

## Development of Maternity Law in Thailand

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### Abstracts

As James J. Heckman (2011) emphasizes on the importance of the presence of parents during the infancy stage when early skill development fosters subsequent learning. This, however, is nearly impossible with the labor force today. Many parents have to choose between work and their child. Maternity leave is the only time when mothers are granted time to adjust and focus only on themselves and their newborns. However, unfortunately, maternity leave is not compulsory in many countries provide the same package for the same role. By looking at maternity laws around the world, we can examine how maternity leave helps women balance their responsibilities. This paper uses content analysis as a qualitative method to reviews maternity leave as part of labor law in Thailand and around the world, in order to examine Thailand's maternity leave policy and propose its improvement. The content that was used in the research process was available on government websites such as the Ministry of Labor and Social Security Office, considering the legitimacy of the sources. For content analysis, the Labor Protection Act B.E.2562 (No.7) and the Social Security Act Amendment (No.4) B.E. 2558 were the base of comparison. The objectives of the study were to examine principles underlying maternity protection in Thailand; identifying problems arising from enforcing maternity leave laws; comparing maternity law, policy and practice between Thailand and other countries; and lastly, providing recommendations for future policy. The results showed that maternity leave policy in Thailand lack enforcement criteria which pressures working mothers to renounce their rights. By comparison with other countries, its laws are more problematic with a weak legislative structure. In comparison to other countries, Thai policies are similar, if not better to those of South East Asia countries. However, its policies are still behind Europe, where transferability, duration and payment are offered as compulsory. Thailand must make efforts to improve conditions for the women who ensure that its new generations are invested in early on, through maternity leave policy.

**Keywords:** maternity law, labor law, social security act

## Introduction

The creation of maternity leave is associated with increasing women's labor force participation. Leave policies were designed to incentivize women not to entirely abandon their household duties. Decades ago, women who wanted to start a family, would be expected to choose either work or family, but not both. The key concern of maternity protection is to ensure that women's work does not jeopardize the health of the woman and her child and women's maternity is reconcilable with their economic and employment security. Women require protection to ensure that they will not lose their job simply because of pregnancy or maternity leave. Today, when women get employed, they must sign labor contract which are subjected to the provisions of Labor Law, in addition to the standard for hire and services by juristic relations between them and their employer. Both parties are then obliged to follow the labor laws and regulations and details of employee's rights and compensations are clearly stated. Over 100 countries, including virtually all industrialized nations, have adopted parental leave policies. Most of those insure women with paid leave to at least two or three months around the time of childbirth.

There are also other measurable benefits for society with maternity leave policy that is beyond mother-child relationship. It also helps low-income workers with limits to contractual and Social Security Benefits, to sustain their income during the leave. Companies are gaining from worker retention because when women fail to return to work after maternity leave, or return to a lower level job, employers lose some or all of investment they made in recruitment and training. But with paid leave, women are reported to return to work with higher productivity.

However, there are more to maternity leave for working mothers. Even for those who are eligible for paid leave and can continue to take leave but unpaid – there is a concern of discrimination that doing so will negatively impact future career prospects, wages, and the ability to grow financially. Protecting working mothers from job discrimination will enable genuine equality of opportunity and treatment for both men and women at work. But the reality is, despite the legal protection that was introduced, expectant and new mothers remain disturbingly vulnerable in the workplace anyway. This is due to the lack protections for pregnant employees because when we discuss about work-life balance, women who chose to have children are penalized in the workplace in ways that men would typically not. Additionally, these regulations are formed with gender-based notion which focuses on maintaining women's family responsibilities and ensuring their physical security, but lacked to address impartial necessities that promote equality in terms of salary and opportunities between women and men in the workplace.

Thailand has committed to extending better protection to workers, improving their quality of life and increasing wage levels, as well as guaranteeing fair and non-discriminatory practices. Maternity leave policies are good examples of how Thailand is attempting to honor its joint agreements during international conventions, has helped shaping a framework for their own domestic laws. The progress of maternity leave policies had been implemented since Thailand ratified International Labor Organization Declaration on Fundamental Principles and

Rights at Work, and many other International Labor Organization conventions, including International Labor Organization Convention 127 (on the Maximum Permissible Weight to Be Carried by One Worker); Convention 29 (on Forced or Compulsory Labour); Convention 138 (on Minimum Age for Admission to Employment); and Convention 100 (on Equal Remuneration). By examining the current maternity leave policies, we can explore what works and what doesn't, in comparison to the models of other countries, in order to improve its policies to somewhat that suits the social context and can cater to working mothers and children's needs better.

Currently Thai labor laws, women can take up to 98 days paid leave with salary capped at 15,000 baht per month. The leave also includes days taken for pre-natal examinations. However, it is not clear how the extra 8 days that had been added on, as part of the new labor law expansion, will be compensated as it is up to employer-employee agreements. This is one of the many ambiguities in legal enforcement, that can make workers fall preyed to the system. After all, who would want to take extra 8 days if it will be at their own expense?

This reflects the need for a clarified legal term and a revise of current benefits given to working mothers. Paid maternity leave may not the only answer but a functioning support system may be. We see that there is already a shifting trend of how people are delaying family life because it has become somewhat interruptive and expensive. But if there is a reliable support system where parents are lifted off their loads, we may see a different trend in the next decades. Countries around the world have different ways of providing maternity benefits to families, and not just with paid maternity leave. In many Scandinavian countries, parents are forced on compulsory transferrable leaves where both parents get to take share paternal leave with their partner, as well as having standardized childcare available in all neighbourhood. By examining maternity leave policies around the world, we will look at neighbour countries to Thailand where social context are often similar, as well as in Europe which is often praised for the best paternity leave policies. Lastly, we will also look at countries like the United States where women's employment rate is high but parental leave and social benefits to care at home hardly exist (Carmen Castro-García and María Pazos-Morán 2016).

## Research Objectives

The aim of this study is to examine the development of maternity law in Thailand in order to assess incurring issues of maternity leave in practice. The research focused on examining the principals and strategies concerning maternity protection at workplace in Thailand using relevant law and policies such as Labor Relations Act B.E. 2518, The Labor Protection Act B.E. 2562 and the Social Security Act Amendment B.E. 2558 in comparison to various countries around the world.

The objectives were:

1. to examine principles that are underlying maternity protection in Thailand;

2. to identify problems arising from enforcing maternity leave laws;
3. to compare maternity law, policy and practices, using models from countries around the world, in comparison to Thailand's;
4. to providing recommendations for policy improvement.

## Literature

Throughout history, women have been and continue to be oppressed and discriminated against in ways that are different than men. First-wave feminism was between the 19th and early 20th century. It was when feminist activity was first spread in the West. It focused on legal issues, primarily on the right to vote, rather than equal status. The second wave began in early 1960s with *The Feminine Mystique*, a book written by Betty Friedan's in 1963 (Friedan, 1963). Friedan was also the founder of the National Organization for Women (NOW) – an organization behind feminist movement towards individuality and collective parenthood, while recognizing that patriarchy (male hegemony) was the reason why women lacked equal status at that time (both domestically and professionally).

Liberal feminism aims to achieve true equality. It views institutions and systems as somewhat male dominated, and very much excluding women with false belief that women are less intellectually and physically capable than men. Liberal feminism is therefore, about integrating women into the systems, by making sure that they can equally access or given the same rights that men have, legally, professionally and politically. Eventually this could lead to an interconnection between masculinity and femininity (Friedan, 1981).

Feminism does not only apply to women's issues in public administration field, it also implies to just about everyone in the society. Feminism emphasizes the importance of the social, political and economic structures that shape human societies and stresses that gender must be considered when examining the effects of oppression, domination, power and powerlessness in our society. "Public service depends heavily on women's labor, yet women have been largely excluded from Public Administration discourse until recently" (Hutchinson, 2011).

Though women are in a better position than they were decades ago in many aspects of life, but there are still some justifications that need to be made. Strivers recommended that we need to develop strategies that "destabilize central gendered concepts in the field without being explicitly based on feminist theory" (Strivers, 2002) in order to eliminate antifeminist leanings from public administration.

Feminism of difference acknowledges all nationality, language, religion and cultures as crucial bases. Theory of difference supports the idea that equality can be achieved when women's differences are acknowledged instead of compromised. As Young (1990) suggests, women involvement in politics cannot achieve through traditional liberalism because it still impends on patriarchy and universal human right. We must override a principle of equal

treatment and promote their full participation by recognizing rights and differences of groups. can aid theory of difference and promote women's role in public administration at both personal and professional levels.

Affirmative action programs aim to protect employees from discrimination while enhancing equal opportunities for disadvantaged groups (especially those with diversity) (Skrentny, 1996), by making sure that they have equal access. Affirmative action also creates a diverse pool of skills, experience and knowledge by enabling workers of diverse backgrounds to participate in the workforce. However, despite how ideal it sounds or how widely it's being endorsed, this affirmative action can be controversial to some. Many critics see affirmative action as perpetuation of negativity towards disadvantaged groups. By offering special treatments to some, such program contributes to discrimination. Despite the controversy, there is still some empirical evidences that suggest how affirmative action programs can be highly effective when properly constructed and implemented. Unfortunately, this kind of policy is not yet something that is mandated by the state and is voluntary among companies.

Women empowerment is another tool that helps broadening women's opportunities (Sushama, 1998). Women empowerment can be examined better when we look into social, educational, economic, political and psychological context as it aims to help women move from being oppressed to being equal (Chattopadhyay, 2005). While the social empowerment of women addresses gender inequities; the economic empowerment of women looks at the process of women becoming an independent breadwinner (Elliot, 2008); the political empowerment of women refers to women's political advancements; and the psychological empowerment of women looks at how woman's self-interests, motivation and morale can be promoted.

Maternity leave goes in line with women empowerment because it reflects ways that inequality affect women. Imagine how difficult it is for working mothers to have to compete for a promotion with male colleagues that have stay at home wives taking care of the families and doing all domestic works, etc? This kind of dilemma often distracts women from their achievements. If the ideal society is where gender inequity would not perpetuate, we need to look at family-friendly policies such as maternity leave, that promote autonomy and flexibility for women to be who they need and desire to be.

## Conceptual Framework

Where possible, research must be underpinned on existing theories. In general, a theoretical framework is based on extant theories that have been tested and validated through research, thus being considered accepted by the scientific community (Grant and Osanloo, 2014). In cases where the researcher considers that the research cannot be studied within a single theory and thus a synthesis of multiple theories is required, a conceptual framework is developed, such as is the case in this paper (Imenda, 2014). This research study seeks to understand the current status of the maternity laws, policies, and practice in Thailand in comparison with other countries, to

understand the underlying principles of maternity protection in Thailand, to understand the problems generated by such laws, and to provide recommendations for the improvement of the current framework.

The main theory that serves as basis for this study is that of maternity laws in Thailand and in other countries. Numerous outcomes and determinants interaction with these laws. Women are currently participating in the workforce in large numbers, thus contributing to the GDP in significant proportions. Moreover, births must be encouraged for economic reasons related to the average age of the population, namely that the state system and budgets can only be supported if enough young employees rise to replace the aging employees who retire. In addition, apart from strictly economic considerations, the rights of women to work and raise children in decent conditions must be taken into consideration. Thus, paid maternity leave is beneficial for both mother and child. For women, the symptoms of post-partum depression are reduced when paid maternity leave covers a sufficient period of time whereas infant mortality decreases due to the care that parents can provide, e.g. timely vaccinations. Moreover, paid maternity leave is a matter related to both wage and work inequalities and employee exploitation. Thus, it is no longer acceptable that a woman should give up her employment because she become pregnant and it is considered an exploitative practice to let her go or force her to quit her job for this reason.

The conceptual framework of this research is composed of maternity law and policies; feminism and feminisation, women labour and wage inequality and exploitation, labour protection, human capital investment, affirmative action, law enforcement, and the fear free work environment where marginalisation of minorities and at-risk groups is no longer practiced (Ray, Gornick & Schmitt, 2010).

## Research Methodology

Since this research aims to explore the current maternity law, policy and practice in Thailand, the problems derived from the enforcement of maternity protection by the law, compare maternity law, policy and practice between Thailand and other countries, and investigate the extent to which maternity law, policy and practice in Thailand should be improved, by answering questions such as *what* and *how*, the only suitable approach is a qualitative one.

Qualitative research enables the researcher to dive deep into the problems under scrutiny and uncover information that was not previously known. Additionally, this study aims to develop the current theory of paid maternity leave within the field of public administration, thus creating new knowledge rather than applying existing knowledge (Hesse-Biber, 2013; Bryman, 2016). For this reason, quantitative research methods are not indicated, thus marking qualitative research as the only feasible option.

This research was designed for the inclusion of all relevant phenomena and actors in order to collect large scale information of such nature as to provide a sufficiently wide angle of approach is archival research. Archival

research involves the extraction of information from archival records existing in various institutions and relies on primary data, thus being an essential research method in public administration studies (Gill & Meier, 2000; Ventresca and Mohr, 2017).

The primary data extracted via archival research from carefully curated sources came to be composed primarily of a collection of texts, reports and statistics (Graneheim and Lundman, 2004; Hsieh and Shannon, 2005). In other words, the qualitative data thus collected was highly variable, requiring powerful qualitative analysis tools and techniques in order to be tamed and brought to a manageable common form. For this reason, it has been decided that the research should use content analysis as the tool of choice (Leavy, 2007). Content analysis is used in research for the study of artefacts resulting from communication activities, such as written documents, images, videos, audio files, etc. This research method is employed to examine communication in order to detect patterns that occur systematically and can be identified in a replicable manner by anyone who re-examines the materials in question (Hsieh and Shannon, 2005).

The primary data set collected included theoretical information such as the maternity laws and policies in Thailand, US, Europe, and Asia, and other related laws outlined below:

- 1) The Labor Protection Act B.E. 2562
- 2) Social Security Act Amendment B.E. 2558
- 3) International Labour Organization (ILO)
- 4) Social Security Report B.E. 2560
- 5) Government statistics
- 6) Creditable government reports.

Data were collected from official sites of the government and organizations as they are direct and verified sources of data. Many of which were announced in Royal Thai Government Gazette. The secondary data was collected by using several search key words such as, but not limited to, maternity law, maternity law + location keyword, maternity leave, women employment statistics, maternity law implementation criteria, feminism, affirmative diversity, affirmative action, feminism in capitalism, maternity leave in capitalism, women empowerment, women education, women participation to GDP Thailand, women participation to GDP + location keyword, maternity law practice, pregnancy discrimination, Marxist feminism, class struggle, reproductive rights control etc.

## Research Results

In Thailand, though there's no record of how maternity leave was first introduced, but it is likely that maternity leave policy has been progressed in accordance to International agreements, rather than an internal push. As a member of the International Labour Organisation, Thailand has regulated various aspects of work in align with

ILO mandate such as providing no less than 14 weeks paid leave (convention 183) and provision for 6 weeks compulsory postnatal leave. Both the Labor Protection Act of 1998 and its Amendment of 2008 were also ratified in line with the ILO's agendas on labor's protection. According to the 1998 Labor Protection Act, female employees are entitled to paid maternity leave which is excluded from other leaves such as vacation, personal and sick leave. Maternity leave allows female workers to leave for up to three months around childbirth. Out of 45 days will be paid by the government (with a 15,000-baht salary cap) and the other 45 days by their employer. There's also a cap on maximum working hours has been revised in order to accommodate women's physical ability to perform in the workforce, as long as the tasks are not categorized as inappropriate or harmful to their health and wellbeing. It also prohibits pregnant workers from working night shift (between 22:00–06:00 hours), during weekends and holidays, unless they in executive, academic, administrative or accounting positions where nature of their works is not considered as a risk to their health and wellbeing. However, in order to work with the otherwise restrictions, the organization must first gain consent from their pregnant workers. 8 hours per day or 48 hours per week are the maximum numbers of normative work. For works that are deemed as hazardous, the hours will be limited to 7 hours per day and 42 hours per week. Any overtime will be compensated between 1.5 to 3 times the normal hourly rate to employees who completed their tasks. Under the Social Security Act of 1990, insured employees who give birth are also entitled to receive a lump sum of 13,000 Baht cash for each delivery, and receive cash benefits, as well as 50% of wages for 90 days, while the wives of insured employees can also receive a lump sum for each delivery (but no cash benefits). Meanwhile all Thais are entitled to free medical services under the 30-baht universal health coverage program, which includes maternal care.

The most recent Amendment in early 2019 has increased maternity leave from 90 days to 98 days, to be in accordance with the International Labor Organization's mandate that mothers should be taking at least 14 weeks off for postpartum. Besides the legislation, additional policy guidance has been asserted to establish family friendly environment in the workplace. Thai Labor Standard System (TLS 8001-2003) encourages businesses to improve corporate policies in response so that women can fully enter the market with the kind of support they need such as providing facilities that cater new mothers or enable flexible work conditions.

However, when the state encourages rather than enforces a policy, it leaves ambiguity and confusion to both employers and employees. In this case, does not work well when it comes to practice because it is purely up to organizational values that may not be aligned with the same principles. Formulation of the law reflects a gap that makes enforcement difficult. For instance, the new amendment which increased maternity leave from 90 to 98 days does not stipulate who should be paying for the 8 supplemental days. Instead, it advises that the employer should negotiate the terms with the employee. However, since the law does not impose any organisation to pay for the supplemental period, it can be difficult to find one who's willing to pay extra for these increased leave days. This can lead to false reporting of negotiations and unpaid women. In many cases, working mothers may decide to shorten



their leave because they are not willing to take the time off at their own expense. Vague legal terms also cause problems of applicability, especially when it comes to gender inequality and affirmative diversity which are not being addressed in maternity leave policy.

In terms of future development, paid maternity leave of up to 180 days is being discussed in the cabinet and if the legislation is passed, Thailand would benefit from paid maternity leave of nearly 27 weeks – which is more than what some of the most progressive nations currently have (currently Finland offers the most accommodating package with paid leave for up to 23 weeks; and Denmark: 18 weeks of fully paid leave). Thai government also plans to expand maternity leave to include fathers as well. Its first paternity leave policy for male government officials, with 15 days paid leave.

Benefits of maternity leave vary between countries. Some offer longer length than others. Some may offer paid leave, while some don't. The value of compensation or pay out also differs. When comparing policies between countries, Thailand's policies fall within the framework of ASEAN, and as with its neighbour countries. The ASEAN integration process provide various frameworks that pronounce ASEAN's commitment towards providing social security for its citizens. The ASEAN Charter, ratified in 2008, states that ASEAN shall provide its people with social welfare to enhance their wellbeing and livelihood. ASEAN countries are currently offering paid maternity leave to working women to various degrees, but still upholding the commitment they have with ILO and its mandates. Vietnam offers the longest length of maternity leave, of up to 6 months, whereas Thailand, Laos and Cambodia are second runners, offering up to 90 days leave during maternity. Meanwhile, Brunei offers the shortest leave of up to 5 weeks. And countries like Philippines are also enforcing maternity related laws such as breastfeeding act, and childcare law. And in Singapore, different assistance schemes such as community care are provided.

In Eastern Asia, China is more similar to Thailand, offering 90-day maternity leave for working mothers, whilst the State Council Special Rules on the Labour Protection of Female Employees offers a 98 day maternity leave, including 15 days of antenatal leave (supplemented with 15 day leave for cases of dystocia.) The Chinese also offers additional leave of 15 days for twin pregnancies (each child). Regional policies may provide more allowances for women as part of procreation encouragement of the 2016 Population and Family Planning Law. However, the implementation of these policies is depending on the employers, who may or not may not stand by them in the real life. This means that China too, experiences policy problems when it comes to practice because policies are encouraged and not enforced.

European countries by far offer the most favourable laws and policies in relation to maternity leave. The longest paid period of maternal leave is 58 weeks in the Czech Republic, followed by UK with 52 weeks, Denmark with 18 weeks, Finland with 17.5 weeks, France with 16 weeks, and Spain with 6 weeks. Some of these countries offer transferable leave between parents. In some countries the leave given to fathers is shorter than the maternity leave itself and men are more likely to take their leave if they would not have to worry about a reduced payment

over the respective period. Countries like Sweden and Finland have taken measures and increase incentives to encourage the fathers to stay home more in order to bond with the child, as well as sharing domestic work with their partners. Perhaps it is due European welfare system — a system that is supposed to give women and men equal access to the labor market and equal opportunities for advancing in career. The welfare system underlines equality as the main core value of its society.

Surprisingly, the United States, are behind other countries in terms of maternal leave policy. Maternity leave in the United States part of US labor law. The Family and Medical Leave Act of 1993 requires 12 weeks of unpaid leave for working mothers that are employed by company with at least 50 employees. Historically, the US has been a conservative territory when it comes to gender equality and working women, adopting policies that discourage women from working and having children at the same time while encouraging gender inequality, which is reflected in the gender wage gap.

By looking at maternity leave policies around the world, there are emerging issues where maternity leave policies cannot be enforced similarly. There are issues of gender inequality which is still not mentioned in the policy for many countries. Issue of gender inequity is seen by how women are still expected to excel works professionally and domestically without men taking part of or sharing the load. Europe has provided a good model to learn from as its introduction of parental leave that is shared with both parents are highly praised for, helps decreasing issues of inequality.

In addition, we don't see much of how a legislation would address discrimination when they occur though they are the underlying causes of inequality, and global states are getting criticized for overlooking factors that could potentially cause gender-specific vulnerabilities for women. Which means that even though there are some protective measures for expectant and new mothers in the labour force, discrimination is still what makes them disturbingly vulnerable.

Though western studies suggest that public sector and nonprofit organizations are more likely to offer family-friendly benefits, including leaves, care assistance, and flexibility in schedules, than those in private sector (Meyer and Scott 1983), it is found to be unlikely in Thailand where private sector is more flexible and lean in management. Companies, especially in technology industry, offers appealing packages with flexible locations and hours for all employees, not just working mothers. LINE Corp. and Google offices in Thailand also provide wedding and birthday leaves on top of what they are bounded by the labor law. Some companies offer nursing room within facilities for breastfeeding mothers and allow their staffs to bring their children to the office as long as they don't disturb others. These allowances and benefits are never offered in public sector in Thailand, as things are done in uniform, and going against the norms can result in harsh penalties.

The difference in this could be examined by looking at the recruitment process between public and private sectors. Currently, we see that organizations are investing more in recruiting the best candidates and training them

for the job so they can excel even further. Companies would suffer if all they invested in an employee, do not return. Meaning that if their staff who is a working parent is feeling pressured to choose between work and home, that staff may decide to leave the company after their leave is over. Hence, more and more, we see that companies are also trying to accommodate their employees with work-life balance. However, if we look at the feminist side of this norm, it can be argued that that employers use family friendly benefits to compete in the labor market and that they only tailor employee benefits to current labor market characteristics.

Additionally, there's a relation between the growth of women's participation in the labor market and maternity leave programs. However, studies done by scholars have covered employer work and family, and maternity leave in particular, but the topic of maternity leave's influences throughout the years is rarely available (Glass and Tetsushi, 1995). With the availability of these studies, we can assess factors that have influenced policy in practice more thoroughly.

The essence of maternity leave policy is to enable parents to be with their child at the most crucial period in their lives. Women need maternity policies that can ensure their rights, promote gender equality, and protect them from discrimination and dismissal. By protecting women's rights and promoting gender equality at work, the state can ensure that fair labor practice and sustain on human capital of younger generations. Children's needs should not have to be compromised and same goes for mothers – they should not have to give up anything to be mothers.

A strong labour force is essential for a nation to compete in global economy. We could come down to economic shocks with the ongoing trends of female labour if effective and gender-responsive policies are not put in place. How a society or nation offers women protection in terms of maternity leave, reflects how that society or nation handles equality as a whole.

## Recommendations

Policy improvement is insufficient if they are only symbolic. When it comes to practice of maternity leave policy, law and policies must be designed and stated clearly, with least ambiguity as possible. This is to avoid violations and abuses of rights in the workforce. because no responsibility is forced upon employers.

Enforcement of maternity leave barely exists as it purely up to an organization to manage its own accounts. Maternity leave is then regarded as an option instead of necessity. Employees could therefore choose to not take the leave if there's a pressure from work which puts her vulnerable in career advancement. In addition, compensation is an issue where the rule of law does not reflect just how difficult it is to give up standard salary, and take up to 15,000 salary cap for the 45-day compensation from Social Security. Many women would rather return to work early in order to maintain their monthly income. However, in contrast, if an organization understands that a woman is valuable in the workplace and that if her needs are met, physically and emotionally, she can continue to be an

extremely valuable and productive part of the team – which means, flexibility, collaboration and awareness on behalf of employers. And such support is once again, beyond paid maternity leave, which is entirely up to both parties to agree on.

Additionally, a child is then left with grandparents or nannies while parents go back to work. It is a dilemma that beats the aim. European countries are progressive with maternity leave policies. They understand the need for comprehensive and supportive maternity leave which is why various options are made available for working parents, from transferability of leave to funds and childcare. A working parent is then felt equipped and confident to decide on her next achievement. However, as mentioned, the model in Europe is rooted on a welfare system which allows them to provide more support than in countries that are not. It should also be noted that some types of help are redundant because of inefficient management. And some types of help do not work out well for the destitute was also poor in quality because those receiving the help have had little opportunity to voice their needs. If Thailand can ever push toward becoming a welfare state, the odds would be in favour of working women.

States and organizations must work hand in hand in order to enhance equality and human capital investment. Besides the legislation, Thailand can also access the market; therefore, specific policy guidance has been launched to establish women's friendly environment at micro level or in workplaces, for example promoting the establishment of state support daycare centers in more estates. Initiation of public outreach activities that would help employers understand how maternity leave should be completed in full length can also increase usage of leave.

For advancement of maternity leave policy, future research conducted on maternity leave's effects in productivity between private sector and public sector, can help advancing maternity leave policy. A research on women's vulnerability in workplace is also recommended.

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