

Thailand: Burmese Migrant Workers Seek Precedent in Compensation Claims

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A Burmese migrant worker who was paralyzed following an accident at a construction site hopes to win compensation from the Thai Social Security Office (SSO), with the help of a Bangkok-based human rights group.

The Human Rights and Development Foundation (HRDF) released a statement on Tuesday saying it will submit a petition to the Administration Court in Chiang Mai on Friday in a case involving three Shan migrant workers against the SSO.

Of the three workers named in the petition, the most seriously injured was Nang Noom Mae Seng, who was paralyzed from the waist down following an accident at the construction site for the Shangri-la Hotel in Chiang Mai on December 4, 2006.

Her employers paid Nang Noom a compensation claim as a lump sum in November 2007.

In January of this year, the Workmen's Compensation Fund (WCF) Appeals Committee rejected Nang Noom's appeal of the SSO decision to deny her compensation following the accident.

The human rights group advised Nang Noom to pursue her SSO claim through the Thai justice system in the hope of setting a precedent for similar cases involving migrant workers and the WCF.

Sumitchai Hattasaan, the director of the Centre for Protection and Revival of Local Community Rights, who is familiar with the case, told The Irrawaddy the SSO policy allows only migrant workers who have passports to receive compensation from the WCF. Few Burmese migrant workers have passports.

"The regulations say that every employer must pay into the WCF which will pay compensation to a worker in case of an accident in the workplace, but the policy excludes non-passport workers," Sumitchai said.

There are an estimated 1 million Burmese migrant workers in Thailand, both documented and undocumented, working in mainly in construction and factories.

P.S.

* From the Irrawaddy:

http://www.irrawaddy.org/article.php?art_id=11345