

The Progress on Maternity Leave in Thailand

On 16 July 2025, Thailand's House of Representatives approved the amendment to the Labor Protection Act (1998), extending maternity leave from 90 to 120 days, with full wages paid by the employer during the first 60 days and Social Security Fund covering the remaining 60 days. The reform also introduced 15 days of additional leave for mothers whose children have a disability, illness, or developmental disorder, and for the first time, granted spouses the right to 15 days of fully paid paternity leave. The law also widened coverage to include all categories of government contract employees. The vote tallies were striking, with 416 MPs voting in favor, no opposing votes, one abstention, and three absences. The amendment passed the second and third readings on the same day.

The bill now sits in a climate of political uncertainty, awaiting Senate approval before receiving final royal assent and publication in the Official Gazette. However, with shifting parliamentary dynamics and fragile government stability, the risk of delay or even derailment remains. Thus, on 7 August 2025, the 180-Day Maternity Leave Working Network held a forum urging the Senate to pass the current bill while reaffirming their demand for 180 days of maternity leave in line with WHO standards.

A Long Struggle for Maternity Rights

The path toward expanded maternity leave in Thailand has been shaped by decades of activism led by women workers. In the early 1990s, public sector employees had 90 days of maternity leave, while private sector workers were limited to 60. The disparity spurred campaigns highlighting the discrimination women faced in pay, conditions, and benefits. One pivotal moment was when groups of women factory workers gathered to protest. Many wore maternity dresses, and some carried their young children with them. It was the time that the image of "worker-mothers" appeared so clearly in Thailand's labor movement, and it drew strong public attention. The pressure from these actions pushed the government to expand maternity protections for private sector workers as well. In 1992, after years of mobilization, private sector workers won the right to 90 days of maternity leave, with pay divided between employers and the Social Security Fund.

In 2019, Thailand amended the Labour Protection Act to allow up to 98 days of maternity leave in line with the minimum standard of the ILO. However, eight of those days were reclassified as leave for prenatal check-ups, treated effectively as sick leave, leaving most women with little more than the 90 days they already had.

This latest reform on 120 days of maternity leave is the result of continuous advocacy of the women's workers, labor networks, and all those relevant parties. Each year, women workers marched under the banner of "180 Days Maternity Leave" in maternity clothes, keeping the issue alive in the public consciousness.

In 2023, the Secretariat of the House of Representatives invited the Friends of Women Foundation to comment on the draft Labour Protection Act. In response, the Foundation submitted a written opinion to the Secretariat. Following this, women workers' networks, labour organizations, the network of children and welfare state, labour academics, and social work scholars from institutions such as Thammasat University and Chulalongkorn University, along with international organizations working on children and women's issues, came together with support from the Thai Health Promotion Foundation. Together, they formed the "180-Day Maternity Leave Working Network" to push forward a campaign demanding an extension of maternity leave under the Labour Protection Act.

What This Means for Informal/Platform Workers

The extended provisions apply primarily to formally employed women covered by Social Security. For the millions of women outside formal employment, this reform changes nothing. Thailand's female labor force, informal, freelance, and platform/gig workers, still lack both employer contracts and Social Security coverage.

For platform workers such as riders, platform companies classify them as independent contractors, sidestepping responsibility for benefits such as maternity leave. Informal workers often have no employers at all, which leaves them beyond the reach of labour law entirely. Even the Social Security Fund offers little remedy. While Section 33 provides full maternity benefits to employees, Section 40, which covers informal workers on a voluntary basis, includes no maternity protections, only limited coverage for sickness, disability, and death.

The same problem is clear in domestic work. Ministerial Regulation No.15 (2024) grants domestic workers the right to 98 days of maternity leave, with 45 days paid by the employer. In reality, domestic workers are still excluded from the Social Security Section 33. The result is that protections exist on paper, but in practice they still face pregnancy with no income and no support.

For women in these sectors, giving birth means stopping work, and stopping work means losing income. There is no safety net. It is a structural gap that reflects legal shortcomings and the persistence of gendered inequality. Women in informal and platform work contribute significantly to the economy, yet their reproductive health and family responsibilities are still treated as private burdens, not social rights.

Challenges Ahead

This reform is undeniably progress but it also shows the limits of reform when confined to the formal sector. Informal and platform work is often dismissed as temporary or marginal, reinforcing the notion that these workers do not deserve the same protections as permanent

employees. Until this perception shifts, policy reforms will continue to exclude a large share of Thailand's workforce.

Unless Thailand moves toward inclusive labor protections that bridge the gap between formal and informal work, maternity rights will remain a privilege of the few rather than a guarantee for all.



Picture: <https://theactive.thaipbs.or.th/read/maternity-leave-rights>

Reference

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