

Annual Labour Law Updates



On 19th January 2018, the HR Committee and the Legal Committee of the American Chamber of Commerce held a presentation on “Annual Labour Law Updates” at the Westin Grand Sukhumvit Hotel. The event began with opening remarks by Mr. Douglas Mancill of the Legal Committee and Mr. Richard Jackson of the HR Committee. They introduced the two speakers: Mr. Kowit Somwaiya, the Managing Partner of LawPlus Ltd., and Mr. John Casella, the Partner at PKF Tax and Consulting Services (Thailand) Ltd. The event was attended by over 40 executives and HR directors of Amcham members.

Mr. Somwaiya presented the latest amendment (No. 6) to the Labour Protection Act B.E. 2541 (A.D. 1998) effective from 1st September 2017 focusing on the mandatory severance pay that the employer must pay to the employee who retires at the retirement age of 60 and above. He also discussed the Emergency Decree on Foreign Employment Administration B.E. 2560 (A.D. 2017), the visa and work permit steps and procedures under the e-Expert and the Single Window System (SWS) for employees of BOI promoted companies and the Smart Visa Program to be implemented in February 2018. Mr. John Casella talked about the accountant treatment and the tax issues for implementing the mandatory severance pay for retired employees.

The presentations were followed by a Q&A session where attendees asked such questions as what employers should do if they want to continue hiring a retired employee after paying him the required retirement severance pay, whether or not a fixed term contract is a good choice to hire a retired employee and in absence of agreement on the retirement age whether or not an employee who turns 60 or older can resign and still be entitled to receive the retirement severance pay, etc.

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