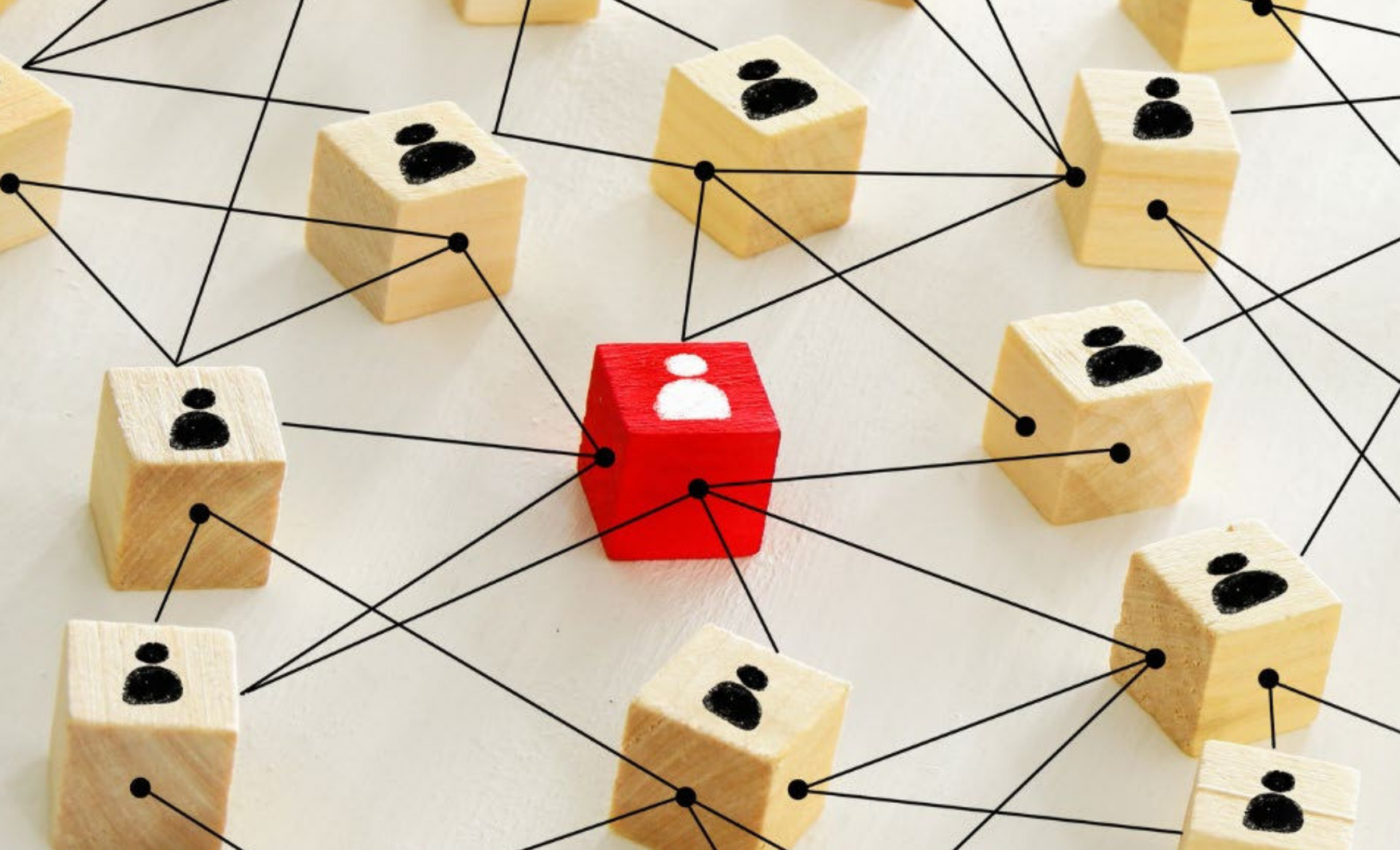
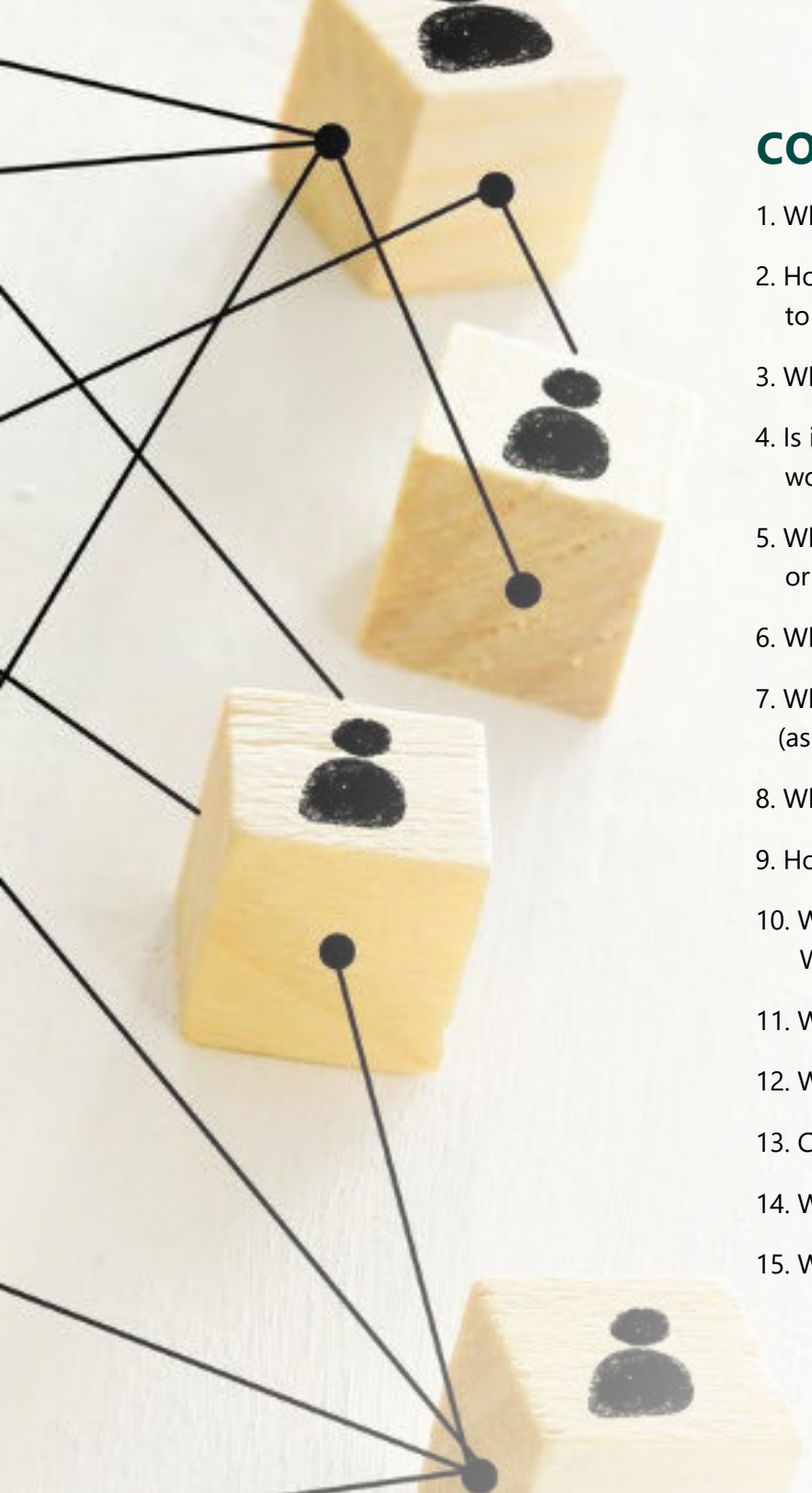
15 HR Dispute-Related Legal FAQs for Employers

Series I: Bangladesh, Cambodia, Myanmar, Thailand





CONTENTS

1. What is the legally compliant process for addressing employee grievances and internal disputes?

BANGLADESH

A worker, including one who has been dismissed, may file a written complaint to the employer within 30 days. The employer must investigate, hear the worker, and respond in writing within specific period.

If unresolved, an internal committee shall made and report within 60 days. If the employer fails to act or the worker is dissatisfied, the case can be taken to the Labour Court within 30 days, which may order reinstatement or modify penalties.

An appeal to the Tribunal is possible and its decision is final. There are no court fees, and these cases are not criminal. Complaints against dismissal are valid only if the termination was malicious, related to union activity, or involved denial of statutory benefits.

CAMBODIA

Under the Cambodian Labour Law, labour disputes are classified into two types: (1) individual disputes, and (2) collective disputes.

The Cambodian Labour Law addresses labour dispute resolution only through third-party mechanisms and does not provide for internal grievance procedures.

The internal grievance procedures are typically stated in the employment documents such as internal work rules registered by the Ministry of Labour and Vocational Training ("**MLVT**"), employment contract and/or its internal policies. Based on the standard internal work rules from the MLVT, a dispute or issue occurring in the enterprise should be submitted to the management of the enterprise and have them resolved through internal mechanism. If a settlement cannot be reached, employees must file a complaint to the labour inspector for further resolution.

If the dispute is an individual dispute, a party to the dispute may refer the case to the Labour Inspector for preliminary conciliation. An agreement made before the Labour Inspector is enforceable in court. If conciliation is unsuccessful, the party may file a complaint with the competent court within two months. Nonetheless, if the parties agree during the conciliation process, they may request the Labour Inspector to forward the case to the Arbitration Council via the MLVT. That being said, to date, the MLVT has not yet issued any Prakas or guidance regarding the procedure for resolving individual disputes at the Arbitration Council.

If the dispute is a collective dispute and there is no planned settlement procedure under the applicable collective agreement, the parties are required to submit the dispute to the Labour Inspector for conciliation. The Labour Inspector may also initiate conciliation proceedings as soon as he or she becomes aware of the collective labour dispute, even without formal notification. During the conciliation process, all parties must cease all industrial actions (i.e., strikes or lockouts).

If the dispute concerns a matter of rights, the party may file a complaint with the competent court for further proceedings.

MYANMAR

In Myanmar, the legally compliant process for addressing employee grievances and internal disputes is governed by the Settlement of Labour Dispute Law.

(1) Negotiation

In the event of any dispute arising between an employer and an employee, the dispute should first be settled through negotiation between the parties. If the dispute cannot be resolved, it must be addressed in accordance with the Settlement of Labour Disputes Law and other applicable laws.

(2) Settlement at the Internal Workplace Coordinating Committee Level

Any grievance raised before the Workplace Coordinating Committee ("WCC") by the employer, an employee, or a labour organization must be negotiated, and a settlement sought within seven (7) business days from the date of receipt. Please read this in conjunction with the minimum threshold required to form the WCC, as outlined in Q4 below. If there is no WCC due to the small number of employees, the employer must assume the role. If a settlement cannot be reached at the WCC level, the dispute must be referred to the relevant Conciliation Body under the Settlement of Labour Disputes Law.

(3) Settlement under the Settlement of Labour Disputes Law

The Conciliation Body will determine whether the issue constitutes a dispute over employment rights and privileges or a dispute for benefits. In cases involving benefits, the Conciliation Body must attempt conciliation within seven (7) business days. For disputes concerning employment rights and privileges, either party may submit a complaint directly to the relevant Department of Labour Relations or to a competent court.

If the Conciliation Body is unable to resolve a dispute over benefits to the satisfaction of the parties, it must refer the matter to the Arbitration Body, which must issue a decision within seven (7) business days. If either party is dissatisfied with the decision, the following options are available:

(a) Either party may proceed to strike or perform a lockout in accordance with the Labour Organization Law. (This option is not available to essential services, where recourse is only to the Arbitration Council.)

(b) Alternatively, either party may apply within seven (7) days to have the dispute heard by the Arbitration Council.

The Arbitration Council must form a Tribunal to hear the case within fourteen (14) days for non-essential services and within seven (7) days for essential services. The Tribunal's decision is final.

THAILAND

Under the Labor Protection Act B.E. 2541 (1998), it requires an employer with ten or more employee to establish work rules in the Thai language. These work rules must include provisions relating to employee' grievances that the grievance-related provisions should address:

(1) the scope and definition of a grievance;

(2) the methods and procedures for lodging a grievance;

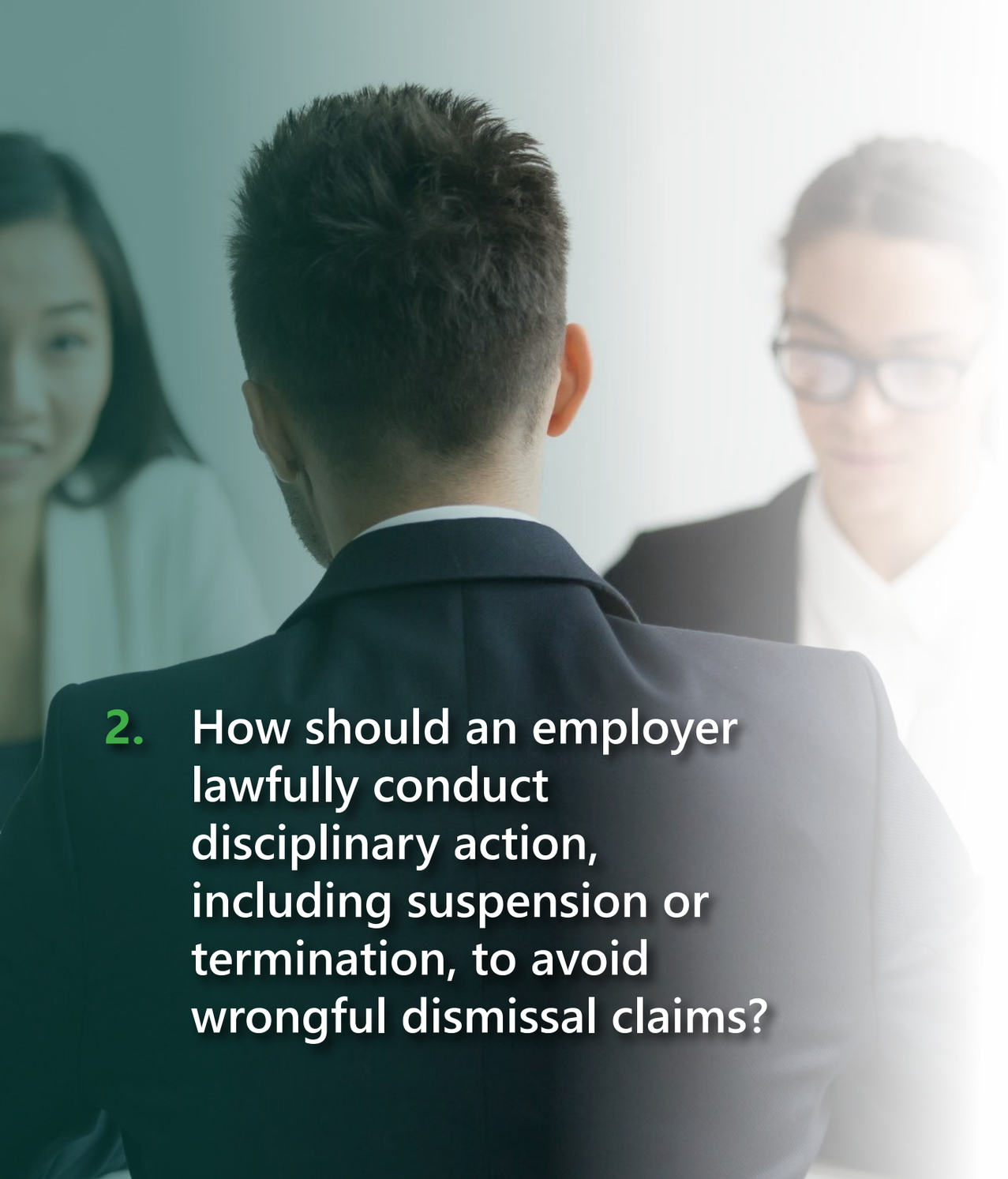
(3) the process for investigation and consideration;

(4) the mechanisms for resolving grievances; and

(5) the protection afforded to complainants and other persons involved.

Importantly, neither the Labor Protection Act B.E. 2541 nor any other Thai labor legislation, nor even Supreme Court ruling, prescribes a legally mandated or standardized process for handling employee' grievances. The employer therefore have discretion to design grievance-handling procedures that best suit the needs of their organization.

However, grievance procedures should not result in unfair discrimination or infringe upon employee' rights to privacy, dignity, or reputation.



2. How should an employer lawfully conduct disciplinary action, including suspension or termination, to avoid wrongful dismissal claims?

BANGLADESH

An employer may take disciplinary action against any worker who violates local laws, company policies, or employment terms, which also constitute misconduct. Misconduct includes acts such as willful disobedience, theft, fraud, bribery, habitual absence or lateness, negligence, disorderly conduct, or tampering with company records.

When allegations arise, the worker shall receive a written show-cause notice and at least seven days to respond and be heard. If the explanation is unsatisfactory, an enquiry committee—comprising equal representation from the company and workers will investigate, with proceedings completed within 60 days. The worker may be suspended during this period with subsistence allowance.

After the enquiry, if found guilty, the company may dismiss the worker or impose lesser penalties such as removal, demotion, stoppage of promotion or increment, fines, short suspension, or warnings. No compensation is payable if dismissal is for serious misconduct like theft, fraud, or riot.

CAMBODIA

The Cambodian Labour Law does not mention detailed procedures or requirements regarding disciplinary action, other than the timeline and the proportionality principle when the employer wishes to take disciplinary or termination action.

An employer cannot impose disciplinary action against a worker for any misconduct of which the employer or one of his representatives has been aware for over fifteen days. The employer shall be considered to renounce his right to dismiss a worker for serious misconduct if this action is not taken within a period of seven days from the date on which he has learned about the serious misconduct in question.

While there is no detail regarding the level of disciplinary action to be taken in the Cambodian Labour Law, typically such actions are stated in the employer's internal policies, manual or registered internal work rules.

Unless the matter is serious enough to warrant immediate dismissal, employees may be subject to other types of disciplinary action, such as a warning and suspension.

Based on the standard internal work rules from the MLVT, misconduct is classified into three levels: (1) minor misconduct; (2) medium misconduct; and (3) serious misconduct.

MYANMAR

The Myanmar labour legislation does not prescribe detailed procedures for disciplinary action or employee suspension, except for the general requirement that employers must follow a progressive warning process before dismissal for minor misconduct.

To conduct lawful disciplinary action and avoid wrongful dismissal claims, employers must clearly distinguish between minor misconduct and serious misconduct, and disciplinary measures should be reasonable, proportionate, and procedurally fair. The employment contract and workplace policies should specify the types of conduct that may constitute minor or serious misconduct, as termination for cause will depend on the nature and severity of the employee's actions.

Myanmar labour law establishes a progressive disciplinary requirement for minor misconduct. Employers must issue three written warnings before dismissal is lawful:

(1) **Step 1:** Issue a first written warning for the first infraction of minor misconduct.

(2) **Step 2:** If the employee commits the same or similar minor misconduct again, issue a second written warning.

(3) **Step 3:** After a third infraction of minor misconduct, require the employee to provide a written undertaking.

(4) **Step 4:** If the employee commits the same minor misconduct again within 12 months of the last infraction, the employer may lawfully terminate the employment. This termination is considered dismissal for cause, and no severance pay is required when terminating for minor misconduct following the proper warning procedure.

If the employee does not commit any further minor misconduct within 12 months after the last infraction or within 12 months following the third infraction, all previous warnings related to minor misconduct shall be cancelled by the employer.

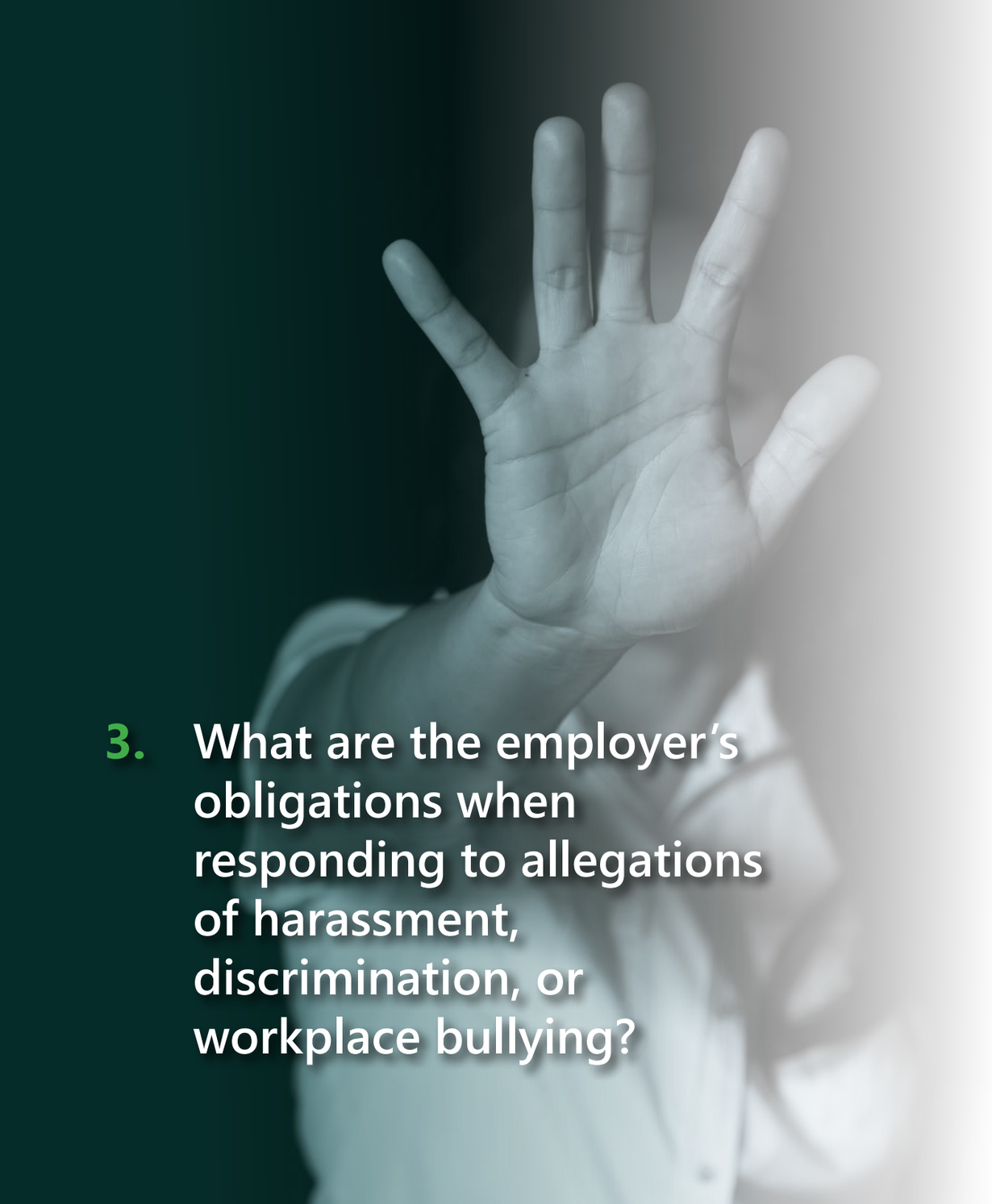
For serious misconduct, the employer may terminate the employment contract immediately without following the progressive warning procedure. No prior notice and severance pay are required for serious misconduct dismissals.

However, even though immediate termination is permitted for serious misconduct, employers should still conduct a fair investigation and maintain proper documentation in line with best corporate practice to avoid wrongful dismissal claims.

THAILAND

An employer should handle disciplinary actions fairly and legally to avoid wrongful dismissal claims. Here are the main points to follow:

1. **Investigate Properly**
   (a) For minor issues (like verbal warnings), a simple review is enough.
   (b) For serious actions (like written warnings or termination), a formal investigation is needed. Employee must be allowed to present their side.
   (c) If company rules require specific steps (e.g., involving a union representative or an investigation committee), those steps must be followed. Ignoring them can make the dismissal unfair.
2. **Inform and Listen**
   (a) Tell the employee what they are accused of.
   (b) Give them a chance to explain and show evidence.
   (c) Acting without proper inquiry may be considered unfair.
3. **Collect Evidence**
   (a) Gather all relevant documents, witness statements, and other proof.
4. **Suspension Rules**
   (a) Suspension during investigation is only allowed if company rules permit it.
   (b) Legal conditions for suspension:
      i. Must be in writing and explain the misconduct.
      ii. Cannot exceed 7 days.
      iii. Employee must be informed in advance.
      iv. At least 50% of daily wages must be paid during suspension.
   (c) If the employee is found not guilty, full wages must be paid back with 15% interest. The employee can also sue if the suspension was unlawful.
5. **Apply Rules Correctly**
   (a) Disciplinary actions must follow company policies.
   (b) For example, if rules ban gambling on-site, you cannot punish someone for gambling *off-site*.



3. What are the employer's obligations when responding to allegations of harassment, discrimination, or workplace bullying?

BANGLADESH

Harassment, discrimination, and bullying are misconduct under company rules. Bangladesh law defines harassment to include sexual harassment, obscene behavior, threats, and blackmail. Companies must have a complaint committee with at least five members (mostly women) and a female chairperson. They should also share guidelines and keep a complaint box for reports.

CAMBODIA

Under the Cambodian Labour Law, employers and managers of establishments where child laborers, apprentices under eighteen years of age, or women are employed have a legal obligation to ensure proper conduct and maintain public decency. All forms of sexual misconduct, including harassment, are strictly prohibited.

In addition, an employer is considered to have committed serious misconduct if, among other things, they engage in abusive language, threats, violence, or assault, or fail to implement workplace health and safety measures as required by law.

However, the Cambodian Labour Law does not provide detailed guidance on an employer's obligations when responding to allegations of harassment, discrimination, or workplace bullying. Nevertheless, given the employer's responsibility to prevent sexual violations or harassment in the workplace, it is expected that any complaint from an employee be addressed promptly and effectively. This generally includes acknowledging the complaint without delay and ensuring confidentiality, initiating an impartial investigation to establish the facts, taking appropriate corrective or disciplinary action if misconduct is substantiated and implementing preventive measures to avoid recurrence.

MYANMAR

Myanmar Labour Law does not contain specific provisions setting out employer obligations regarding harassment, discrimination, or workplace bullying. However, employers are generally expected to provide a safe and respectful working environment.

Best practice when responding to such allegations is to take the complaint seriously, and protect the complainant from retaliation. Employers should conduct a fair and impartial internal investigation, provide both the complainant and the accused an opportunity to present their accounts, and document all proceedings and decisions. If the allegation is substantiated, appropriate disciplinary action should be taken in accordance with internal workplace policy.

If the harassment complaint results in an employment dispute, the matter may be escalated under the Settlement of Labour Disputes Law. Additionally, if the harassment involves serious misconduct, such as sexual assault, physical threats, or other criminal acts, it may constitute a criminal offence under the Penal Code.

THAILAND

There is no specific legal requirement for how the employer must handle complaints of harassment, discrimination, or workplace bullying.

Therefore, an employer is fully free to design their own complaint procedure. However, because these are sensitive issues that may infringe on personal rights, it's best to use a clear, structured process that (1) protects privacy and dignity, (2) ensures fairness and neutrality, and (3) aligns with constitutional rights of equality, privacy, and human dignity.

4. Is it mandatory to constitute an Internal Complaints Committee (ICC) or grievance committee to address workplace grievances and complaints under the Country's Laws, and what are its legal responsibilities?

BANGLADESH

Bangladesh Labour Law does not require an ICC, but employers have to set up a committee to prevent sexual harassment at their company or workplace. The law bans indecent behavior toward female workers and protects their dignity and safety. Sexual harassment includes unwelcome physical contact, verbal abuse, sexually colored remarks, and online harassment. Employers shall share preventive guidelines with all employees and keep a complaint box for reporting.

CAMBODIA

It is not mandatory under the Cambodian Labour Law for employers to establish an ICC or similar committee. However, it is common practice for enterprises to adopt internal policies that outline complaint-handling mechanisms, which may include the formation of an ICC or similar committee to address workplace grievances effectively.

MYANMAR

In Myanmar, employers of workplaces with more than 30 employees are legally required to constitute a WCC to address grievances and complaints. For smaller businesses, the employer must directly negotiate with employees or employees' representatives.

This committee consists of three representatives from the employer and three from the labour organization, or if no labour organization exists, three elected employee representatives. Employers must notify the relevant township Conciliation Body about the members of the WCC and any subsequent changes to the committee composition.

The WCC's responsibilities include:

(1) Promoting good relations between employers and employees.

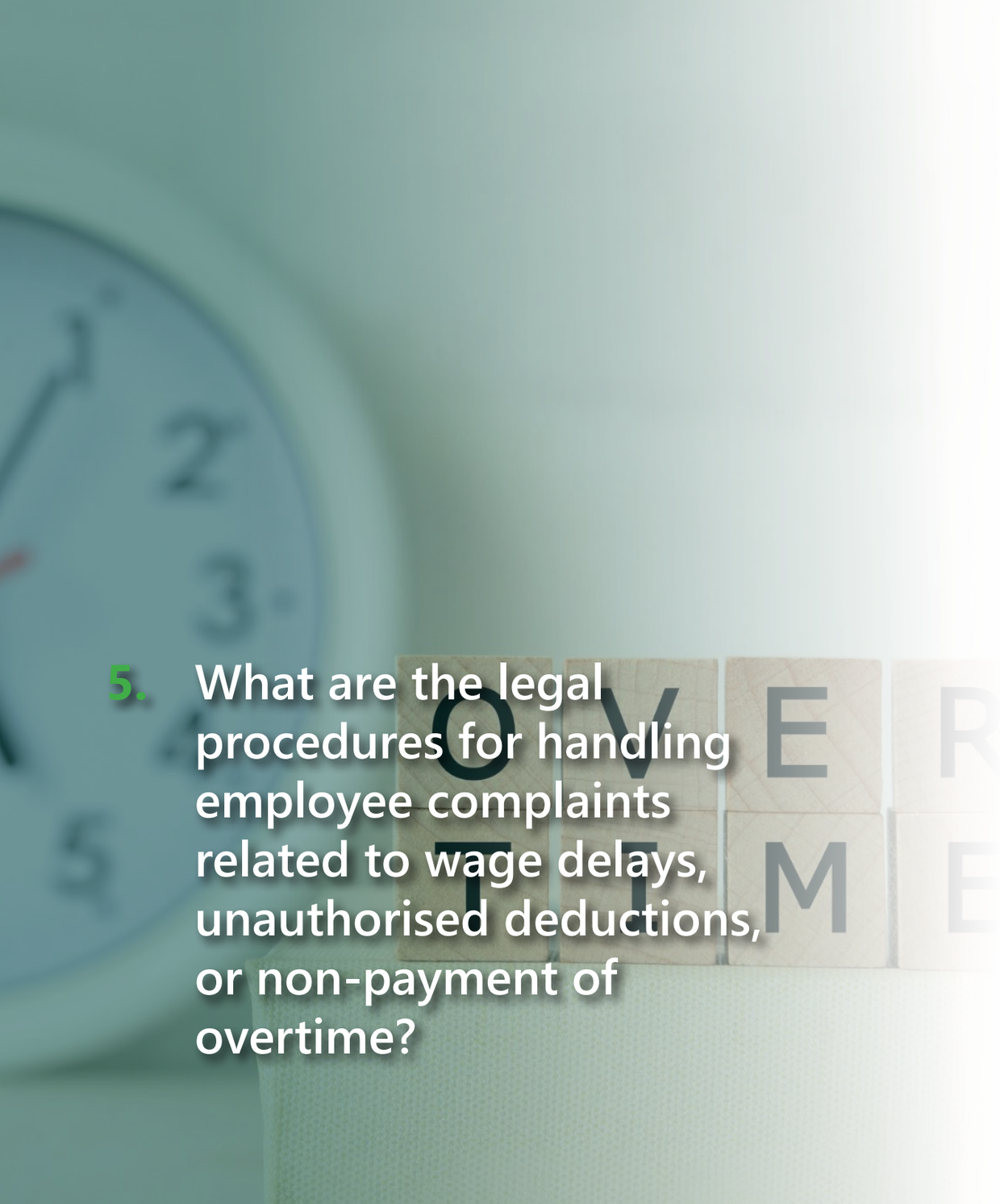
(2) Coordinating and negotiating employment conditions, productivity, and workplace health and safety.

(3) Acting as the first point of resolution for workplace disputes. The WCC is legally empowered to attempt resolution whenever a dispute arises between the parties.

(4) If an employee or employer brings a grievance to the WCC, the committee must attempt to settle it within seven (7) days.

THAILAND

Under Thai law, an employer is not legally required to constitute an Internal Complaints Committee (ICC). However, they may establish such a committee on a voluntary basis if deemed appropriate for their organization, as part of good governance or internal policy to ensure fairness and transparency in handling employee's grievances.



5. What are the legal procedures for handling employee complaints related to wage delays, unauthorised deductions, or non-payment of overtime?

BANGLADESH

In Bangladesh, wage complaints follow a step-by-step process: first, workers raise the issue with their supervisor or HR. If unresolved, it goes to the Grievance Redressal Committee (required for workplaces with 10+ workers). If still unresolved, the Labour Inspector investigates. Finally, workers can file a case in the Labour Court to recover dues. This system ensures early resolution and legal protection.

CAMBODIA

There are no specific legal procedures for handling particular types of disputes or complaints under the Cambodian Labour Law. The same dispute resolution process generally applies to all workplace disputes. However, it is not uncommon for employers to establish their own internal mechanisms tailored to specific issues within the enterprise, such as wage disputes, harassment complaints, or disciplinary matters. These internal procedures should complement, not replace, the statutory process, and must align with the principles of fairness, transparency, and compliance with applicable laws.

If the case is not resolved at the enterprise level and is filed with the MLVT, and the MLVT finds that the employer has failed to comply with wage payment timelines, made unauthorized deductions, or failed to pay overtime, then such non-compliance will subject the employer to a fine of up to KHR 3,360,000 (approximately USD 840) per offense.

The statute of limitations for filing a lawsuit to recover unpaid wages, benefits, and any other entitlements arising from the employment contract is three years from the date the wages became due.

MYANMAR

In Myanmar, legal procedures for handling employee complaints regarding wage delays, unauthorized deductions, or unpaid overtime are governed by the Settlement of Labour Dispute Law and the Payment of Wages Law.

An employee may submit a complaint to the employer directly or through the WCC or a registered labour organization in relation to:

(1) unauthorised deductions from wages, or

(2) failure to pay wages within the prescribed payment period.

Upon receiving such a complaint, the employer/WCC must settle the issue within seven (7) business days.

If the employer fails to resolve the matter, the employee may file a complaint with the township inspector general from the Factories and General Labour Law Inspection Department ("**FGLLID**") within six (6) months from the date of the unauthorised deduction or non-payment. The inspection officer will scrutinize the complaint and issue an order.

If either party is not satisfied with the inspection officer's decision, they may file an appeal with the inspector general within 30 days from the date of the order.

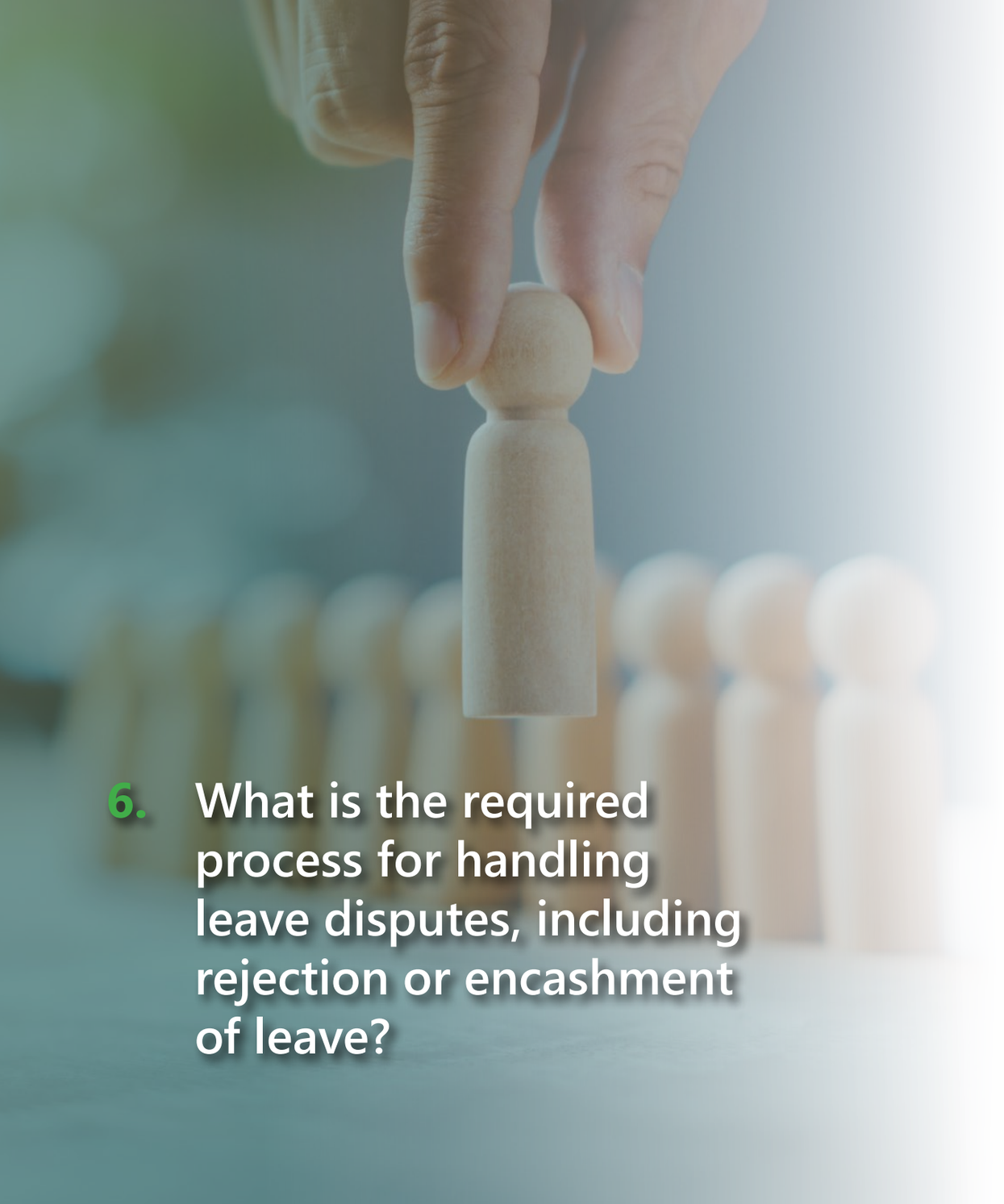
The inspector general will establish an appeal review team to examine the appeal. The team must report its findings and recommendations to the inspector general within five (5) business days, after which the inspector general will issue a final order.

Alternatively, if the employer fails to resolve the complaint, the employee may bring a civil lawsuit against the employer concerning the unauthorised deduction or non-payment of wages.

THAILAND

In Thailand, the employer are required to pay wages on time, may not make unauthorised deductions, and must pay overtime to the employee. If the employer fail to comply, they must pay the outstanding amounts to the employee with interest at 15 percent per year from the day after due date until full payment is made. In cases where the employer intentionally withhold or deduct wages without justification, additional penalties of 15 percent every seven days may apply. Moreover, the employer may also face criminal liability, including imprisonment for up to six months, a fine of up to THB 100,000, or both.

Therefore, although the Labor Protection Act B.E. 2541 does not explicitly prescribe how employer must handle complaints about wage delays, unauthorised deductions, or non-payment of overtime, **when employer receive employee' complaints related to these issues, they may consider to promptly investigate the complaints and, if found to be true as complaints, pay any amounts owed, including interest and statutory penalties**. This helps prevent employee from filing complaints with the labor inspector under the Department of Labor Protection and Welfare or pursuing legal action against the employer, which could result in criminal liability, damage the employer's reputation, and lead to additional time and financial costs.



6. What is the required process for handling leave disputes, including rejection or encashment of leave?

BANGLADESH

If a worker disagrees with leave rejection or encashment, they should first raise it with the employer or HR. If unresolved, they can file a written complaint with the Labour Court, including details and documents. The court will notify the employer and hold hearings. Alternatively, both parties may choose ADR methods like arbitration or conciliation under the Bangladesh Labour Act, 2006.

CAMBODIA

Similar to wage-related disputes, there is no separate statutory mechanism specifically for handling leave disputes under the Cambodian Labour Law. The general complaint and dispute resolution procedures apply to all types of labour disputes. However, employers may establish internal processes to address leave-related issues within the enterprise.

Failure to provide annual leave as required by law can result in penalties of up to KHR 3,360,000 (approximately USD 840).

MYANMAR

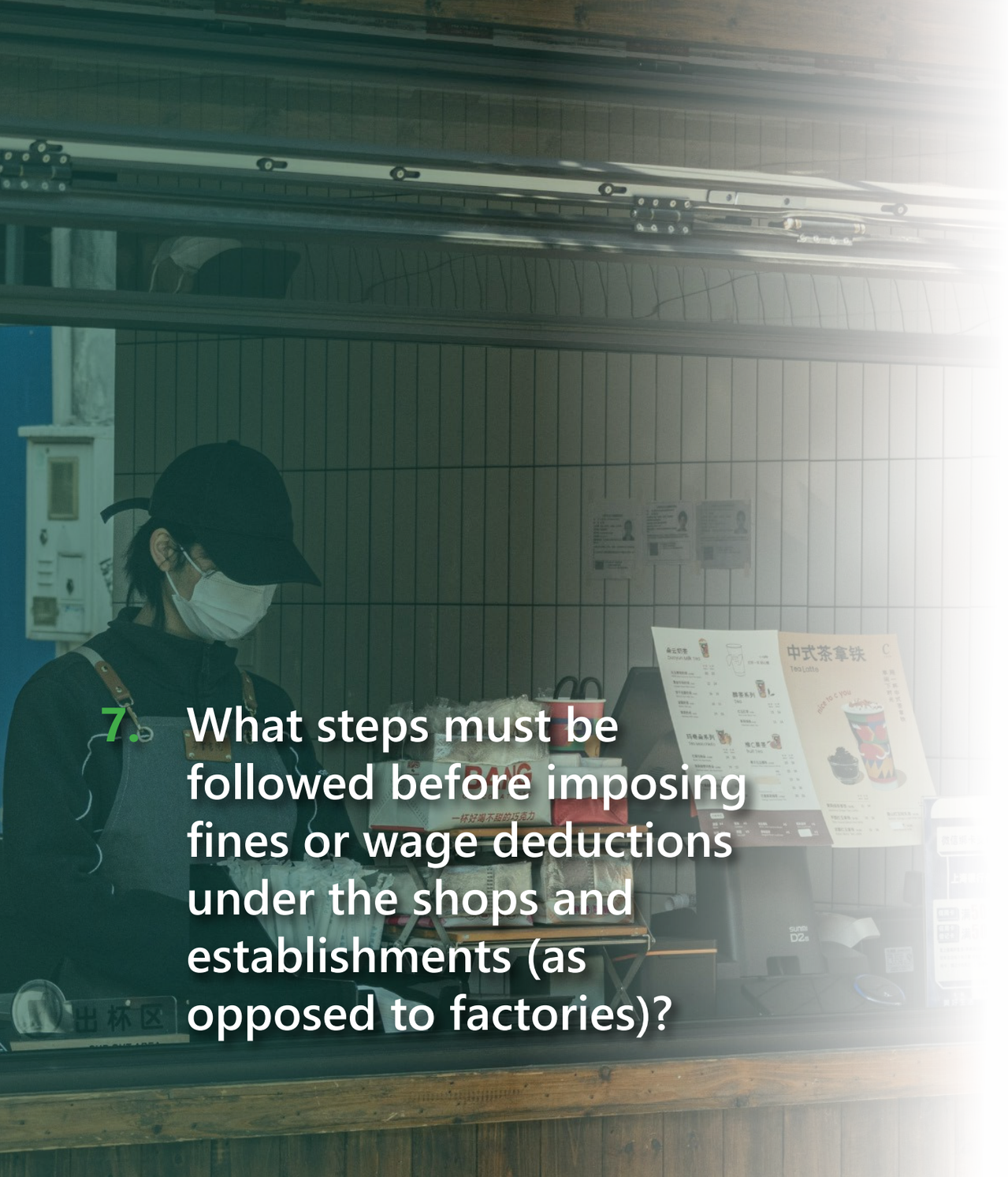
Please follow the process outlined in Q1 above.

THAILAND

The law does not specify exact procedures for resolving leave disputes. Instead, these are handled based on the Labor Protection Act B.E. 2541 (1998) and your company's own leave policies. There are two main issues that typically arise.

First, leave rejection: the employer may deny a leave request if the employee fails to follow company rules. If a dispute occurs, the employer must check whether the employee has followed all steps laid out in the policy before marking the absence as unauthorized.

Second, leave encashment: employee who have worked continuously for at least one year are entitled to at least six days of paid annual leave per year. The employer can set or agree on the leave period. If employee choose not to take the leave after it’s been set, the employer does not have to pay them for unused days. If the employer permits employee to accumulate unused annual leave, the employer may be obligated to compensate for both the unused leave from previous years and the current year upon termination of employment.



7. What steps must be followed before imposing fines or wage deductions under the shops and establishments (as opposed to factories)?

BANGLADESH

Bangladesh Labour Law does not set mandatory rules for fines or wage deductions. Employers usually follow natural justice principles—giving notice, allowing the employee to be heard, and keeping proper records—while complying with employment contracts and internal disciplinary policies.

CAMBODIA

The Cambodian Labour Law restricts and limits wage deductions by employers. In particular, it prohibits employers from imposing fines or other disciplinary measures that result in wage deductions.

Further, employers are generally prohibited from making deductions or set offs from workers' wages except in limited cases, including: (1) unreturned tools or equipment; (2) items or materials under the worker's control; (3) amounts advanced to acquire such items; and (4) debts owed to the company store.

Deductions to repay wage advances must follow statutory limits. Repayment can only occur gradually and within the following caps:

(1) up to 20% of the wage portion exceeding the minimum wage up to three times the minimum wage;

(2) up to 30% of the portion exceeding three times up to ten times the minimum wage;

(3) up to 50% of the portion exceeding ten times the minimum wage.

No deductions may be made from the portion of wages at or below the guaranteed minimum wage, and total deductions cannot reduce the wage to a level insufficient for a worker's basic living needs.

Currently, there is no guaranteed minimum wage for employees in sectors other than the garment, textile, footwear, travel goods, and bag manufacturing sectors.

For all other sectors, employers should exercise caution when making any wage deductions. To reduce compliance risks, deductions should be based on the relevant wage portions under the Labour Law and must be supported by the employee's clear, written consent acknowledging the basis of the calculation and confirming that the deduction is lawful and mutually agreed.

MYANMAR

Under Payment of Wages Law, specific legal steps must be followed before imposing fines or wage deductions in both shops and other establishments. While the law does not differentiate between factories and other establishments, it sets forth a strict procedure to protect workers from arbitrary wage cuts.

Employers are only permitted to impose fines or make wage deductions under strictly regulated circumstances. Any deduction must comply with the law, and employees must be given a fair opportunity to respond before deductions are made. The key steps and requirements are as follows:

(1) Permissible Deductions

(a) Absence from work (excluding entitled leave or public holidays).

(b) Expenses legitimately incurred by the employee, such as accommodation, meal allowance, utilities, taxes, or overpayments.

(c) Advances, savings contributions, or other lawful contributions.

(d) Court or arbitration orders.

(2) Fines for Misconduct

(a) Cannot exceed 5% of monthly wages, and total deductions (except for failure to perform duty) cannot exceed 50% of monthly wages.

(b) Must not exceed the actual value of the damage or loss caused by intentional negligence, carelessness, or dishonesty.

(c) Workers under 16 years cannot be fined.

(d) Prior approval from the FGLLID is required before deduction, and approval must be posted in a conspicuous place.

(e) All deductions must be recorded in the wage register and reported to FGLLID.

Fines collected for compensation must be used for employee benefits in coordination with a legally registered labour organization.

THAILAND

An employer is generally prohibited from deducting wages or imposing fines, except in limited circumstances, such as legally required deductions for taxes, union dues (with consent), or employee-authorized welfare/cooperative contributions, compensation for damages caused by the employee' intentional or grossly negligent acts, with the employee' prior consent.

Noncompliance with deductions permitted by law shall lead the risk violating labor laws and may attract criminal penalties up to six months' imprisonment and/or THB 100,000 fine.

8. What are the employer's legal responsibilities regarding employee working hours, weekly offs, and public holidays?

BANGLADESH

Employers shall follow working hour limits e.g. maximum 8 hours a day plus 2 hours overtime (10 total), no more than 60 hours in a week, and an annual average of 56 hours weekly. A 1-hour break is required if work exceeds 6 continuous hours. Workers get one weekly holiday (or a substitute within 3 days if they work that day), 11 paid festival holidays annually, and if they work on a festival day, they must receive either two paid substitute holidays or one paid day off.

CAMBODIA

Normal working hours of employees are eight hours per day and 48 hours per week. Employers are free to establish their own working schedule for different jobs based on the type of work and how it is organized. Several exceptions to the general working hour rules are permitted but are subject to specific conditions under the law and its implementing regulations. Additionally, employers are allowed to allocate working hours over periods longer than one week, subject to the conditions that the average number of working hours does not exceed 48 hours per week and eight hours per day.

Each year the MLVT issues a schedule setting out the mandatory paid public holidays for employees of all enterprises. Employers are required to comply with such holidays.

With respect to weekly time off, employers are prohibited from using the same employee for more than six days per week. Weekly time off must last for a minimum of 24 consecutive hours. All workers shall be given in principle a day off on Sunday.

If employees are required to work overtime, employees are entitled to compensation for work performed as follows:

(1) 150% of normal working payment rate for overtime work on a normal working day;

(2) 200% of normal working payment rate for overtime work between 22:00 to 05:00 and work performed on normal weekly day off; and

(3) 100% of normal working payment rate applies for work performed on public holidays in addition to the normal wage that the employee is entitled on paid public holidays.

In accordance with the revised procedures issued by the MLVT, employers intending to assign overtime work, or work on public holidays and weekly rest days, are required to submit the necessary information via the MLVT's online system no less than three working days prior to the commencement of such work. Overtime must be undertaken on a voluntary basis.

Failure to comply with overtime and working hour rules subject employers to a penalty of up to KHR 3,360,000 (approximately USD 840) per offence.

MYANMAR

In Myanmar, employers' legal responsibilities regarding employee working hours, weekly offs, and public holidays are governed by the Shops and Establishment Law, the Factories Act, and the Leave and Holidays Act. Myanmar labour laws set clear limits on working hours based on the type of workplace, such as commercial establishments, factories and mines.

(1) Working Hours

(a) For employees in shops, commercial establishments, and public entertainment venues, the standard workday must not exceed eight (8) hours, with a weekly cap of 48 hours.

(b) For employees in factories in establishments involving medium physical risk, such as factories and oil fields, the daily limit remains eight (8) hours, but the weekly maximum is 44 hours. Exceptions apply to factories with continuous processes that cannot stop for technical reasons, where the weekly limit may increase to 48 hours.

(c) Depending on the nature of work, the working hours may be working hours may be adjusted by mutual agreement between the employer and the employee, subject to prior approval from the relevant labour authority.

(2) Rest Periods

(a) For employees in shops, commercial establishments, and public entertainment venues, a minimum rest break of 30 minutes must be provided after four (4) consecutive hours of work.

(b) For employees in factories, oil fields and mines, a minimum break of thirty (30) minutes must be provided after five (5) consecutive hours of work.

(3) Overtime

(a) For shops and establishments, overtime should not exceed 12 hours per week, or 16 hours in exceptional circumstances.

(b) For factories, overtime limits are typically 20 hours per week.

(c) Overtime must be paid at twice the normal rate of pay. The employer must obtain prior approval from the relevant FGLLID for overtime work.

(4) Rest day, public holiday and other leaves

(a) **Rest Day:** one day off per week is standard.

(b) **Public holidays:** Public holidays are announced annually by the Government. Employees are entitled to these holidays with full pay, as prescribed by the official notifications.

(c) **Annual leave:** Annual leave of ten days once the employee has completed 12 months of continuous service and worked at least 20 days each month. While there is no requirement to allocate any annual leave during the employee's first year, in practice, it is granted pro rata.

(d) **Casual leave:** Casual leave of six days per annum, intended for emergencies and personal matters. Only three days may be taken at any one time (unless otherwise agreed with the employer), and it cannot be combined with any other kind of leave and does not accrue.

(e) **Medical leave:** Medical leave of up to 30 days on production of a medical certificate, provided the employee has completed six months of continuous service. The leave is unpaid if the employee has less than six months of service.

(f) **Maternity leave:** Maternity leave of six weeks before confinement and eight weeks after, subject to the employee having completed six months of continuous service; otherwise, the leave is unpaid. This leave can be combined with medical leave.

THAILAND

(1) Working Hours & Overtime

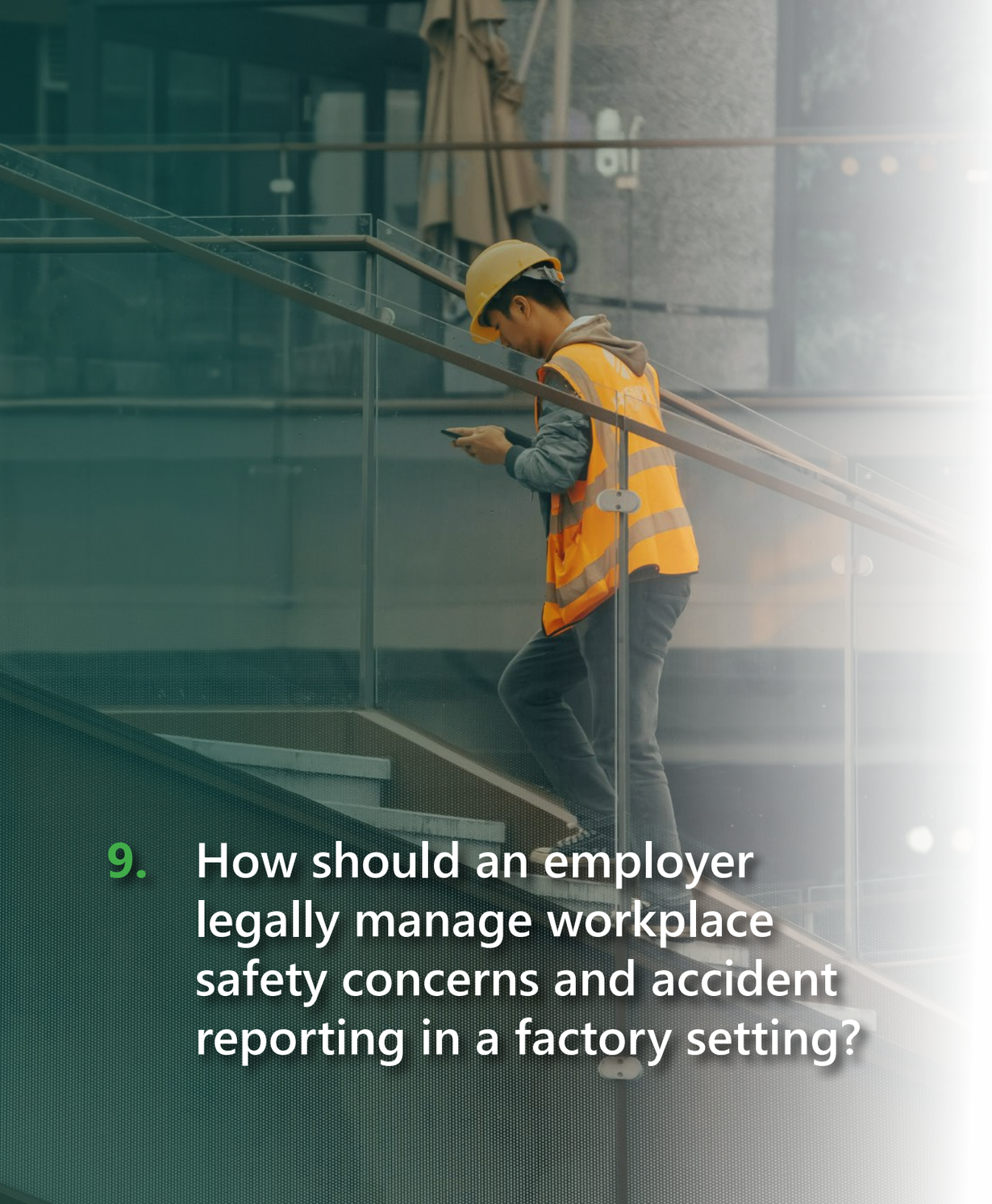
An employer must clearly announce daily working hours, which should generally not exceed 8 hours (excluding up to 2 hours of rest), and 48 hours per week. To require overtime on regular days, the employer needs the employee's permission, unless the nature of the work demands continuous operation, to prevent damage, or in emergencies. Total overtime (on regular days, weekly offs, and holidays) must not exceed 36 hours per week. Employee are entitled to at least 1 hour of rest after working 5 hours straight, and if overtime exceeds 2 hours, there must be a 20-minute rest before it starts. Overtime pay on regular days must be at least 1.5 times the normal hourly rate.

(2) Weekly Offs

An employee is entitled to at least one day off per week, with no more than six consecutive working days. The employer must pay regular wages for this day off. Similar to regular days, the employee may only be asked to work on their day off in special cases (continuous operations, preventing damage, or emergencies). If required to work on a weekly off, they must be paid at least once their regular hourly rate for the employee who is entitled to receive wages in the day off and two times for the employee who is not entitled to receive wages in the day off. If they work overtime on that day, they must be paid at least three times their regular hourly rate.

(3) Public Holidays

The employer must inform the employee of at least 13 public holidays each year, one of which must be Labor Day—and announce them at least a year in advance. If a holiday falls on a regular day off, a substitute holiday must be given. Public holidays are paid at the regular rate.



9. How should an employer legally manage workplace safety concerns and accident reporting in a factory setting?

BANGLADESH

Employers in Bangladesh must ensure workplace safety by keeping buildings, machinery, and electrical systems secure and inspected. Exits must stay unlocked and clear, with marked emergency exits and alarms.

Fire safety training is required for workplaces with 10+ workers above ground or storing flammable materials, and factories with 50+ workers must hold fire drills every six months.

Large establishments must keep safety records, form safety committees, and provide medical facilities. Serious or fatal accidents must be reported immediately, minor ones within 7 days. CCTV may be installed in common areas for safety.

CAMBODIA

Employers have a duty of care towards employees. Specifically, it must ensure workplaces are kept clean and maintain standards of hygiene and sanitation and generally maintain working conditions necessary for the health of its employees. Workplaces must be set up to guarantee the safety of employees. Machinery, mechanisms, transmission apparatus, tools, equipment and machines must be installed and maintained in the best possible safety conditions. Management of technical work utilising tools, equipment, machines or products used must be organised properly to guarantee the safety of employees.

Accordingly, any workplace safety concerns or accidents must be promptly addressed and reported to the appropriate authorities. Employers should also document such concerns, the solutions implemented, and the findings of any investigations to prevent recurrence and to demonstrate compliance with their duty of care.

If an employee has a work-related accident, the employer must:

(1) provide emergency aid by any means as soon as possible;

(2) inform the competent ministries;

(3) maintain the original scene of the accident for "severe or fatal accidents";

(4) if there is a need to change the original scene of the accident, photograph the original scene of the accident;

(5) adequately provide the investigation commission with relevant documents;

(6) allow any witness to report to the authorities;

(7) bear responsibility for all expenses of the investigation work for technical analysis of the accident; and

(8) take action to prevent similar accidents from reoccurring in the future.

The employer must notify the MLVT in writing of any work-related accident no later than 48 hours after the accident occurs.

MYANMAR

In Myanmar, an employer's legal management of workplace safety and accident reporting in a factory setting is primarily governed by the Factories Act, supplemented by the Occupational Safety and Health Law and the Social Security Law. Employers are legally required to maintain a safe working environment, implement appropriate safety systems, and ensure proper accident reporting. Key obligations include:

(1) Workplace Safety Measures

(a) Establish and implement an occupational safety management system, and submit it to the Factories and General Labour Law Inspection Department (FGLLID).

(b) Form a joint worker-management safety and health committee to oversee safety practices.

(c) Maintain a clean, well-lit, and properly ventilated factory environment.

(d) Ensure machine safety through guards, emergency shut-off devices, and safe operational procedures.

(e) Provide free and suitable Personal Protective Equipment (PPE) to all employees.

(f) Implement fire safety measures, including alarms, extinguishers, and emergency exits.

(2) Accident Reporting and Documentation

(a) Report all workplace accidents internally to supervisors or designated safety officers immediately.

(b) Report fatal accidents to FGLLID as soon as possible.

(c) Report accidents causing ≥48 hours incapacitation to the FGLLID within 72 hours.

(d) For employers registered with the relevant township Social Security Board ("**SSB**"), notify the SSB within 24 hours for any injury to ensure employees receive treatment and benefits under the Social Security Law.

(e) Maintain records of all accidents, investigations, and remedial actions taken.

THAILAND

According to the Occupational Safety, Health, and Work Environment Act B.E. 2554 (2011), **the employer have the duty to organize and maintain the establishment and the working conditions to ensure a safe and hygienic work environment**, as well as to promote and support employee' work in a manner that prevents harm to their life, body, mind, and health. The employer must ensure that the establishment complies with the prescribed standards, which may vary depending on the nature of the work and the type of establishment. In addition, the employer are also responsible for preparing documents or reports of compliance with the prescribed standards, which must be verified or certified by a person or legal entity as required by law.

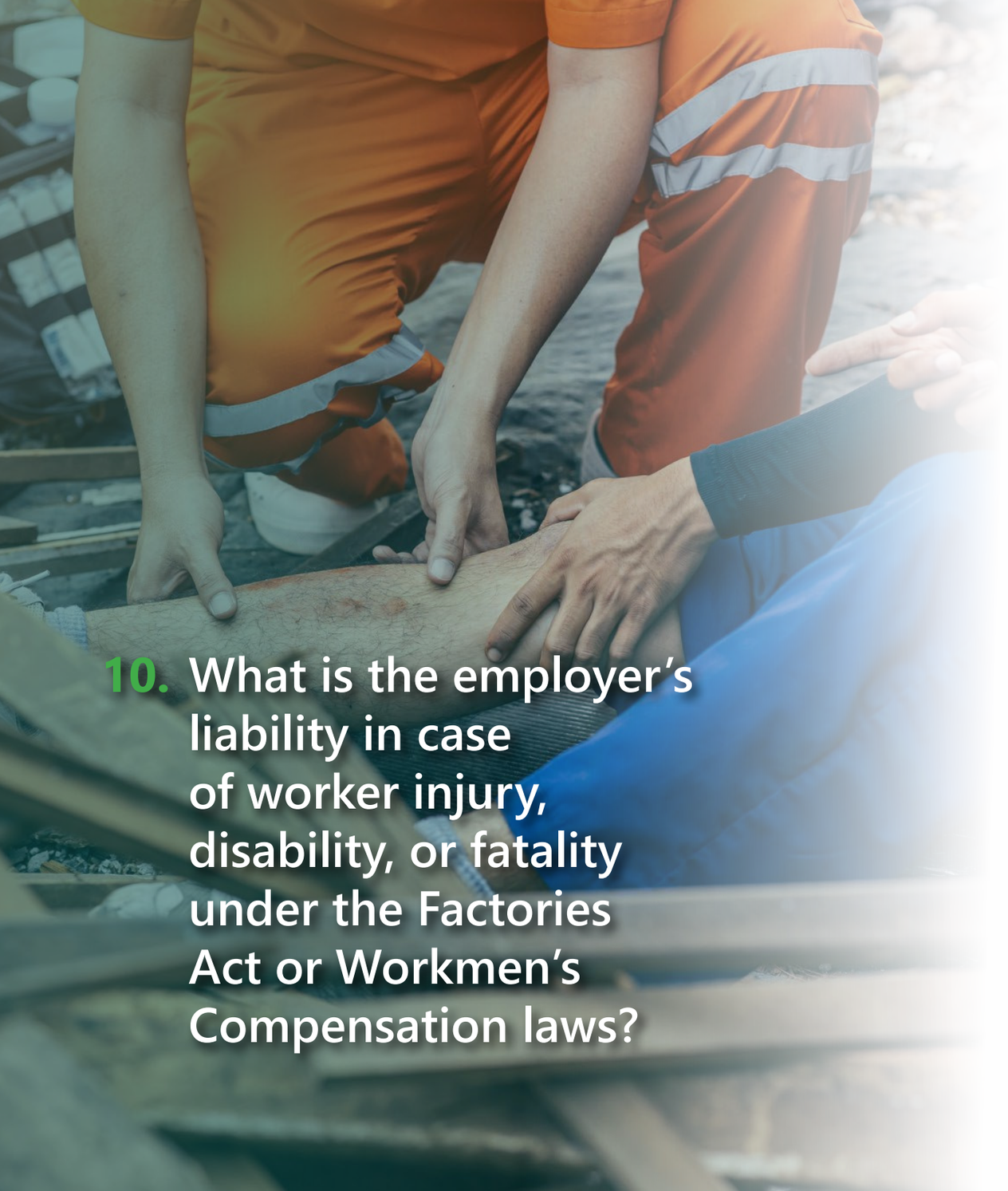
Regarding accident and injury reporting, under the Occupational Safety, Health, and Work Environment Act B.E. 2554 (2011), the employer has the following duties in the event of a serious accident at the establishment or when the employee suffer a work-related injury:

(1) **In case of employee' death:** In case of employee' death: The employer must immediately notify the Safety Officer upon becoming aware, and submit details and causes in writing within seven days from the date of death.

(2) **In case any person at the establishment suffers injury or damage from a serious accident:** The employer must immediately notify the Safety Officer upon becoming aware, and submit a written report detailing the cause of the hazard, the damage, corrective measures, and preventive measures within seven days from the date of the incident.

(3) **In case the employee suffer work-related injury or illness under the Workmen's Compensation Act:** After notifying the Social Security Office as required by law, the employer must send a copy of the notification to the Safety Officer within seven days.

In addition, if the employer are the "**operator of a factory**", they also have obligations under the Factory Act B.E. 2535 (1992). If an accident occurs in the factory due to the factory or its machinery, and such accident causes death, injury, or illness resulting in the person being unable to perform their previous duties within 72 hours, **the employer, as the factory operator, must notify the competent official in writing within 3 days from the date of death or upon completion of the 72-hour period**.



10. What is the employer's liability in case of worker injury, disability, or fatality under the Factories Act or Workmen's Compensation laws?

BANGLADESH

Employers in Bangladesh shall compensate workers for workplace injuries, disabilities, or death, except when incapacity lasts less than three days or results from intoxication, deliberate safety violations, or removal of protective gear.

Occupational diseases count as workplace injuries if the worker has been employed for at least six months. Employers must provide full medical care and cover treatment costs, with compensation based on injury severity—death, permanent or partial disability, or temporary incapacity.

Fatal accidents require immediate reporting; minor accidents within seven days.

Employers with 100+ permanent workers must provide group insurance for death or permanent disability, with premiums paid by the employer and claims settled within 120 days. These benefits are in addition to other statutory entitlements.

CAMBODIA

Employers bear legal liability in the event of worker injury or disability. This liability primarily arises from the occupational risk scheme administered by the National Social Security Fund ("**NSSF**"), as well as broader occupational health and safety obligations.

Employers are required to register their employees with the NSSF. Once registration is complete, the employer must make monthly contributions to the NSSF for both the occupational risk and healthcare schemes. In addition, a pension scheme is being implemented, with contributions shared equally between employer and employee.

Under the occupational risk scheme, the enterprise must pay a monthly contribution equivalent to 0.8% of an employee's average monthly salary/wages (typically ranging from USD 0.80 to USD 2.40 per employee per month) to the NSSF. In return, the enterprise obtains work-related insurance coverage for its employees, which includes:

(1) work-related accidents sustained by employees while performing duties for their employer;

(2) accidents occurring during the employee's direct commute between their residence and workplace; and

(3) occupational diseases contracted by employees.

Employers may also provide additional benefits to employees based on internal policies, internal work rules, and/or employment contracts.

Further, given the employer's duty of care to ensure employees' health and safety, if a worker's injury, disability, or fatality results from the employer's failure to provide a safe workplace or to maintain working conditions that meet required standards of hygiene, sanitation, and health, the employer may be subject to a fine of up to KHR 6.72 million (approximately USD 1,680) per offence.

MYANMAR

In Myanmar, employer liability for worker injury, disability, or fatality is primarily governed by two systems: the Social Security Law and, for establishments not covered by the Social Security Law, the older Workmen's Compensation Act.

(1) Workmen's Compensation Act

Employers are required to provide compensation to employees for injuries sustained due to workplace accidents or occupational diseases attributable to their employment. Compensation is generally categorized as follows:

(a) Lump sum death benefits;

(b) Permanent total disablement;

(c) Permanent partial disablement; and

(d) Temporary disablement.

(2) Social Security Law

Employers who are registered under the Social Security Law and contribute to the employment injury benefit fund are exempt from the Workmen Compensation Act's provisions regarding employment injury benefits, as such benefits are instead covered under the social security system.

THAILAND

When the employee suffers an injury, illness, or disappearance as a result of work, the employer has the following duties under the Workmen's Compensation Act B.E. 2537 (1994):

(1) **Notification:** The employer must notify the Social Security Office within 15 days from the date the employer become aware, or should have become aware, of the employee' injury, illness, or disappearance.

(2) **Medical treatment:** The employer must immediately provide appropriate medical treatment for the employee according to the nature of the injury or illness and pay actual and necessary medical expenses without delay once notified by the employee,

(3) **Rehabilitation:** If the employee require rehabilitation after injury or illness, the employer must bear the actual and necessary cost of such rehabilitation.

(4) **Monthly compensation:** When the employee suffer an injury, illness, or disappearance, the employer must pay compensation on a monthly basis at the rate prescribed by law.

(5) **Funeral expenses:** If the employee die or disappear due to injury or illness, the employer must pay funeral expenses to the person responsible for the funeral, as prescribed by law.

Additionally, the employer also have the duty to report accidents and employee' injuries or deaths to the relevant authorities under the Occupational Safety, Health, and Work Environment Act B.E. 2554 (2011) and the Factory Act B.E. 2535 (1992), as mentioned in item 9.

11. When is it mandatory to establish a Works Committee or Grievance Redressal Committee, and what are their legal roles?

BANGLADESH

Under the Bangladesh Labour Act, 2006 and Labour Rules, 2015, employers have to form committees for worker participation, grievance handling, and safety. Workplaces with 50+ workers must have a Participation Committee with elected worker representatives equal to or more than employer representatives (unless a trade union exists).

Workers with 6+ months of service can contest elections, and employers cannot retaliate against elected members. Workplaces with 10+ workers must set up a Grievance Redressal Committee to handle complaints and keep records.

Employers must also create a POSH committee, share preventive guidelines, and maintain a complaint box. Sexual harassment includes unwelcome physical contact, verbal abuse, sexually colored remarks, and online harassment, ensuring dignity and safety for female workers.

CAMBODIA

No, it is not mandatory under the Cambodian Labour Law. However, it is common for employers to establish an internal committee to handle complaints or grievance within the organization.

MYANMAR

In Myanmar, it is mandatory to establish a WCC for workplaces with more than 30 employees. The WCC consists of three representatives from the employer and three from the labour organization (or elected employee representatives if no labour organization exists). The WCC's legal roles include promoting good employer-employee relations, coordinating employment conditions, productivity, and workplace health and safety, and serving as the first point of resolution for workplace disputes. The WCC must attempt to settle any grievance within seven (7) business days. For a more detailed explanation of legal roles and responsibilities, please refer to the response outlined in Q4 above.

THAILAND

Pursuant to the Labor Protection Act B.E. 2541 (1998), Under Thai labor legislation, **the establishment of a works committee is required with 50 or more employee**, which must include at least five employee representatives, with the following legal duties:

(1) Discuss with the employer regarding the provision of welfare for employee

(2) Provide consultation and recommendations to the employer on employee welfare

(3) Monitor, control, and supervise the welfare provided by the employer

(4) Propose opinions and guidelines on welfare beneficial to employee to the works committee

As for the grievance redressal committee, Thai labor legislation does not require the employer to establish one. However, under the Labor Relations Act B.E. 2518 (1975), in establishments with 50 or more employee, employee have the right to form the employee committee in the establishment. The law requires the employer to hold meetings with the employee committee at least once every three months, or when the number of employee committee members exceeds half of all employee, or when the labor union requests with reasonable cause. **Considering employee' grievances is one of the purposes that the law requires the employer to meet with the employee committee**, which may be analogous to a grievance redressal committee under Thai law.

12. What are the legal requirements for maintaining HR records, registers, and employee documentation under labour laws?

BANGLADESH

Employers in Bangladesh have to keep detailed employment records under the Labour Act and Rules. This includes a service book for each worker with personal details, job history, wages, leave, and conduct, updated within 15 days of any change. A duplicate copy must be given to the worker, returned on termination, and may be digital.

Employers must also maintain registers like worker register, leave register, muster roll, wage register, attendance, overtime, and registers for fines and deductions. Workers should receive tickets or cards as per job type, and all records must be available for inspection during working hours. These rules ensure transparency and compliance.

CAMBODIA

Employers must comply with initial registration requirements under the Cambodian Labour Law, which include:

(1) declaration of enterprise opening;

(2) declaration of employees;

(3) establishment book;

(4) payroll ledger; and

(5) registration with the NSSF.

The above registration and filings must be done through Labour Centralized Management System (LACMS).

When hiring a local employee, in addition to registering the employee with the MLVT, an employer must, as applicable, assist the local employee in obtaining a work book. Employers must also assist foreign employees in obtaining a work permit and must secure sufficient quota to hire foreign employees.

When an employer hires eight or more employees, the employer must conduct an election of shop stewards and register internal work rules with the MLVT. Employers must also comply with other ongoing filing obligations.

In relation to document retention, the Cambodian Labour Law does not specify retention requirement other than the requirement to keep payroll, establishment book and immigration documents available for inspection.

Employers must retain or keep payroll ledger for three years for inspection. Further, the employer is also required to retain the establishment book for at least three years after all pages have been used up, as the labour authority may request for this establishment book from time to time when they conduct inspection.

Employers are required to keep immigration and labour documents on-site so they are immediately available for inspection. During an inspection, the joint foreign labor inspectors may request employers to present original documents. Accordingly, employers should retain the original copies of these documents for the entire duration of the employment period.

For documents other than the payroll ledger and establishment book as mentioned above, there is no rule on period of retention. Given the limitation period for the commencement of a lawsuit for the payment of wages (including the actual wage, perquisites and all other claims of the employee resulting from the labor contract, as well as the indemnity in the event of dismissal) is three years from the date the wage was due, the employer is advised to retain the relevant employment documents for the period of three years.

MYANMAR

In Myanmar, employers are required to maintain and manage HR records and documentation to comply with labour regulations. Key requirements include:

(1) Keep a register of all employees with basic personal details. Special records and medical certificates are required for employees under 18 years old.

(2) Provide every employee with a written employment contract within 30 days after hiring. For workplaces with five (5) employees and above, contracts should be registered with the township labour office.

(3) Maintain clear records of wage payments, overtime, and deductions. Records of how any deducted wages are used should also be kept. Overtime payment records must be submitted to authorities within specified timelines.

(4) Record daily attendance and working hours. Working hours or shift schedules should be communicated to authorities and displayed visibly at the workplace.

(5) Track all employee leave requests, leave taken, and entitlements for public holidays and weekly rest days. Records must be submitted periodically to authorities.

(6) Authorities may inspect workplaces at any time, and most HR records must be kept for at least 12 months and be available upon request.

THAILAND

According to the Labor Protection Act B.E. 2541 (1998), the employer with ten or more employee must prepare and maintain the employee' register in the Thai language at the place of business or office within 15 days from the employee' first working day. The register must include at least the following information:

(1) Full name

(2) Gender

(3) Nationality

(4) Date of birth or age

(5) Current address

(6) Employment commencement date

(7) Position or job title

(8) Wage rate and other agreed remuneration

(9) Employment termination date

In addition, the employer with ten or more employee must also maintain records of payments relating to wages, overtime, holiday pay, and overtime on holidays, with the employee' signature as evidence, which must include at least the following details:

(1) Dates and hours of work

(2) Work output (for employee whose wages are calculated by unit of work)

(3) Rates and amounts of wages, overtime pay, holiday pay, and overtime on holidays received by each employee

The employer has legal obligation to keep **the employee' register** for at **least two years from the date of termination of each employee** and must keep **payment records** for **at least two years from the payment date.**

However, **if a complaint is filed with the Labor Inspector or a labor case is brought before the court, the employer must retain the employee' register and all relevant payment records until a final order or judgment has been rendered.**

13. Can employment contracts include clauses for arbitration or alternative dispute resolution, and are they enforceable?

BANGLADESH

Arbitration clauses in employment contracts are compulsory in Bangladesh. While the Labour Act and Labour Rules do not mandate such clauses for individual employment agreements, employers and employees may include them by mutual consent. If added, the clause is valid and enforceable under the Arbitration Act, 2001. The Labour Act primarily addresses arbitration for industrial disputes, not individual employment contracts.

CAMBODIA

Yes, there is no restriction for an employment contract to include clauses for arbitration or alternative dispute resolution for individual disputes. However, such clauses are very uncommon, given that there are prescribed procedures under the Cambodian Labour Law.

With respect to collective disputes, the labour inspector may initiate legal conciliation proceedings upon becoming aware of the dispute, even if the parties have not notified or communicated with the inspector. Article 309 of the Cambodian Labour Law provides that for collective labour disputes, if conciliation fails, the dispute shall be settled:

(1) by any arbitration procedure set out in the collective agreement, if such a procedure exists;

(2) by any other procedure agreed upon by all parties to the dispute; or

(3) by the arbitration procedure provided under the law.

However, we have never seen a case where employment contracts include arbitration clauses for collective labour disputes separate from the prescribed procedures (such as the Arbitration Council), as statutory mechanisms like conciliation and the Arbitration Council are generally required and applied under the law.

MYANMAR

In Myanmar, employment disputes are primarily governed by the Settlement of Labour Dispute Law, which provides a mandatory dispute resolution process as outlined in Q1 above.

Unlike commercial contracts where arbitration or alternative dispute resolution ("ADR") is common and encouraged, the labour dispute framework in Myanmar is highly structured and does not generally allow employees to be compelled into private arbitration, particularly for disputes involving statutory employment rights. Since this law establishes a specific and exclusive mechanism for resolving employment disputes, arbitration or ADR clauses are generally not enforceable under the Myanmar Arbitration Law 2016 or other private mechanisms.

However, voluntary ADR or internal mediation may be used if mutually agreed upon and it does not compromise the employee's statutory rights.

THAILAND

Whether an employment dispute can be resolved through arbitration or alternative dispute resolution (ADR) depends on the nature of the dispute. If the matter involves statutory entitlements under Thai labor law (such as severance pay, wage deductions, or leave entitlements), these disputes are generally subject to the jurisdiction of the Thai Labor Court.

However, if the dispute concerns matter beyond the scope of statutory labor protections (such as discretionary benefits like employee share options), the employer and the employee may agree to resolve these issues through arbitration or ADR. In such cases, the agreement should be clearly drafted to define the scope of disputes covered and ensure enforceability.

14. What are the risks of retaliation claims if an employee raises a complaint, and how can employers prevent this?

BANGLADESH

Although the term "retaliation" is not explicitly mentioned in Bangladesh labour laws, employees are protected when raising complaints. Any negative action by an employer—such as harassment or misconduct—following a complaint should trigger internal disciplinary procedures. If an investigation confirms the complaint, it may lead to legal proceedings in the Labour Court, including possible termination of employment.

To prevent such risks, employers should maintain confidentiality, follow due process, train employees on the Code of Conduct, educate supervisors on ethical complaint handling, document all steps, and establish a formal grievance redress system as required by law.

CAMBODIA

The Cambodian Labour Law does not provide a specific legal claim for employees in cases of employer retaliation following a complaint. Liability will depend on the circumstances and the merits of the retaliation.

If an employer takes retaliatory action such as demoting an employee, discriminating against them, or excluding them from projects, the employee may file a complaint specifically regarding that action. Depending on the case, employees may seek:

(1) damages (in cases of constructive dismissal);

(2) compensation (in cases of wage reduction); or

(3) reversal of the situation (in cases of demotion).

To mitigate these risks, employers should set up and implement a clear anti-retaliation policy, train all employees, including management, on the policy and monitor compliance to ensure the policy is effectively enforced.

MYANMAR

In Myanmar, employees who raise complaints, particularly those involved in labour organizations, are protected from retaliation under the Settlement of Labour Dispute Law. Retaliatory actions such as dismissal, demotion, or reduction of entitlements may be challenged as unlawful or unfair dismissal, exposing the employer to fines, civil or criminal liability, reinstatement orders, back pay, or compensation claims.

In standard practice, to minimize the risk of retaliation claims, employers should:

(1) Establish clear internal complaint and grievance procedures allowing employees to raise concerns confidentially.

(2) Protect complainants and witnesses from adverse treatment or discrimination.

(3) Conduct impartial investigations into all complaints and document findings thoroughly.

(4) Maintain transparency and communication with employees regarding how complaints are addressed.

(5) Avoid adverse actions against employees on statutory leave, including maternity, medical, or annual leave.

THAILAND

If an employer's actions are found to be unfair or in violation of Thai labor laws, the affected employee has the right to file a complaint with the Labor Inspector or pursue legal action through the Thai Labor Court. In cases involving serious breaches of labor regulations, the employer or any director directly involved in the violation, may be subject to criminal penalties, which can include imprisonment and/or paying a fine.

To prevent retaliation claims, the employer should handle complaints professionally and fairly. This includes keeping the complaint process confidential, avoiding any negative treatment of the employee who raised the issue, and ensuring that any disciplinary or employment decisions are based on clear, documented reasons unrelated to the complaint. Having a clear anti-retaliation policy and training managers to follow it can help protect both the employee and the company.

15. What legal timelines (limitation periods) should employers be aware of for employee complaints or legal claims?

BANGLADESH

In Bangladesh, a Labour Court can only act on an offence if a complaint is filed within six months of its occurrence, unless a different timeline is specified by law or rules.

CAMBODIA

The right to file a complaint for a wage claim expires three years after the date of the wage payment. Claims within this limitation period include wages, other wage-related payments, and all employee entitlements arising under the labour contract, including final payments due upon termination of employment.

MYANMAR

In Myanmar, legal timelines for employee complaints and claims vary depending on the applicable law. Key limitation periods include:

(1) Wage-related claims

(a) Employees must submit a complaint to the inspection officer within six (6) months from the date of wage deduction or non-payment.

(b) Appeals against the inspector's decision must be filed with the inspector general within 30 days of receiving the order.

(2) General civil claims

(a) For individual employment-related claims, such as outstanding wages, the limitation period is one (1) year from the date the claim occurred.

(3) Shops and Establishments Law violations

(a) Employees have three (3) months from the date of violation to report to an inspector. Common violations include requiring employees to work beyond legal limits (hours or overtime), denying rest days or breaks, delaying or withholding wages or overtime payments, or failing to maintain proper employment records, etc.

THAILAND

In Thailand, the time limit for filing civil claims related to employment depends on the type of claim. If the claim involves wages, holiday pay, overtime, or unused annual leave, the limitation period is two years. This means the employee must file the claim within two years from the day after the payment was due.

For other types of claims not specifically covered by labor law (such as bonuses, repayment of unauthorized wage deductions, severance pay and other compensation), the general civil limitation period of ten years applies. This also starts from the day after the payment was due.

AUTHORS

Bangladesh

Tarannum Tasnim, Partner

Tahmina Akter, Associate

Md. Shakhawat Chowdhury, Associate

Jameelah Ahmed, Junior Associate

Rubaida Tasnem, Intern

Cambodia

Raksa Chan, Senior Consultant

Myanmar

Mya Myintzu, Senior Legal Adviser

Thailand

Noppadon Treephetchara, Partner

Araya Hengma, Legal Adviser

KEY CONTACTS

Bangladesh

Shahwar Nizam

Partner and Managing Director

shahwar.nizam@dfdl.com

Cambodia

Guillaume Massin

Partner

guillaume.massin@dfdl.com

Myanmar

Nishant K. Choudhary

Partner and Managing Director

nishant.choudhary@dfdl.com

Thailand

Noppadon Treephetchara

Partner

noppadon@dfdl.com

EXCELLENCE · CREATIVITY · TRUST

Since 1994

BANGLADESH | CAMBODIA* | INDONESIA* | LAO PDR | MALAYSIA* | MYANMAR | PHILIPPINES* | SINGAPORE | THAILAND | VIETNAM

**DFDL collaborating firms*