector should investigate and issue an order within 30 days. If either of the parties is not happy with the order, they can file a case with the labour court.

An important feature of the legislation is the Homemaker Protection Committee, which was the product of negotiation over the design of the Act (von Broembsen 2020). As set out in Chapter 5 of the Act, this tripartite social dialogue structure must comprise at least 15 members. Chaired by the Undersecretary of State for Labour, it includes elected representatives from homeworkers and hirers, nominated members from civil society, and representatives from various government departments. The first Committee was set up in 2014 (Nirathron 2022).

The process for electing homeworkers and hirers to the Committee is prescribed by the Minister. Homeworkers have to register with the Ministry of Labour. After this, there is an election by the homeworkers who are registered, overseen by the Ministry. The representatives serve for a two-year term and can serve up to two terms.

⁴ The minimum wage under the Labour Protection law gets revised periodically. The Ministry also affirmed this and mentioned that the piece rate automatically gets revised on revision of minimum wage (Interview with Ministry officials).

The Committee has regulatory powers, enforcement powers, and can make recommendations. The Committee exercises its regulatory functions by adopting “secondary” regulations where greater legislative specificity is needed for the Act to come into effect. It has identified the need for 21 regulations to implement the Act; of these, 18 have been adopted (ILO 2020). For example, in 2016, the Committee issued a notification to ensure that the piece rate should not be less than minimum wage⁵ and that the piece rates must be determined through a process known as “time and motion studies”⁶ (Nirathron 2022). For workers undertaking tasks that are also completed by factory workers, the rate should be the same if the factory worker is paid by the piece. And if the factory worker is paid weekly or monthly, the piece rate should be based on the number of pieces the average homemaker can complete per eight-hour day compared to factory workers. If the homeworkers’ task is not one performed by factory workers, then a determination must be based on the speed and skill of a “medium-skilled” worker.⁷

The committee’s powers of enforcement include the right to enter the workplace of the hirer or homemaker, issue summons for statements and documents, monitor “operations relating to homework”, issue summons calling for

persons to appear or to send documents or materials. Additionally, the Committee can make recommendations on policies and other measures for the protection of homeworkers, as well as on ministerial regulations and notifications.

Enforcement of the Act

There is no doubt that the Homemaker Protection Act (the Act) is a major achievement, offering homeworkers a critical tool for defending their rights. Since the legislation came into force in 2010, HomeNet Thailand has built awareness of the Act by training its members and other stakeholders. However, enforcement of the Act remains a major challenge due to many factors, including the design of legislation and the political economy of the global production networks under which the workers operate, such as the export-driven nature of the market with high competitiveness. Researchers have not found “any evidence of its protections being invoked in practice”, through a labour inspectorate or labour court, for example (Marshall et al. 2023).

Interviews and secondary literature highlight several practices that are inconsistent with the Act’s requirements:

- Despite being mandatory, homeworkers are not given contracts.
- Payments are low and below minimum wage, because piece rates have not been increased and monitored.
- Even though payment is supposed to be immediate, homeworkers face challenges being paid on time; sometimes they have to wait four or five months after they have delivered the items.
- There is little evidence of labour inspectors or the Homemaker Protection Committee conducting inspections. Consultations held with inspectors in 2024 revealed that they are “extremely reticent to conduct inspections in homes”. Accustomed to inspecting factories, inspectors said “they had little knowledge about how to identify homes where homework was conducted, or what to look for when they conducted inspections” (Marshall and Moolchand 2024: 342).

Although homeworkers are recognized as workers, the Act has two fundamental shortcomings. First, it assumes an employer-employee paradigm (typical of labour

⁵ Section 16: In the determination of remuneration for the homework, if the homework is of the same nature and quality and equal quantity the remuneration for the homemaker to be determined by the hirer shall not be less than that stipulated by the labour protection law specified by the Committee with no discrimination in this regard.

⁶ Time and motion study calculates the average time required to complete a particular piece of work.

⁷ Interview with Suntaree Saeng-ging, co-ordinator of HomeNet South-East Asia, in April 2017.

laws) rather than a supply chain paradigm. The definition for hirer is a broad definition that includes an entrepreneur “who, either directly or through an agent or acting as a subcontractor, agrees to employ a home worker to carry out home work”. This means, in theory at least, that the homeworker could identify the person who directly gives her the work as the hirer, or the entity that contracts her through an intermediary and therefore has no direct relationship with her. Nevertheless, it fails to appreciate that multiple parties at different tiers of the chain might impact the working conditions of homeworkers (Marshall et al. 2023) and forces her to choose one party.

Second, the Act does not provide a framework for homeworkers to organize, register their organizations as trade unions, and to bargain collectively in line with ILO Homework Recommendation, 1996 (No. 184). The rights to freedom of association, collective bargaining and the right to strike are enabling rights. They enable workers to build their collective power to engage with employers collectively and to pressure employers to negotiate with them about their conditions of employment. Without protections for these rights, homeworkers have to challenge employers as individuals, rather than being represented by their unions.

An individual enforcement model also exposes workers to a greater threat of work being discontinued or shifted. Interviews with homeworker leaders highlighted the threat of work being shifted, which makes homeworkers reluctant to lodge complaints with the Labour Department. A “chilling effect” is created, discouraging homeworkers from lodging complaints. In one instance, homeworkers were discussing issues in a chat group and this information was leaked to hirers, who threatened to sue for defamation. The case was eventually settled by the Ministry, but it highlights the job insecurity that homeworkers face. In another instance, when a homeworker complained, she was informally blacklisted and did not receive further work orders.

The only platform where workers can participate in a form of social dialogue is the Homeworker Protection Committee. However, there are several factors limiting its effectiveness. One of the main challenges for homeworkers on the Committee is unequal representation. Partly this unequal representation is institutionalized: government representatives dominate, compared to hirers and homeworkers. With only three representatives, homeworkers make up only 20 per cent of the Committee.⁸ But representation is also challenged because homeworkers lack the resources to participate effectively. The homeworker representatives also face a range of

practical challenges. Interviewees reported that the Committee meets two–three times a year. Homeworker representatives outside of Bangkok must travel to Bangkok to attend meetings in person. The representatives find it difficult to travel, stay and attend the meeting due to time constraints and because the honorarium provided is insufficient. This limits them to participating online, which is less effective.

Homeworker representatives interviewed reported that their presence in Committee meetings feels “tokenistic”, and they have found it difficult to engage the Committee in substantive issues concerning homeworkers. The agenda is prepared by the Chairperson, who is a government official, and members of the Committee can propose the issues they want to see included on the agenda. It’s often difficult to get the issues proposed by the homeworkers on the agenda. Decisions are made through voting – either secret ballot or open voting. The issues homeworker representatives have raised – such as streamlining and simplifying the process for accessing homeworker funds, delayed payments, and the need for job security – have not resulted in any recommendation or resolutions being taken up by the Committee. Moreover, the homeworker funds sit under a different department, making it difficult for the Committee to put pressure.

⁸ If experts on homework are included, this percentage increases. But it will not be more than 40% and it depends on how many of the three expert representatives – who are appointed by the government, not elected – are supportive of homeworker rights.

Recommendations from workers to strengthen the Act's enforcement include:

(i) Protecting workers from retaliation when complaining, either through legislation or regulation. Since one of the main hindrances to homeworkers effectively pursuing complaints is their economic precarity, homeworker leaders interviewed recommended establishing a temporary homeworkers' protection fund – something like a union's strike fund – which would pay homeworkers in the event that they face reprisals when they pursue complaints with the labour department and go to the labour court.

(ii) Making the Homeworker Protection Committee a more robust institution in which homeworker representatives can more effectively advocate for homeworkers' interests and ensure real changes to homeworkers' conditions of work can be secured. Possibilities shared by interviewees include increasing the representation of homeworkers and ensuring additional support for homeworker representatives so that they can meaningfully participate in the committee and push for its powers to be exercised fully.

Lessons from Thailand's Homeworker Legislation

The enactment of the Homeworker Protection Act was a huge victory for HomeNet Thailand and holds lessons for other homeworker organizations developing advocacy strategies to achieve legislative change. In particular, it shows the importance of weaving together different approaches – research, organizing, and campaigning – to make the most of a critical window for reform (Reed 2016). HomeNet Thailand strategically deployed a combination of “insider” tactics, such as securing the institutional backing of the ILO, building alliances with reform-minded officials, citing official statistics, developing draft legislation, and lobbying political parties, with “outsider” tactics, such as petitions and media campaigns. To link these approaches, it facilitated a regular flow of information to and feedback from workers, ensuring that legal concepts and approaches were clearly communicated through training on law, democracy, and rights (Reed 2016).

The Act itself highlights a number of critical components for designing effective homeworker protections. It shows the value of creating a tailored framework that clearly allocates responsibilities to hirers – particularly in relation to contracts, payments, and occupational health and safety – supported by enforcement mechanisms such as documentation requirements, inspections, complaint procedures,

and penalties. It also illustrates the importance of having a dedicated oversight body, like the Homeworker Protection Committee, that can help ensure that standards are consistently developed and applied, while providing a structured channel for homeworkers to influence policymaking.

Nevertheless, the challenges in implementing the Act illustrate why individual protections should be complemented with measures that strengthen workers' capacity to organize and bargain collectively. Law plays a central role in the distribution of power among workers, businesses, and the state. How laws are designed can reinforce, maintain, or disrupt existing power relations, by building workers' collective capacity to defend their rights. As discussed in this brief, the Homeworker Protection Act relies on a model of individual enforcement that has proved difficult for homeworkers to take up in practice.

Legislative design also reinforces existing power relations when actors exercising the greatest economic influence effectively remain insulated from responsibility. In an export-driven economy like Thailand, where homeworkers are part of complex global production networks, these actors are multinational corporations higher up the supply chain. Focusing on immediate hirers leaves this underlying distribution of power largely intact, even where individual workers acquire new rights. Thailand's export production has declined in recent decades, due to issues like a strong Thai Baht, global

price drops, and intense competition. In this context, the drive to keep production costs low – in an effort to maintain competitiveness – further disincentivizes enforcement efforts that would shift the status quo.

Legislative design can respond to this challenge by adopting a supply-chain approach that establishes joint and severable liability. Labour legislation in Australia is one example of this, as described by Wiles and McPherson (2023) in another brief in this series. Recognizing that a homemaker may not know which party actually wields the most power in the supply chain – or even the identity of all of them – she can make a claim against an intermediary, who can join the lead firm contracting them to the case. Another key feature of the Australian legislation is that it grants the industry union strong enforcement powers, including rights to enter workplaces and inspect data.⁹ Sector-based, regional and global minimum wage floors – as well as regional and global social dialogue, regulation, and enforcement mechanisms – are also needed to address the challenges that come with enterprises in the global supply chain that are transnational, mobile and engage in regulatory arbitrage (von Broembsen 2020).

The key lesson from Thailand is that law is not neutral: The way it allocates rights, responsibilities, and avenues for accountability influences how power is distributed, exercised,

and contested within the economy. These are very live questions as Thailand advances on the drafting of a bill that would introduce mandatory human rights due diligence requirements (BHRC 2025). Similar legislation is also under consideration in a number of other countries in the region. Due diligence laws can require companies to identify, prevent, and remedy labour rights risks throughout their supply chains – creating new pathways for homeworkers to build collective power to hold multinational corporations accountable. Real accountability, however, depends on workers and their representative organizations having strong collective enforcement powers to ensure compliance and secure remedies when violations occur.

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⁹ For example, HomeNet Thailand reported that after the promulgation of the Act, some factories stopped outsourcing to Thai homeworkers and shifted the work to Cambodia (von Broembsen 2020).

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About the Authors

Krithika A. Dinesh is an Indian lawyer and researcher working with the Law Programme at WIEGO. krithika.dinesh@wiego.org

Poonsap Suanmuang Tulaphan is a board member of the HomeNet Thailand Association and Director of the Foundation for Labour and Employment Promotion.

Allison Corkery is the Director of WIEGO's Law Programme. She is a human-rights lawyer with expertise in social, economic and cultural rights.

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About WIEGO

Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global network supporting the movement of workers in informal employment, especially women and people living in poverty. We believe all workers should have equal economic opportunities, rights and protections. WIEGO works to expand research and statistics on the informal economy, promote change through policy advocacy, and build collective voice by supporting, strengthening and connecting organizations of workers in informal employment.

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