



Policy Paper on Promoting Disability-Inclusive Employment



Disability-Inclusive Employment and Business Project

**Catalyzing Disability-Inclusive Employment and Business towards
Effective Implementation of the Asian and Pacific Decade of
Persons with Disabilities, 2023–2032**

Implemented by:

- Asia-Pacific Development Center on Disability (APCD)
- Department of Empowerment of Persons with Disabilities (DEP)

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The project “Promoting Disability-Inclusive Employment and Businesses”, under the initiative “Catalysing Disability-Inclusive Employment and Business towards Effective Implementation of the Asian and Pacific Decade of Persons with Disabilities, 2023–2032,” was launched through the collaboration of three partner organizations: the Economic and Social Commission for Asia and the Pacific (ESCAP), the Department of Empowerment of Persons with Disabilities (DEP), the Asia-Pacific Development Center on Disability (APCD). The aim of the project is to gather insights from experts, policy-makers, and practitioners involved in promoting employment and disability-inclusive business, in order to develop a policy document that advances disability-inclusive employment and business.

The project is driven by a working group composed of experts and representatives from APCD and DEP. The first meeting was held on 19 February 2025 at APCD. Subsequently, from March to August 2025, three meetings of the project’s advisory committee were convened, along with two meetings of stakeholders agencies. Additionally, five online regional meetings were held one for each region: Northern, Northeastern, Central, Eastern, and Southern Thailand.

The working group would like to express our appreciation to ESCAP, the Government of China through the China-ESCAP Cooperation Programme, which are the main supporting agencies as well as all partner organizations from the public sector, private sector, civil society, and organizations of persons with disabilities for their cooperation and for sharing information and experiences throughout the meetings, including discussions in various forums. The names of individuals and organizations who contributed to making this policy paper possible have been compiled and included at the end of this document.

Finally, we extend our deepest gratitude to Asst. Prof. Dr. Arunee Limmanee, policy expert, and Mr. Thaevan Uthaivath, legal expert for the project, who has served as key contributors to the working group in the development of this policy paper.

The working group ensures that this policy document for promoting disability-inclusive employment will benefit Thai society by developing, disseminating, and expanding knowledge and best practices to advance disability-inclusive employment. Ultimately, the expected outcome is to ensure that persons with disabilities in Thailand have access to employment and can live with dignity and respect in the society.

The working group

October 2025



Executive Summary

Thailand has 2,280,409 registered persons with disabilities (PWDs), comprising 1,167,578 males and 1,112,831 females. Among these, 807,333 persons are of working age (15–59 years). However, only 24.38 percent of them are employed or have regular income. This indicates that more than 600,000 PWDs remain unemployed. At the global level, the employment rate among persons with disabilities stands at 36 percent, while the general population's employment rate is around 60 percent. The employment opportunities for women with disabilities are even lower. In the Asia-Pacific region, only 17.8 percent of women with disabilities are employed.

Relevant laws and policies

1. National laws related to the employment of persons with disabilities

1.1 The Constitution of the Kingdom of Thailand B.E. 2560 (2017)

1.2 The Empowerment of Persons with Disabilities Act B.E. 2550 (2007) and its Second Amendment B.E. 2556 (2013) which is currently under revision as Draft Empowerment of Persons with Disabilities Act B.E. The bill was submitted to the Secretariat of the Cabinet in January 2025. The provisions relevant to employment include Section 64–68, 73–74, and 76

1.3 The Labour Protection Act B.E. 2541 (1998)

1.4 The Fifth National Plan on the Development of the Quality of Life of Persons with Disabilities B.E. 2560 – 2564 (2017–2021) and the Sixth National Action Plan on the Development of the Quality of Life of Persons with Disabilities B.E. 2566 – 2570 (2023–2027)

1.5 The 13th National Economic and Social Development Plan B.E. 2566 – 2570 (2023–2027)

1.6 The Criteria, Methods, and Conditions for the Recruitment and Selection of Persons with Disabilities in the Civil Service, by the Office of the Civil Service Commission (OCSC)

2. International Laws, Policies, and Treaties

2.1 The Convention on the Rights of Persons with Disabilities (CRPD)

2.2 General Comment No. 8 (2022) on the rights of persons with disabilities to work and employment, issued by the Committee on the Rights of Persons with disabilities (CRPD Committee)

2.3 The Sustainable Development Goals (SDGs)

2.4 The International Labour Organization (ILO) Convention No. 159 on Vocational Rehabilitation and Employment (Persons with Disabilities), 1983

2.5 The Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities (2023–2032) and the operational guide on the implementation of the Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities



2.6 ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities, emphasizing their participation in business and employment sectors

2.7 The Americans with Disabilities Act (ADA) which served as a model for Thailand in improving the Empowerment of Persons with Disabilities Act B.E. 2550 (2007)

The problems, obstacles, and recommendations identified through this study is categorized into seven key areas, as follows:

1) Laws and Policies

- The Labour Protection Act contains no specific provisions addressing persons with disabilities.
- The Motor Vehicle Act restricts PWDs' rights to obtain a public driver's license.

2) Education and Skills of Persons with disabilities

Most challenges on unemployment for persons with disabilities relate to educational qualifications and the lack of essential skills such as language, computer and technology literacy, which are highly demanded in the labour market. Additional barriers include the absence of career guidance services and aptitude assessments for students with disabilities, transportation difficulties, and the shortage of assistive learning materials and devices for each disability type. Furthermore, there is a lack of sign language interpreters for persons with hearing disabilities.

3) Employment

Key employment issues include: lower wages for PWDs compared with employees without disabilities with equivalent qualifications., employers' limited knowledge of working with PWDs, and transportation difficulties due to inaccessible public transport systems. The employment rate of PWDs in the public sector remains significantly below the legal quota.

4) Attitudes and Unfavorable Work Environments

Examples include: PWDs' lack of confidence, employers and colleagues' limited understanding of disability issues, inadequate workplace environments and the absence of reasonable accommodation or assistive devices, and insurance companies' refusal to provide health insurance for PWDs.

5) Issues Specific to Certain Disability Groups

Persons with intellectual, psychosocial, and autism-related disabilities, as well as those with severe physical disabilities, face lower employment opportunities than other PWDs. There is no support system for these groups, who encounter greater difficulty in securing jobs. In the three southern border provinces, PWDs have even fewer opportunities due to security concerns and the limited number of establishments operating in those areas.



6) Cooperation and Support from All Sectors for PWDs and Enterprises

Challenges include: lack of coordination among public sectors, insufficient integration and communication at the local level, limited exchange of knowledge and best practices among Organizations of Persons with Disabilities (OPDs), minimal tripartite collaboration among the public and private sectors, OPDs, and educational institutions.

7) Other Issues

PWDs often lack expertise in proposal writing and access to assistive devices, rehabilitation services, and health care (both mental and physical). They also face information barriers, especially persons with hearing disabilities, which lead to missed employment opportunities. In addition, PWDs lack sufficient support during disasters or epidemics (e.g., earthquakes, COVID-19).

The recommendations identified through this study are categorized into seven key areas, as follows:

1. Recommendations on Laws and Policies

1.1 Promote internationally recognized frameworks and practices, including the concepts of “Make the Rights Real”, “Decent Work”, and the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), as well as alignment with the Sustainable Development Goals (SDGs).

1.2 Amend relevant laws to ensure consistency with current socio-economic conditions.

1.3 Revise laws, regulations, and administrative rules that restrict the rights of PWDs to enter public employment, ensuring full accessibility and equality.

1.4 Advocate for disabilities-friendly labour rights legislation. This would include requiring employers to adjust workplace environments or working hours in accordance with individual limitations, prohibiting discrimination, and recognizing the denial of employment on the grounds of disabilities as unlawful. Such legislation should also grant PWDs the right to file complaints or legal actions with a central authority in cases of rights violations.

1.5 Improve the enforcement mechanism of the Motor Vehicle Act by avoiding the discretionary power of officers and establishing clear operational guidelines to allow PWDs, particularly delivery riders, to obtain public driving licenses, with detailed and inclusive conditions explicitly defined.

2. Recommendations on Education, Skills, and Knowledge Development of PWDs

Promote access to education in all forms, strengthen digital literacy, and support vocational skill development based on individual interests and abilities, focusing on labour-market demands. Enhance soft skills such as communication, interpersonal interaction, teamwork, social participation and self-advocacy. Provide career-oriented vocational trainings for students with disabilities and build the capacity of career guidance teachers and academic advisors at both school and higher education levels to effectively counsel and support students with disabilities. Encourage workplace internships



for students with disabilities to gain real-world experience. Promote reasonable accommodations in education, including curriculum adaptation, assessment modification, assistive technologies, and accessible learning environments. Foster the development of Individualized Education Plans (IEPs) and ensure that assistive devices and technologies are diverse, up-to-date, and responsive to the actual needs of PWDs. Strengthen the role of Disabled Student Service Centers nationwide in order to establish standardized practices in facilitating the transition from education to employment for students with disabilities.

3. Recommendations on Employment

Examples of key recommendations on employment promotion for PWDs include the following: Provide direct wage subsidies for PWDs to employers, as well as financial support for workplace adjustments, purchase of assistive software, and adaptive technologies that facilitate work performance for PWDs. This support should be granted directly to enterprises employing PWDs, alongside additional services such as job redesign, task modification, on-the-job coaching, and performance evaluation. Establish support systems for both employers and employees with disabilities to address challenges that may arise and to promote long-term employment retention. Such support mechanisms may include both universal measures, such as tax incentives, and individualized measures tailored to specific needs. Simplify the employment process for PWDs by reducing unnecessary procedures and increasing the contribution amount to the Fund for Empowerment of Persons with Disabilities in cases of non-compliance with employment quotas. Enhance positive attitudes toward the employment and inclusion of PWDs in workplaces through awareness campaigns and capacity-building programs for employers and co-workers. Develop PWDs as job coaches and encourage enterprises to hire job coaches with disabilities as an alternative to making financial contributions to the Fund. The job coach model should be adapted to the Thai social context to serve as a liaison between employers and employees with disabilities, thereby promoting inclusive employment and job retention. Conduct local labour market assessments to identify the specific skills and occupations in demand and use this data to match PWDs' abilities and interests with available job opportunities in their own communities. Strengthen monitoring and evaluation mechanisms to prevent corruption or misuse within the disability employment processes and to ensure transparency and accountability in fund management and quota implementation.

4. Recommendations on Attitudes, Environment, and Structural Barriers

Promote awareness and understanding of disability among employers and co-workers. Encourage PWDs to develop positive self-perception and confidence through psychological counseling, personality development, and communication training. Provide counseling and mental-health services to all employees, including PWDs. Conduct public awareness campaigns to enhance societal recognition of the importance of employing PWDs. Require workplaces employing PWDs to provide reasonable accommodations, such as accessible facilities and assistive devices necessary for work. Promote accessible public transportation in areas where PWDs live and work. The Office of Insurance Commission (OIC) should issue policy directives requiring insurance companies to offer both individual and group health insurance to PWDs.



5. Recommendations on Addressing Issues Specific to Certain Disability Groups or Regions

Establish special measures to assist PWDs with multiple or intersecting vulnerabilities, particularly in conflict-affected areas such as the three southern border provinces. Strengthen the roles of local organizations and the Southern Border Provinces Administrative Centre (SBPAC) in supporting PWD employment and related initiatives in those areas.

6. Recommendations on Multi-Sectoral Collaboration

Promote integration across all ministries and agencies to create accessible workplaces, including elevators, assistive software, and adaptive technologies. Encourage business organizations to include PWDs in their supply chains by adopting procurement policies favoring companies that employ or support PWD enterprises. Promote short-term vocational training programs through Technical and Vocational Education and Training (TVETs) to develop skills aligned with business needs. Enable non-formal education learners and out-of-school PWDs to participate in vocational training. Strengthen the role of OPDs in employment promotion, in partnership with academic institutions, to design skills-training programs matching PWDs' interests and abilities. Enhance the capacity of Provincial Disability Service Centers and Provincial Sub-Committees on the Promotion and Development of the Quality of Life of PWDs to deliver comprehensive and standardized employment support nationwide.

7. Other Recommendations

Promote the Independent Living (IL) movement of PWDs through collaboration between Independent Living Centers and OPDs at both national and local levels. Establish support systems for entrepreneurs with disabilities and self-employed individuals, including: legal and business consultancy, encouragement of PWDs to become start-up entrepreneurs, access to large-scale and diverse financial resources, and development of inclusive and disability-friendly markets for PWDs' products. Create incentive schemes for private-sector partners and clients who engage with PWD-led businesses, such as preferential benefits.

For the policies presented above, urgent and essential policies that relevant agencies should prioritize are as follows:

1. Promote employment in the public sector, both through providing rewards and by requiring contributions to the Fund for Empowerment of Persons with Disabilities in cases where the agency fails to employ PWDs or does not meet the required quota, and determine that the employment of PWDs shall be one of the Key Performance Indicators (KPIs) for evaluating the success of the agency.
2. Promote collaboration among stakeholders, including the public sector, the private sector, academic institutions, organizations of persons with disabilities, and civil society.
3. Promote the job coaching system to have an official status, similar to Village Health Volunteers or Personal Assistants for PWDs.
4. Amend laws and regulations that serve as obstacles to the employment of PWDs.



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Chapter 1 Introduction

1.1 Situation of Employment and Disability-Inclusive Business

At the global level, the situation concerning employment of PWDs and Disability-Inclusive Business has demonstrated growing awareness and positive trends over the past decade. This progress stems largely from international agreements such as the Convention on the Rights of Persons with disabilities (CRPD) and the active advocacy of international organizations including the International Labour Organization (ILO) and the World Bank. These developments have encouraged many countries to adjust their policies toward promoting equality of access to employment opportunities for PWDs. (ILO, 2014; Seetahul, 2023) Such efforts are aligned with the Sustainable Development Goals (SDGs), particularly Goal 8, which promotes sustained and inclusive economic growth, full and productive employment, and decent work for all. Specifically, Target 8.5 aims to achieve full and productive employment and decent work for all women and men, including youth and persons with disabilities, equal pay for work and equal value. Target 8.8 emphasizes the protection of labour rights and the promotion of safe and secure working environments for all workers.

In addition, Goal 10 focuses on reducing inequality within and among countries. Target 10.2 calls for the empowerment and promotion of social, economic, and political inclusion of all, regardless of age, sex, disability, race, ethnicity, origin, religion, or economic or other status. Target 10.3 ensures equal opportunity and reduces inequalities of outcome by eliminating discriminatory laws, policies, and practices, and promoting appropriate legislation and actions in this regard. Target 10.4 calls for the adoption of fiscal, wage, and social protection policies to progressively achieve greater equality. These actions are supported by Goal 17 (Partnerships for the Goals), which encourages collaboration among all sectors to realize the objectives of sustainable development.

To provide a comprehensive understanding of global disability employment and as a benchmark for comparison with Thailand's situation, the following sections present an overview of global trends in disability employment and Disability-Inclusive Business.

1.1.1 Global Situation of Employment of Persons with Disabilities

Employment of persons with disabilities has increasingly been recognized as a critical issue in the domains of human rights, economic growth, and sustainable development. This shift reflects the evolution of global perspectives from a charity-based approach toward empowerment and equal participation framework. Despite numerous international legal instruments and global initiatives, disparities in employment opportunities for PWDs remain evident in many countries. (*United Nations, 2024*). The following key studies and reports illustrate the global situation:

1) International Labour Organization (ILO). The ILO reports that approximately 1 billion persons, or 15% of the world's population, live with disabilities. However, only 36% of working-age PWDs are employed, compared with 60% of non-disabled persons. This significant gap highlights critical barriers



to labour market participation. The consequences extend beyond income and economic security. They also reflect broader social challenges, including exclusion, low self-esteem, and limited opportunities for personal and professional development. Historically, *ILO Convention No. 111 (Discrimination, Employment and Occupation, 1958)* has underscored the importance of equality and the elimination of discrimination in employment. (Ananian & Dellafererra, 2024)

2) U.S. Bureau of Labor Statistics (2025), the employment rate of PWDs in the United States stood at 22.7%, compared with 65.5% among non-disabled persons. Although there has been gradual improvement in recent years, the gap remains substantial and reflects persistent structural inequalities in access to employment.

3) The Gender Dimension in Employment of Persons with Disabilities: The employment gap between men and women with disabilities is particularly severe. According to the report *“A Three-Decade Journey towards Inclusion: Assessing the State of Disability-Inclusive Development in Asia and the Pacific”* by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)¹, only 17.8% of women with disabilities in the region are employed, far lower than the 51.7% employment rate among non-disabled women. In comparison, 33.0% of men with disabilities are employed, compared to 77.8% of non-disabled men. This means that men with disabilities are more than twice as likely to be employed as women with disabilities, reflecting deep-rooted gender and disability intersectional barriers in the labour market.

In Thailand, however, official statistics on employment are not yet disaggregated by sex, making it difficult to determine gender-based employment disparities among PWDs.

1.1.2 Trends in Disability-Inclusive Business Development

In recent years, the development of Disability-Inclusive Business has attracted growing attention at policy, organizational, and community levels worldwide. Over the past decade, the principles of Diversity, Equity, and Inclusion (DEI) have emerged as a milestone of sustainable organizational and economic development. (Goodman et al., 2024; Klinksiek, 2024)

1) Concept of Inclusive Business: The term Inclusive Business refers to business models that not only pursue economic profit but also emphasize positive social impact by creating opportunities for vulnerable groups, including persons with disabilities, to participate meaningfully in the economy as producers, consumers, employees, and stakeholders throughout the business value chain. Leading global organizations such as the Organisation for Economic Co-operation and Development (OECD) and the World Bank have actively promoted this approach, advocating for the creation of an enabling ecosystem that supports business operations of PWDs in all dimensions from access to finance, to market recognition, and to the establishment of networks that foster long-term growth.

¹ <https://repository.unescap.org/server/api/core/bitstreams/03296f4e-0609-4ead-9e4f-b35ad5cbbf84/content>



This inclusive approach extends beyond encouraging the employment of PWDs as workers; it also seeks to empower them as entrepreneurs, business owners, and leaders, reflecting genuine equality in economic participation. (Jarrar, 2022)

2) Supporting Research Findings

2.1 ILO (2023) – The International Labour Organization reported that promoting entrepreneurship among PWDs, especially through *social enterprises and small and medium-sized enterprises (SMEs)*, not only enhances income for individuals with disabilities but also benefits surrounding communities. Such initiatives reduce public welfare burdens, foster public understanding and inclusion, and effectively challenge social stigma when supported by positive media representation of PWDs as *capable contributors*.

2.2 Alshemmary and Al Monawer (2024) – Their study found that diversity in the workplace has a statistically significant positive effect on innovation. It is a key driver of organizational performance. The findings further highlight that factors such as socio-economic background and religion influence creativity and organizational outcomes, demonstrating that embracing diverse perspectives enhances innovation capacity and competitiveness.

2.3 Jurado-Caraballo and Quintana-García (2024) – Their research indicates that employing PWDs positively affects both organizational performance and corporate image. Inclusive employment strengthens competitive advantage and becomes an integral component of corporate branding.

It can therefore be concluded that the promotion of Disability-Inclusive Employment and Business is not merely a matter of social goodness. It represents a forward-looking business strategy. Governments and corporations increasingly recognize that inclusion contributes to building diverse, resilient, and sustainable economies for the future.

1.1.3 Thailand's Situation on Disability Employment and Inclusive Business

Thailand has made continuous efforts to promote the rights and opportunities of persons with disabilities. The country's progress in this regard, however, largely depends on the vision and political commitment of national leadership in enhancing the capacity and potential of PWDs. Over the past decade, the Government of Thailand has implemented a series of policy and budgetary measures to enable PWDs to fully access fundamental rights guaranteed under the Constitution of the Kingdom of Thailand, B.E. 2560 (2017) and the Persons with Disabilities Empowerment Act, B.E. 2550 (2007) and its Amendment (No. 2), B.E. 2556 (2013). These efforts have extended across various sectors, including education, public health, transportation, and access to information and communication technology (ICT). Among these, employment remains the single most important factor determining the long-term quality of life for PWDs. Employment not only provides income security but also strengthens self-esteem, a sense of dignity, and social inclusion. According to Mitra and Gao (2023), employment serves as a key mechanism in reducing social dependency and mitigating prejudice through workplace interaction. Nevertheless, the goal of inclusive employment environments, in which PWDs



can participate equally, continues to pose significant challenges for many countries, including Thailand.

These challenges underscore the need for a systemic and integrated framework to promote disability inclusive employment, including entrepreneurship among PWDs. In this regard, the concept of Disability-Inclusive Business has increasingly gained policy attention, emphasizing the integration of PWDs across economic value chains as producers, service providers, or business managers. Such an approach not only broadens employment opportunities but also empowers PWDs to contribute as active economic agents, including through promoting them as social entrepreneurs or owners of social enterprises, in both formal and informal sectors, and supporting small businesses where PWDs play a primary role in management and production. This approach offers an alternative pathway for PWDs who may face barriers to formal employment, while fostering self-reliance and inclusive economic growth. A report by the International Labour Organization (ILO, 2023) highlighted that when PWDs receive direct support in entrepreneurship development, they tend to achieve higher levels of success because they can design work models compatible with their individual limitations and capacities. However, Thailand still lacks a comprehensive support system that connects all relevant stakeholders, including the public sector, the private sector, financial institutions, organizations of persons with disabilities (OPDs), and civil society organizations, to ensure the sustainability of disability-led businesses. Such a system should ideally include business advisory services, digital skills training, access to capital or revolving funds, and inclusive market linkages that promote products and services created by PWDs.

One of the key mechanisms Thailand employs to promote the employment of PWDs is the employment quota system. According to the International Labour Organization (ILO) and the United Nations Department of Economic and Social Affairs (UNDESA), quota schemes are among the most widely used policy measures to enhance employment opportunities for PWDs, with more than 100 countries worldwide currently applying employment quotas within their national legislation. While some countries have long implemented quota systems, others have recently adopted or are planning to introduce them. The 2019 ILO report, “Promoting Employment Opportunities for People with Disabilities: Quota Schemes Volume 2”², identifies Thailand among the countries implementing such mechanisms. Quota requirements vary across countries, reflecting differences in percentage enterprise size subject to compliance, and counting multipliers of the employment of persons with certain types of disabilities as double. For instance, in Poland, one person with a severe disability is counted as two employees; in Japan, similar provisions apply, while in the Czech Republic the multiplier increases to three. For implementation in the public sector, some countries require the public sector to employ PWDs at a higher proportion than the private sector. In Turkey, public sector employers are required to employ 4% of PWDs, while private sector employers must meet a 3% quota. In Peru, the ratio is 5% in the public sector and 3% in the private sector. Within the ASEAN region, Cambodia mandates a 2% employment quota for PWDs in the public sector and 1% in the private sector. Stricter requirements

² <https://www.ilo.org/publications/promoting-employment-opportunities-people-disabilities-quota-schemes-vol-2>



are applied to the public sector with respect to establishment size. For example, public sector agencies with at least 50 employees are required to comply with the above requirement, whereas private sector agencies with at least 100 employees are required to comply

The highest quota rate, at 15%, is applied in Senegal (public sector, with planned expansion to private sector), followed by 10% in Nigeria with no requirement on the minimum size of enterprises. In contrast, the lowest quotas, 1%, are found in Thailand, Chile, Malaysia, and Algeria. Indonesia mandates 1% in the private sector and 2% in the public sector.

Regarding enterprise size, the minimum threshold ranges from 16 employees to 100 employees, with Thailand having the 100-employee minimum threshold (as presented in the Annex).

For the enforcement in the public sector, most countries apply the requirements to both the public and private sectors, and typically mandate a higher proportion of employment for PWDs in state agencies than in private enterprises. In many countries, quota systems are implemented alongside anti-discrimination legislation. In Thailand, prohibitions against discrimination are likewise in place, including under the Constitution of the Kingdom of Thailand B.E. 2560 (2017) and international obligations to which Thailand is a state party, such as the Convention on the Rights of Persons with disabilities (CRPD).

Figures 1.1 and 1.2 illustrate comparative data on employment quotas for PWDs between Thailand and other countries worldwide. Figure 1.1 presents information on employment quota system for PWDs in Thailand compiled by the International Labour Organization (ILO)³, while Figure 1.2 shows the average, minimum, and maximum employment quota rates for PWDs by region, based on data from ILO and the United Nations Department of Economic and Social Affairs (UNDESA).⁴

³ International Labour Organization (ILO). Promoting Employment Opportunities for People with Disabilities: Quota Schemes (Vol. 2). P. 16. accessed on March 23, 2025, Retrieved from https://www.ilo.org/global/topics/disability-and-work/WCMS_735532/lang--en/index.htm

⁴ United Nations Department of Economic and Social Affairs (UNDESA). Disability and Development Report 2018. P. 161. accessed on March 23, 2025, Retrieved from <https://www.un.org/development/desa/disabilities/publication-disability-sdgs.html>

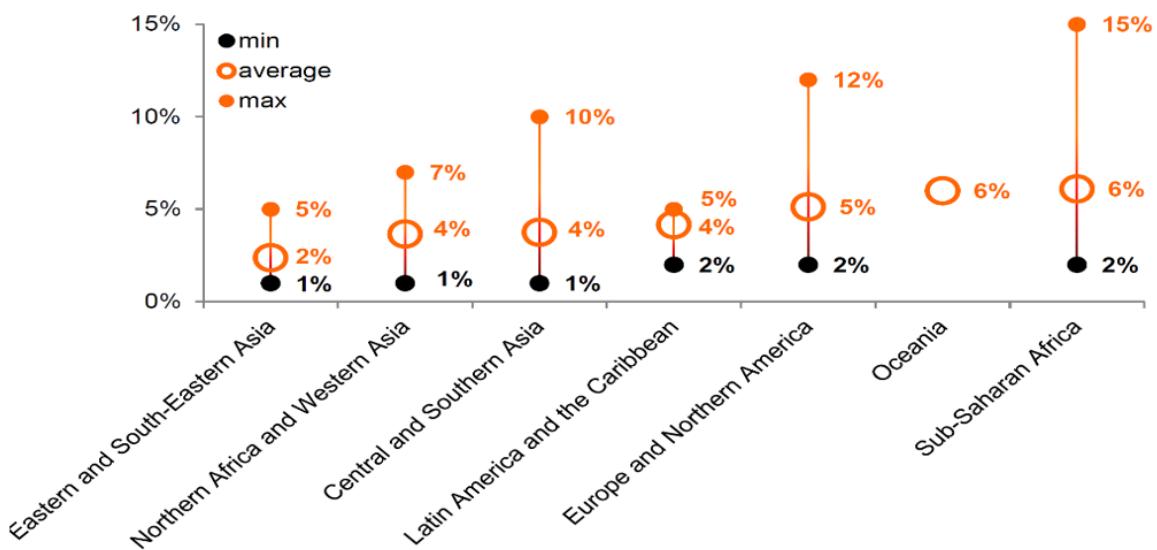


Details of the quota schemes in place in 103 countries are provided here (cont.)

Country	Quota %	Employer threshold	Non compliance	Incentives for compliance	Law
Syria	2%	Employers with 50 or more workers	Payment to the Fund of Disabled Workers	No information	Labour Law No 17 (2010) Art 136
Tajikistan	3%	All enterprises	No information	No information	Law on Social Protection of Disabled People, 2010
Tanzania	3%	Employers with 20 or more	No information	No information	Persons with Disabilities Act 2010
Thailand	1% (previously 0.5% - prior to 2010)	Public and private sector	No information	No information	Persons with Disabilities Empowerment Act B.E. 2550 (2007), Section 20
Tunisia	1 – 2%	Public sector, and private sector employers with over 50 employees: Employers of 50 – 99 – 1 person Employers of 100 or more employees – 2%	Penalties for failure to comply with the obligation to employ persons with disabilities. The penalty is doubled for repeat offences.	Reduced social security contributions in respect of each person with a disability. Reduced payroll taxes. Exemption from tax on vocational training and housing fund contributions in respect of each person with a disability. Wage subsidies	Law n° 2016-41, 2016 amends the law n°2005-83 of 2005, on the promotion and protection of people with disabilities. Arts 29 and 30. Decree n°2005-3087 fixes conditions and modalities of application of the laws on employment of people with disabilities.
Turkey	4% in public sector 3% in private sectors	Public and private sector employers with over 50 workers	Financial penalties and fines	No information	Labour Law 2015
Turkmenistan	Up to 5%		No information	No information	Labour Code, Articles 191 and 266, 2009 Employment Act, 1991 Articles 12 and 18
Uganda	5%	Public and private sectors	None foreseen	Tax cuts where over 5% of total labour force are persons with disabilities 2	Section 13 of the Persons with Disabilities Act 2006 Income Tax Act Amendment 2009

Figure 1.1 Quota Employment System for Persons with Disabilities in Thailand (International Labour Organization – ILO)

Figure II.85. Minimum, average and maximum employment quotas for persons with disabilities, by region.



Note: Based on information from 99 countries. Value for Oceania based on one country.

Source: ILO and UNDESA.

Figure 1.2 Average, Minimum, and Maximum Employment Quotas for Persons with Disabilities by Region



1.1.4 Employment Situation of Persons with Disabilities in Thailand

According to data from the Department of Empowerment of Persons with Disabilities (DEP), as of 31 July 2025, Thailand had a total of 2,280,409 registered PWDs, comprising 1,167,578 men and 1,112,831 women. Among this total, approximately 800,000 persons are of working age. However, as shown in Figure 1.1, only 24.38 percent of PWDs are employed or have regular income. This indicates that more than 600,000 PWDs still lack access to the formal labour market and are unable to participate fully in economic activities.

In addition, a proportion of PWDs have not registered for disability identification cards for various reasons. These reasons often include limited access to information, lack of awareness about their right to obtain a disability card, or insufficient understanding of the benefits associated with registration. Some PWDs also consider it unnecessary to hold a disability card because they already have access to employment-based welfare schemes and benefits, such as social security or group health insurance provided by their workplaces.

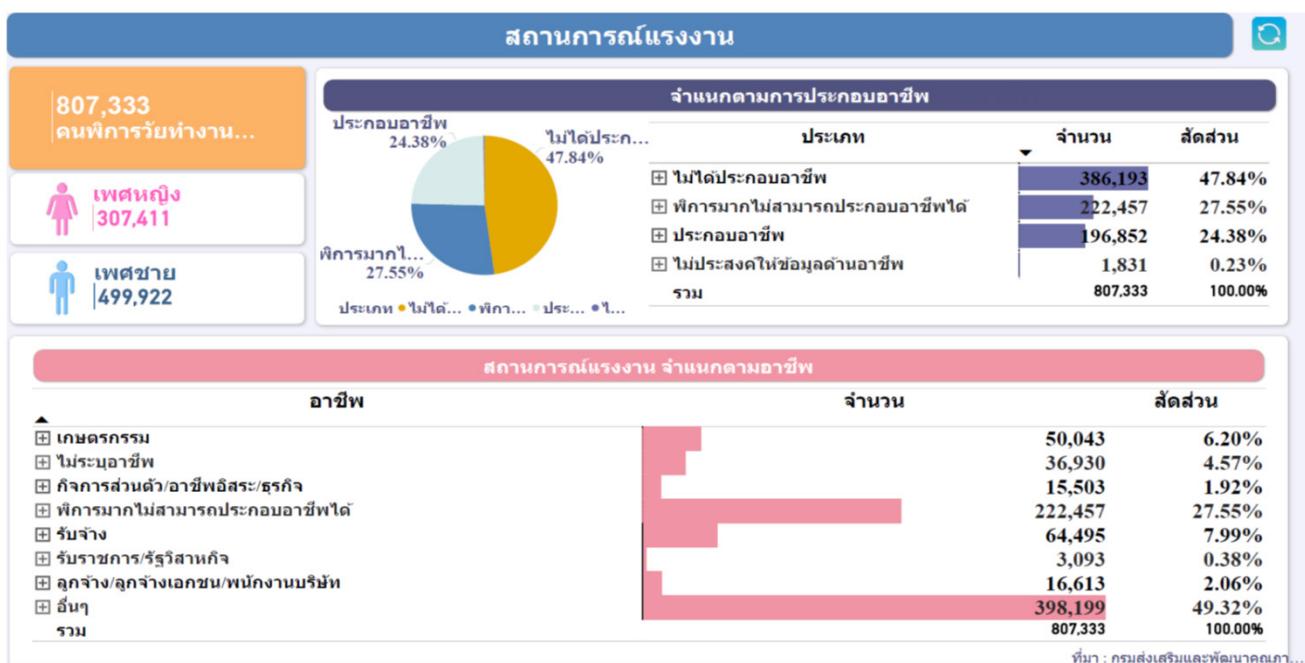


Figure 1.3 Employment Situation of Persons with Disabilities

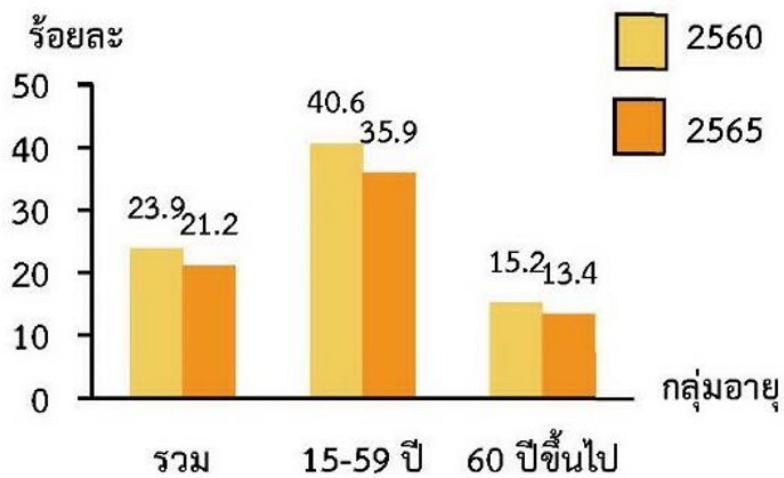
This issue is not confined to persons with physical disabilities alone but also extends to those with hearing, visual, intellectual, and psychosocial or behavioral disabilities, who require diversified and flexible policies and support mechanisms tailored to their specific capacities and needs. This situation reflects gaps and limitations in access to employment for PWDs within both the public and private sectors. It demonstrates the urgent need for the development of programmes that genuinely promote occupational opportunities for PWDs. The goal is not merely to fulfill numerical targets or legal compliance, but to empower PWDs to participate fully in the economy as “entrepreneurs” and “productive workers.”



1) Statistical Information on Employment of Persons with Disabilities

The National Statistical Office (NSO) conducted the 2022 Disability Survey (THE 2022 DISABILITY SURVEY)⁵ in B.E. 2565 (2022), which provides comprehensive data on the employment situation of PWDs in Thailand. The key employment-related findings are summarized as follows:

แผนภูมิ 3 ร้อยละของผู้พิการอายุ 15 ปีขึ้นไปที่ทำงาน จำแนกตาม กลุ่มอายุ พ.ศ. 2560 และ 2565



หมายเหตุ: การทำงาน หมายถึง ทำงานตั้งแต่ 1 ชั่วโมงขึ้นไป โดยได้รับค่าตอบแทน
เป็นเงินสด/สิ่งของ หรือเป็นผู้ช่วยธุรกิจในครัวเรือน รวมทั้งผู้ที่ไม่ได้ทำงาน/
ทำงานน้อยกว่า 1 ชั่วโมงแต่ปกติมีงานประจำ

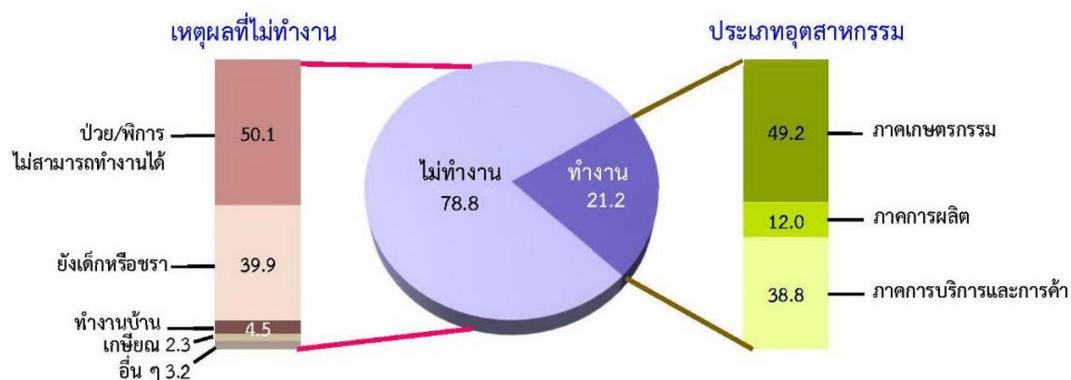
Figure 1.4 Percentage of PWDs Aged 15 and Over who are Employed, by Age Group (2017 and 2022)

According to the data, employment among PWDs showed a declining trend in 2022. When considering the employment of PWDs aged 15 years and over (during the 12 months prior to the survey, i.e., October 2021–November 2022), it was found that only one in five PWDs (21.2 percent) were employed. Among PWDs of working age (15–59 years), 35.9 percent were employed, while only 13.4 percent of older PWDs (aged 60 years and over) had jobs. The proportion of employed PWDs in 2022 decreased compared with 2017, for both the working-age and older-age groups. When considering the types of work performed by PWDs in 2022, approximately half of employed PWDs (49.2 percent) worked in the agricultural sector, followed by the services and trade sector (38.8 percent) and the manufacturing sector (12.0 percent). Regarding reasons for not working, about half of unemployed

⁵ National Statistical Office, THE 2022 DISABILITY SURVEY. accessed on March 23, 2025, Retrieved from https://www.nso.go.th/nsoweb/nso/survey_detail/LI.

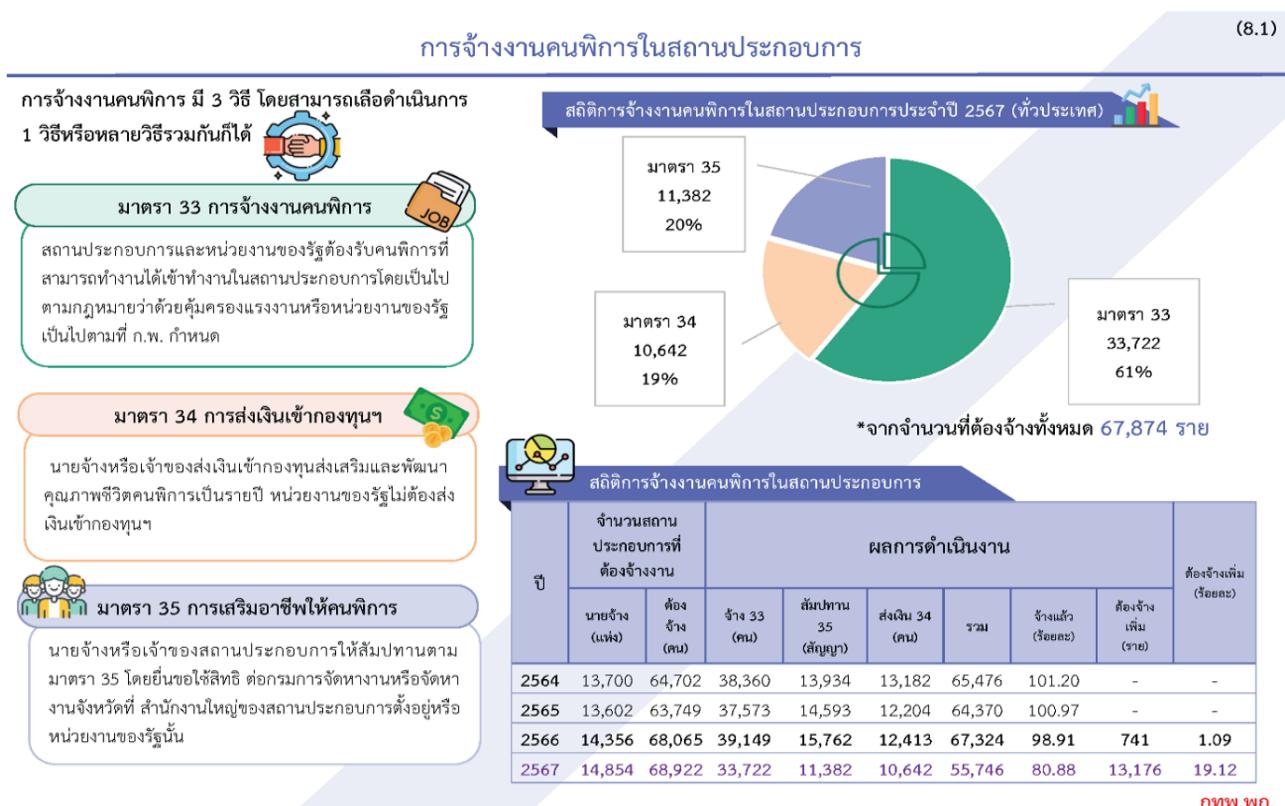


PWDs reported being ill or too severely disabled to work, followed by being too young or too old (39.9 percent), and performing household duties (4.5 percent), as shown in Figure 1.5.



หมายเหตุ : เหตุผลอื่น ๆ ที่ไม่ทำงาน เช่น เรียนหนังสือ ผลกระทบจากการแพร่ระบาดโรคโควิด-19 และดูแลคนป่วย/ผู้พิการ/เด็ก/ผู้สูงอายุ เป็นต้น

Figure 1.5 Percentage of PWDs Aged 15 and Over, by Industry Type and Reasons for not Working (2022)



Figures 1.6 Employment Statistics of PWDs by Establishments



As for employment statistics of PWDs in establishments⁶, the details are as follows:

(1) In 2021, there were 13,700 establishments required to employ PWDs, with a total employment quota of 64,702 persons. The actual number of PWDs employed was 65,476 persons (101.20%), consisting of: 38,360 persons employed under Section 33, 13,934 persons employed through concessions under section 35, and 13,182 persons whose employers contributed to the Fund for Empowerment of Persons with Disabilities under Section 34.

(2) In 2022, there were 13,602 establishments required to employ PWDs, with a total employment quota of 63,749 persons. The actual number of PWDs employed was 64,370 persons (100.97%), consisting of: 37,573 persons employed under Section 33, 14,593 persons employed through concessions under Section 35, and 12,204 persons whose employers contributed to the Fund for Empowerment of Persons with Disabilities under Section 34.

(3) In 2023, there were 14,356 establishments required to employ PWDs, with a total employment quota of 68,065 persons. The actual number of PWDs employed was 67,324 persons (98.91%), consisting of: 39,149 persons employed under Section 33, 15,762 persons employed through concessions under Section 35, 12,413 persons whose employers contributed to the Fund for Empowerment of Persons with Disabilities under Section 34, and 741 additional PWDs required to be employed (1.09%).

(4) In 2024, there were 14,854 establishments required to employ PWDs, with a total employment quota of 68,922 persons. The actual number of PWDs employed was 55,746 persons (80.88%), consisting of: 33,722 persons employed under Section 33, 11,382 persons employed through concessions under Section 35, 10,642 persons whose employers contributed to the Fund for Empowerment of Persons with Disabilities under Section 34, and 13,176 additional PWDs required to be employed (19.12%).

Regarding the employment of PWDs in the public sector, according to data from the Department of Empowerment of Persons with Disabilities (DEP) as of 28 February 2025⁷, the public sector employed a total of 3,631 PWDs. Among these, three ministries fully complied with the employment requirements, namely the Ministry of Social Development and Human Security (MSDHS), the Ministry of Transport, and the Ministry of Labour, as shown in Figure 1.7 Employment of persons with disabilities in public sector of each ministry.

⁶ Department of Empowerment and Development of Persons with Disabilities. Statistics on the employment of persons with disabilities in enterprises and state agencies between B.E. 2564-2567 (2021-2024). Data as of April 19, 2024.

⁷ กรมส่งเสริมและพัฒนาคุณภาพชีวิตคนพิการ กระทรวงการพัฒนาสังคมและความมั่นคงของมนุษย์. สถานการณ์ด้านคนพิการในประเทศไทย. สืบค้นเมื่อวันที่ 28 กุมภาพันธ์ 2568, <https://dep.go.th/th/law-academic/knowledge-base/disabled-person-situation>.



Figure 1.7 Employment of Persons with Disabilities in Public Sector for each Ministry

1.1.5 Barriers and Challenges to Employment

Case Study: Inequality in Employment of Persons with Disabilities The Restriction of the Right of Persons with disabilities to Take the Judicial Examination in Thailand

There was a case in which a person with a disability applied to take the examination for recruitment as an Assistant Judge but was denied the opportunity to sit for the examination on the grounds of not meeting the physical qualification requirements, pursuant to Section 26 (11) of the Act on Judicial Service of the Court of Justice B.E.2543 (2000), which states that a candidate must "Have passed physical and mental health examinations conducted by a medical committee comprising not fewer than three physicians as prescribed by the Judicial Commission, and the Judicial Commission shall consider the report of the medical committee and deem it appropriate to allow the application."

The Constitutional Court once ruled on a case concerning the restriction of the rights of a person with a physical disability who was not permitted to take the judicial examination for the position of Judge in the 1999 recruitment round. The justification cited was that the applicant was "physically or mentally unfit to serve as a judicial officer," pursuant to Section 26, paragraph one (10) of the Act on Judicial Service of the Court of Justice B.E.2543 (2000). When a complaint was filed with the Constitutional Court, in its initial decision, the Court ruled that persons with disabilities did not have the right to sit for the judicial examination. Although the Constitution prohibits discrimination on the grounds of disability, the Court reasoned that in the recruitment of any position, apart from assessing knowledge and competence, it is also necessary to consider the physical and mental health of the applicant to ensure their ability to perform duties and to possess appropriate personal characteristics



to serve as a judge. The Court further stated that the position of a judge is an honorable role performed in the name of His Majesty the King, which may require travel outside the court, such as conducting witness examinations off-site. Therefore, the recruitment examination for judicial officers must have distinct and stringent criteria compared with other positions. Consequently, the rejection of a person with disabilities from applying for the judicial examination was deemed not to be in violation of the Constitution of the Kingdom of Thailand B.E. 2540 (1997) (Constitutional Court Ruling No. 16/2545).

Subsequently, in 2012, a similar case occurred, but the Constitutional Court ruled in the opposite direction from its previous decision. The Court reinterpreted and concluded that persons with disabilities have the right to take the judicial examination, marking the first time that the Constitutional Court referred to international law in its ruling. The Court reasoned that Thailand ratified the Convention on the Rights of Persons with Disabilities (CRPD) on 29 July 2008, which prohibits States Parties from discriminating on the basis of disability. Therefore, the provision in the law stating that a person who is “physically or mentally unfit to serve as a judicial officer” constitutes a violation of the rights of persons with disabilities to access employment on an equal basis with others, as guaranteed under the CRPD. In addition, the Court found that such restriction constituted discrimination on the grounds of disability, which is prohibited under the Constitution of the Kingdom of Thailand B.E. 2550 (2007).

The Court further emphasized that the principal mission within the powers and duties of judges of the Courts of Justice is to adjudicate cases fairly in accordance with the Constitution and the law, and to sit as a duly constituted panel. Disability is therefore not an impediment to the performance of duties by a person seeking appointment as a judicial officer (Constitutional Court Ruling No. 15/2555). However, this ruling was issued after the examination process had already concluded, and the applicant with disabilities later decided not to apply for the judicial position again. Consequently, Thailand has not yet had a judicial officer with disabilities up to the present. In the 2024 Assistant Judge examination, a similar issue re-emerged. A candidate with a physical disability was disqualified from taking the exam because, during the written test, the applicant, who has an Amyotrophic Lateral Sclerosis (ALS), required a personal assistant to transcribe answers with writing. The Judicial Commission decided that allowing another person to write on behalf of the applicant could influence the test results, as the written answers might reflect the opinions of two individuals: the examinee and the assistant. In the 2025 examination round, the same applicant applied again but did not request assistance for writing answers, asking only for an accessible desk suitable for a wheelchair. Nevertheless, the applicant was again denied permission to take the written examination. The recruitment process, including application submission, physical and mental health examinations, qualification verification, announcement of eligible candidates, examination procedures, result announcements, and appointments, all fall under the authority of the Office of the Judicial Commission.

This situation presents an ongoing challenge regarding whether Section 26(11) of the Act on Judicial Service of the Court of Justice B.E. 2543 (2000), which prescribes qualifications for judicial applicants, may be inconsistent with the Constitution of the Kingdom of Thailand, B.E. 2560 (2017), and to what extent. It also raises questions as to whether such a provision is compatible with international human rights instruments to which Thailand is a State Party.



In addition, there was a case involving a non-commissioned police officer with a disability who sought promotion to a commissioned rank. The officer successfully passed the written examination but was later disqualified during the practical examination stage. This officer became disabled after having already entered police service but was allowed to continue serving in his position. When the examination for promotion to a commissioned rank was announced, he applied and successfully passed the written test. However, he was subsequently deemed to have failed the practical performance assessment. The Police Education Bureau explained that the officer was found to lack one of the required qualifications as stipulated in the existing regulations, specifically the ability to perform operational duties in the Investigation and Inquiry Division (Investigation Officer Track). The officer was able to apply for the examination because the initial online application process did not thoroughly verify eligibility. During the physical proficiency test, particularly the swimming assessment, it was determined that the officer was unable to perform the required duties, leading to his disqualification. However, the Commissioner-General of the Royal Thai Police later ordered a review of this decision. The case was reconsidered under the appeal procedure, with a decision rendered on 29 August 2025. Acting under the authority granted by Section 45 of the Administrative Procedure Act, B.E. 2539 (1996) and Clause 2(3) of the Ministerial Regulation (No. 4) B.E. 2540 (1997) issued under the above-mentioned Act, the Commissioner-General reviewed both the factual and legal aspects of the appeal. Upon consideration, the Commissioner-General agreed with the appeal, recognizing the officer's right to equal opportunity and ordered the relevant agencies to grant the officer promotion to the commissioned rank in accordance with applicable laws and regulations.

The issuance of regulations by public sector, private sector entities, or independent organizations in the manner illustrated in the above case studies constitutes a restriction of the rights of persons with disabilities and should therefore be amended. For example, the Civil Service Act has been periodically revised, and at present it no longer contains any provisions that discriminate against persons with disabilities who wish to serve in the civil service. In addition, the Office of the Civil Service Commission (OCSC) has issued a Handbook on the Recruitment and Selection of Persons with Disabilities for Employment in the Public Sector, with the objective of promoting and encouraging greater employment of PWDs in the public sector, as well as facilitating the public sector in recruiting qualified PWDs whose skills and competencies correspond to the nature of their work, through more convenient and flexible procedures.

From the above information, it can be seen that although many countries, including Thailand, have made significant progress in promoting the employment of persons with disabilities, opportunity gaps remain a major challenge in every region. Therefore, the employment of PWDs is not merely a matter of law but represents a systemic transformation and change in mindset, attitudes, and the development of supportive mechanisms that enable the full and equal participation of all persons in every dimension of economic and social life. This principle lies at the heart of sustainable development in the twenty-first century



In order to reduce inequality in employment opportunities for PWDs, Thailand needs to establish a systemic and integrated framework for promoting employment, while fostering new approaches to livelihood development, such as encouraging PWDs to engage in self-employment and entrepreneurship. This would benefit not only PWDs themselves but also their communities and society at large. A study by Schur et al. (2020) found that PWDs who operate small businesses tend to report higher levels of job satisfaction than those employed in conventional organizations. This is primarily because self-employed individuals can manage their own time, maintain flexibility in work arrangements suited to their physical conditions, and select more appropriate working environments. At the same time, the concept of “Disability-Inclusive Business” has gained increasing attention at both policy and community levels. This concept emphasizes promoting the participation of PWDs throughout the economic value chain as producers, service providers, and business managers. Examples include supporting PWDs to become entrepreneurs of social enterprises or to operate small and medium-sized businesses in which PWDs play leading roles in management and production. This model serves as an alternative pathway for PWDs who face barriers to entering formal employment. According to the International Labour Organization (ILO, 2023), when PWDs receive direct support for entrepreneurship, they tend to achieve greater success, as they can design work models compatible with their specific functional limitations and capabilities. Nevertheless, Thailand still lacks a comprehensive support system that effectively links all relevant stakeholders including the public, and private sectors, financial institutions, and civil society organizations to ensure the sustainability of disability-led businesses. Such a system should include business advisory services, digital skills training, access to revolving funds or financing mechanisms, and the development of inclusive market linkages that promote and distribute products made by persons with disabilities.

Furthermore, promoting employment and self-employment among PWDs represents an effective way to maximize the utilization of their potential. It not only strengthens the country’s economic power, reduces government expenditure on welfare services, and enhances Thailand’s international image in the areas of human rights and equality, but also provides significant personal benefits. Having employment or running one’s own business can lead to substantial psychological impacts on the overall quality of life of PWDs. A study by Lindsay et al. (2021) found that employed PWDs demonstrate significantly higher levels of self-esteem, hope, and community engagement, as well as better physical and mental health outcomes in the long term. In addition, promoting such policy direction is consistent with Thailand’s obligations under the Convention on the Rights of Persons with Disabilities (CRPD), which Thailand ratified in 2008. Article 27 of the Convention stipulates that States Parties must promote equal and non-discriminatory employment, including support for entrepreneurship and self-employment of PWDs within the mainstream economy. This approach is also aligned with the “Leave No One Behind” policy framework under the Thirteenth National Economic and Social Development Plan B.E. 2566–2570 (2023–2027), which emphasizes equal participation of all population groups. The Plan focuses on establishing a supportive ecosystem that links PWDs, the business sector, educational institutions, the public sector, and civil society organizations, in order to foster an inclusive economic environment that enables meaningful participation for all, whether through employment, training, access to financial resources, or policy support.



The implementation of this project is therefore beneficial at multiple levels: at the individual level, by fostering empowerment; at the community level, by promoting community inclusion; and at the national level, by enhancing national resilience, particularly during a period in which the world is entering an era of sustainability transformation. In this context, designing an open and flexible economic structure that accommodates human diversity is essential.

1.2 Objectives of the Project

1. To identify gaps and challenges in promoting employment and disability-inclusive business in relation to laws, policies, and relevant programmes.
2. To provide concrete recommendations to support the transition from skills development to employment and career retention of PWDs.
3. To collaborate with the business sector in order to expand and scale up the impact of disability-inclusive employment practices within the private sector

1.3 Expected Outcomes

1. Enhance the capacity of the public sector, Organizations of Persons with Disabilities (OPDs), Civil Society Organizations (CSOs), and the business sector in Thailand to design and implement policies and programmes that promote disability-inclusive employment and support entrepreneurship among PWDs.
2. Strengthen the capacity of business associations and private sector stakeholders in Thailand to advance and support inclusive value chains and promote disability-inclusive business practices.



Chapter 2 Laws, Policies, and Plans Related to TVET and Employment of Persons with Disabilities

In Thailand, the Civil Law system is applied, emphasizing enforcement and interpretation according to written statutes, which differs from the Common Law systems used in Western countries such as the United States, the United Kingdom, and the Republic of Singapore, where judicial decisions, particularly those of the Supreme Court, serve as binding judicial precedents that are followed and upheld by lower courts nationwide. The laws, policies, and plans related to Technical and Vocational Education and Training (TVET) are as follows:

2.1 National Laws, Policies, and Plans

In Thailand, the hierarchy of laws is classified as follows:

- 2.1.1 The Constitution of the Kingdom of Thailand B.E. 2560 (2017)
- 2.1.2 Acts
- 2.1.3 Royal Decrees
- 2.1.4 Emergency Decrees
- 2.1.5 Ministerial Regulations
- 2.1.6 Rules, Regulations, and Orders
- 2.1.7 Announcements and Orders

Therefore, any law enacted and enforced in contradiction to the provisions of the Constitution of the Kingdom of Thailand shall be deemed null and void and unenforceable. The Constitution of the Kingdom of Thailand, B.E. 2560 (2017) thus holds supreme importance as the highest law of the land. The relevant constitutional provisions are as follows:

2.1.1 The Constitution of the Kingdom of Thailand B.E. 2560 (2017)

Section 27, All persons are equal before the law, and shall have rights and liberties and be protected equally under the law. Men and women shall enjoy equal rights.

Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health condition, personal status, economic and social standing, religious belief, education, or political view which is not contrary to the provisions of the Constitution or on any other grounds, shall not be permitted.



2.1.2 The Empowerment of Persons with Disabilities Act B.E. 2550 (2007) and the Second Amendment B.E. 2556 (2013)

Thailand is currently in the process of amending the Act, under the title of Draft Empowerment of Persons with Disabilities Act (No. ...) B.E. The draft version proposed by the government was submitted to the Secretary-General of the Cabinet in January 2025.

This draft contains several key differences from the previous version, particularly regarding provisions related to the employment of PWDs, as presented in Table 2.1.

Table 2.1

Comparison of the New and Previous Acts Regarding Issues Related to the Employment of Persons with Disabilities

The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
(6) To consider promotion and support of activities of State and private agencies related to the Empowerment of Persons with Disabilities	(6) To prescribe regulations concerning the criteria and procedures for filing requests, collecting evidence, conducting mediation, providing compensation and remedies to affected persons, rendering decisions, and issuing orders to revoke or prohibit acts that constitute unfair discrimination against PWDs, as well as governing the duties and responsibilities of the Chairperson of the Committee on the Consideration of Unfair Discrimination against Persons with Disabilities
(7) To prescribe rules on the administration, profit-seeking activities and management of the Fund, subject to the approval of the Ministry of Finance, rules concerning approval of funds disbursement for Empowerment of Persons with disabilities, rules on the reports of financial status and administration of the Fund, rules on the receipt and disbursement of the Fund, keeping of the Fund, writing off debts, subject to the approval of the Ministry of Finance, and other related rules for the execution of this Act.	(7) To prescribe regulations, with the approval of the Ministry of Finance, concerning the administration of the Fund, investment management, and fund operations; regulations on the consideration and approval of financial disbursements for the promotion and development of the quality of life of Persons with Disabilities; regulations on the support of administrative expenses for programmes or projects implemented by private sector organizations at an appropriate ratio; regulations on the preparation of financial and fund management reports; regulations governing the receipt, payment, safekeeping, and write-off of fund assets; as well as regulations on the support of administrative expenses for Disability Thailand (DTH), organizations of each disability type, and other organizations of persons with disabilities.



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
Section 20 A Person with disabilities has the right to access and utilise public facilities including welfare services and other supports from the State as follows:	Section 35 Persons with disabilities shall have the right to access and benefit from the physical environment, public facilities, welfare services, and other forms of assistance provided by the State, as follows:
(1) Rehabilitation services using medical procedures and expenses for medical treatments, equipment costs, assistive devices and media materials to facilitate development for adjustment in physique, mentality, emotion, social engagement, behaviour, intellect and learning, or to enhance their capacity, as prescribed by the Minister of Public Health	Unchanged from the previous version.
(2) Education in accordance with the National Education Act or the National Plan on Education, as the case may require, in special educational institutes or general educational institutes or alternative education or non-formal education. as provided by agencies in relation to the facilities, media, services and any other educational assistance for persons with disabilities, as appropriate.	Unchanged from the previous version.
(3) Vocational rehabilitation, including up to standard services, labour protection, measures for employment opportunity, promotion of independent occupation, media services, technology facilities and any other assistance to support work and occupation of persons with disabilities according to the rules, procedures and conditions prescribed by the Minister of Labour.	Unchanged from the previous version.
(4) Acceptance and participation in social, economic and political activities in a full and efficient manner on an equal basis with the general population, as well as the allocation of various facilities and services according to the needs of persons with disabilities.	Unchanged from the previous version.



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
(5) Assistance for the access of policies, plans, projects, activities, development and public services, necessity products necessary for livelihood, legal assistance and provision of lawyers to provide representation in legal cases, which shall be in accordance with the rules prescribed by the Committee.	(5) To facilitate access to public policies, plans, projects, development activities, and public services, and to support the realization of the rights of persons with disabilities by establishing safeguards to ensure access to rights and protection against exploitation, abuse, violence, and all forms of rights violations. This also includes the provision of legal assistance and the appointment of lawyers for legal representation, in accordance with the regulations prescribed by the Committee.
(6) Information, communication, telecommunication services, information and communication technology and communication access technology for all types of persons with disabilities, as well as public media of the state agency or related private sector that receive financial budget support from the State according to the rules, procedures and conditions prescribed by the Minister of Information and Communication Technology in the Ministerial Regulations.	(6) Access to the physical environment, transportation, information, telecommunication services, assistive technologies, and public media services provided by state agencies or private entities, as well as essential products for daily living.
(7) Access to a sign language interpreter in accordance with the Rules prescribed by the Committee.	(7) The promotion and support of communication through languages, channels, methods, and alternative or augmentative forms of communication that are accessible and convenient for persons with disabilities, including Thai Sign Language, sign language interpretation services, captioning services, audio description services, or sign language interpretation via telecommunication systems in accordance with the relevant laws. Such services shall be provided on a continuous basis, and in compliance with the criteria, methods, and conditions prescribed by the Committee. Thai Sign Language refers to the national language of the Deaf community, representing their cultural identity and distinct linguistic heritage.
(8) Right to bring any guiding animal, guiding tools, or equipment or assistive devices with him or her on any vehicles or in public places, and the right to access public facilities, with the exemption from additional payment for service charges, fees and rent for such guiding animals, tools, equipment or assistive devices	Unchanged from the previous version.



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
<p>(9) Welfare allowances for persons with disabilities according to the criteria and procedures prescribed in the Rules of the Committee.</p>	<p>Unchanged from the previous version.</p>
<p>(10) Modification of housing environments, provision of assistants or any other welfare service according to the criteria and procedures prescribed in the Rules of the Committee.</p> <p>Assistants are entitled to the deduction or exemption on service charges and fees according to the rules prescribed by the Committee.</p> <p>A person with disabilities who does not have a caregiver is entitled to welfare provision on housing and care provided by state agencies. In case a person with disabilities receives provision on housing and welfare from a private organisation, the State shall subsidise such private organisation, according to the criteria and procedures prescribed by the Committee in the rules.</p> <p>Caregivers are entitled to counseling, advisory, trainings on care giving skills, provision of education, career development and employment opportunity, and any other assistance for self-reliance, according to the criteria and procedures prescribed by the Committee in the rules</p>	<p>(10) The adaptation of living environments, the provision of personal assistants for persons with disabilities, or other welfare services as prescribed by the Committee under relevant regulations.</p> <p>A person with disabilities who has no caregiver shall have the right to receive housing and caregiving welfare services from state agencies. In cases where private welfare institutions already provide such housing and services, the State shall allocate subsidies to those institutions, in accordance with the criteria and procedures prescribed by the Committee.</p> <p>A caregiver of a person with disabilities shall have the right to receive counselling, guidance, skills training, education management support, occupational and employment promotion, and other forms of assistance aimed at enabling self-reliance, as prescribed by the Committee under relevant regulations.</p> <p>Persons with disabilities and their caregivers shall be entitled to tax deductions or exemptions as provided by law.</p> <p>Private organizations that provide persons with disabilities with the rights and benefits under this Section shall also be entitled to tax deductions or exemptions, calculated as a percentage of their relevant expenses, in accordance with applicable laws.</p> <p>(11) To ensure that disaster management and emergency response measures fully include the protection and promotion of the rights of persons with disabilities on an equal basis with others, and that no discriminatory practices are imposed against persons with disabilities.</p>
<p>Section 23 There shall be a fund established by the Office called, “Fund for Empowerment of Persons with Disabilities”</p>	<p>Section 47 There shall be established a fund within the Department, called the “Fund for Empowerment of Persons with Disabilities” (The substance of this provision remains unchanged.)</p>
<p>Section 24 The Fund shall consist of. (See reference documents for details)</p>	<p>Section 48 The Fund shall consist of: (The substance of this provision remains unchanged.)</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
<p>Section 25 There shall be a Sub-Committee on the Administration of the Fund, which consists of the following members: Permanent Secretary for Social Development and Human Security as President, a representative of the Ministry of Interior, a representative of the Ministry of Labour, a representative of the Ministry of Education, a representative of the Ministry of Public Health, a representative of the Budget Bureau, a representative of the Comptroller General's Department, nine qualified persons, at least seven of which must be representatives of organisations for persons with disabilities, appointed by the Committee as members, and the Director as a member and a secretary of this Sub-Committee.</p>	<p>Section 49 There shall be established a Committee on the Administration of the Fund, which consists of the following members:</p> <p>(1) Chairperson; The Permanent Secretary of the Ministry of Social Development and Human Security.</p> <p>(2) Members; Ministry of Interior, Ministry of Labour, Ministry of Education, Ministry of Public Health, Budget Bureau, Comptroller General's Department and Disability Thailand (DTH)</p> <p>(3) Representatives of organizations of persons with disabilities, consisting of seven representatives from organizations of each disability type and three representatives from other organizations of persons with disabilities</p> <p>(4) Advisory Members; Not more than six qualified persons, appointed by the Committee, from among individuals possessing knowledge, expertise, and experience in the fields of finance, accounting, economics, or law, of whom two shall be representatives from business organizations.</p> <p>The Director-General of the Department of Empowerment of Persons with Disabilities shall serve as Member and Secretary, and may appoint civil servants of the Department and the Director of the Division of Fund and Equity Promotion for Person with Disabilities as Assistant Secretaries</p> <p>The criteria, procedures, and conditions for the selection of representatives under (3) shall be prescribed by the Minister of Social Development and Human Security, provided that such representatives shall not be the same persons as those referred to in Section 6(4).</p>
<p>Section 26 The Sub-Committee on the Administration of the Fund shall have the following authorities:</p>	<p>Section 25 The Committee on the Administration of the Fund shall have the following authorities:</p>
<p>(1) To administer the Fund, which includes the investment, profit-seeking activities and management of the Fund in accordance with the rules prescribed by the Committee and with approval of the Ministry of Finance.</p>	<p>(1) To administer the Fund, which includes investments to generate benefits and income for the Fund, and to manage the Fund in accordance with the Rules prescribed by the Committee and with approval of the Ministry of Finance.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
<p>(2) To consider and approve disbursement, approval of projects, determine the financial amount and list of expenses for supporting work plans and projects of Empowerment of Persons with Disabilities as proposed by the Sub-Committee for each type of disabilities, Changwat Sub-Committee on the Empowerment of Persons with Disabilities or other Sub-Committees, in accordance with the rules prescribed by the Committee.</p>	<p>(2) To consider and approve disbursement, approval of projects, determine the financial amount and list of expenses, and write-offs of debts from the Fund's accounts; to determine budget allocations and expenditure items in support of programmes, projects, loans, guarantees, investments, or other activities in accordance with the Fund's objectives, as prescribed in accordance with the Rules prescribed by the Committee on the Consideration of Unfair Discrimination against Persons with Disabilities.</p>
<p>(3) To report financial status and the administration of the Fund to the Committee in accordance with the rules prescribed by the Committee.</p> <p>In implementation of (2), the Sub-Committee on the Administration of the Fund may assign the Changwat Sub-Committee on Empowerment of Persons with Disabilities to perform duties under paragraph one instead.</p>	<p>(3) To report financial status, expenditures, and investments to the Committee, and to disclose such information to the public in accordance with the Rules prescribed by the Committee.</p>
	<p>(4) To appoint subcommittees or working groups to carry out specific duties or perform assigned functions on its behalf.</p>
	<p>(5) To prescribe qualifications and prohibitions applicable to Fund personnel, as well as regulations governing the conduct and responsibilities of Fund staff.</p>
	<p>(6) To issue regulations relating to procurement and personnel administration, and to approve work plans concerning wages, remuneration, and other benefits for Fund officers and other personnel working for the Fund.</p> <p>In carrying out the duties under (2) The Committee on the Administration of the Fund may delegate its authority to the Sub-committee on the Promotion and Development of the Quality of Life of Persons with Disabilities to perform such duties on its behalf.</p> <p>The Committee on the Administration of the Fund, The Sub-Committee on the Administration of the Fund, or working groups shall be entitled to meeting allowances and other remuneration for their performance of duties, as prescribed by the Minister with the approval of the Ministry of Finance.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
	<p>Section 51 For the purpose of ensuring efficient and comprehensive implementation of the Fund's services relating to the provision of financial assistance for persons with disabilities or their caregivers to pursue occupations, or the management of outstanding debts under Section 65, The Committee on the Administration of the Fund shall have the authority to take the following actions:</p> <p>(1) To support expenses or assign any government agency, private organization, financial institution, or other organization to carry out operations on behalf of the Fund, or to use the Fund's money as a guarantee for such operations, in accordance with the regulations prescribed by the Committee.</p> <p>(2) To prescribe criteria, procedures, and conditions concerning the qualifications of borrowers, loan amounts, repayment periods, and guarantees by persons or property.</p> <p>(3) To prescribe criteria, procedures, and conditions for granting leniency to borrowers, including debt rescheduling, debt reduction, or suspension of repayments to the Fund, pursuant to Sections 54 and 55.</p> <p>(4) To prescribe criteria, procedures, and conditions concerning the liability of guarantors, in accordance with Section 56.</p> <p>In formulating loan schemes under this Section to achieve efficiency and broad coverage in line with the Fund's objectives, The Committee on the Administration of the Fund may allocate no more than fifty percent (50%) of the Fund's balance accumulated in the preceding fiscal year for such purposes. If it is necessary to allocate a greater amount, prior approval from the Committee shall be obtained.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
	<p>Section 52 In necessary circumstances, The Committee on the Administration of the Fund may grant leniency to borrowers by allowing them to repay the Fund in a manner that differs from the amount, period, or method originally prescribed, or may grant debt reduction or suspend repayment to the Fund, whether upon the borrower's individual request or on a general basis, as deemed appropriate. Such actions shall not affect the liability of guarantors as specified in the loan agreement, and shall be carried out in accordance with the criteria, procedures, and conditions prescribed by The Committee on the Administration of the Fund under its regulations.</p>
	<p>Section 53 For the purpose of monitoring and ensuring repayment to the Fund, the Fund or any person or entity authorized by the Fund shall have the authority to undertake the following actions:</p> <ul style="list-style-type: none">(1) To request personal data of borrowers from any government or private agency, organization, or individual that possesses such personal data.(2) To disclose information relating to the loan and repayment of the Fund to any government or private agency, organization, or individual upon request.(3) To implement measures as prescribed or assigned by The Committee on the Administration of the Fund. Borrowers and guarantors shall be required to consent to the Fund's access to their personal data held by any other person or entity, and to authorize the Fund to disclose information relating to their loan and repayment status as necessary



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
	<p>Section 54 In necessary circumstances, the Director-General may grant leniency to borrowers by allowing them to repay the Fund in a manner that differs from the amount, period, or method originally prescribed, or may grant debt reduction or suspend repayment to the Fund, whether upon the borrower's individual request or on a general basis, as deemed appropriate. Such actions shall not affect the liability of guarantors as specified in the loan agreement, and shall be carried out in accordance with the criteria, procedures, and conditions prescribed by The Committee on the Administration of the Fund under its regulations.</p>
	<p>Section 55 In the event that a borrower dies, or becomes disabled or chronically ill to the extent that he or she is unable to engage in any occupation, the borrower shall be entitled to debt reduction or suspension of repayment to the Fund, in accordance with the criteria, procedures, and conditions prescribed by The Committee on the Administration of the Fund under its regulations.</p>
<p>Section 33 For the purpose of the Empowerment of Persons with Disabilities, employers or owners of the establishments and state agencies shall employ Persons with Disabilities to work in suitable positions in proper proportions to the entire number of the employees in the establishments or state agencies. The Minister of Labour shall issue Ministerial Regulations to specify numbers of employees with disabilities that the employers, owners of the establishments and state agencies shall employ.</p>	<p>Section 64 For the purpose of the Empowerment of Persons with Disabilities, employers or owners of the establishments and state agencies shall employ persons with disabilities to work in suitable positions in proper proportions to the entire number of the employees in the establishments or state agencies. The Minister of Labour shall issue Ministerial Regulations to specify numbers of employees with disabilities that the employers, owners of the establishments and State Agencies shall employ.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
<p>Section 34 Employers or owners of the establishments who do not employ persons with disabilities at the proper proportions as prescribed in section 33 shall send money to the Fund pursuant to section 24(5). The Minister of Labour shall issue Ministerial Regulations to specify the amount of money that the employers or owners of the establishments shall send to the Fund. Employers or owners of the establishment who are obliged to send money to the Fund as prescribed in paragraph one but who fail to do so, or are delayed in making payment or who make an insufficient payment, shall pay interest at the rate of seven and a half percent per annum of the outstanding amount to the Fund. Employers or owners of the establishments who employ persons with disabilities or send money to the Fund as prescribed in paragraph one shall be eligible for tax exemption at a certain percent of the amount they pay as wages or salaries to employees with disabilities or of the amount they send to the Fund, as the case may be, as prescribed by the law.</p>	<p>Section 65 Employers or owners of the establishments who do not employ persons with disabilities at the proper proportions as prescribed in section 64 shall send money to the Fund pursuant to section 48 (5). The Minister of Labour shall issue Ministerial Regulations to specify the amount of money that the employers or owners of the establishments shall send to the Fund. Employers or owners of the establishment who are obliged to send money to the Fund as prescribed in paragraph one but who fail to do so, or are delayed in making payment or who make an insufficient payment, shall pay interest at the rate of seven and a half percent per annum of the outstanding amount to the Fund. Employers or owners of the establishments who employ persons with disabilities or send money to the Fund as prescribed in paragraph one shall be eligible for tax exemption at certain percent of the amount they pay as wages or salaries to employees with disabilities or of the amount they send to the Fund, as the case may be, as prescribed by the law.</p>
<p>Section 35 In the event that any state agency does not wish to employ persons with disabilities for work under section 33 or any employer or owner of the establishment does not employ persons with disabilities for work under section 33 and does not wish to send money to the Fund under section 34, the said state agency, employer or owner of the establishment may grant concessions, arrange places for distributing products or services, hire subcontract employees or hire employment services by special means, provide apprenticeships or equipment or facilities and sign language interpreters or other assistance to persons with disabilities or caregivers of persons with disabilities based on the criteria, procedures and conditions as prescribed by the Committee in the Rules.</p>	<p>Section 66 In the event that any state agency does not wish to employ persons with disabilities for work under section 33 or any employer or owner of the establishment does not employ persons with disabilities for work under section 64 and does not wish to send money to the Fund under section 65, the said state agency, employer or owner of the establishment may undertake the following measures for the benefit of persons with disabilities or their caregivers:</p> <p>(1) Concession: Granting the right to use buildings, premises, or other properties of the government agency or establishment; granting licenses or rights for the distribution of goods; or allocating broadcasting time or space on television, radio, or other online media platforms, for a period of not less than one year.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
	<p>(2) Provision of spaces for the sale of goods or services: Providing spaces or other platforms for trade or commerce without rental fees, with designated area sizes and for a duration of not less than one year.</p> <p>(3) Subcontracting or service contracting: Engaging persons with disabilities or their caregivers directly to perform specific work resulting in measurable outcomes, such as cleaning, security, gardening, research, surveying, or document production, for a period as mutually agreed upon.</p> <p>(4) Internship or vocational training: Providing internship or vocational training to persons with disabilities or their caregivers in curricula aimed at enhancing knowledge, skills, experience, and the transfer of technology or expertise to support employment or self-employment. Such training shall be conducted for a period of not less than six months or six hundred hours, and trainees shall receive stipends.</p> <p>(5) Provision of equipment or facilities: Before employing persons with disabilities, the employer shall provide equipment or facilities as specified in the Ministerial Regulation.</p> <p>(6) Other forms of assistance: Providing financial, material, equipment, or property support, including direct purchase of goods from persons with disabilities or their caregivers, to promote occupational development, vocational training, and work readiness. Implementation under paragraph one shall be in accordance with the criteria, procedures, and conditions prescribed by the Committee under its regulations.</p> <p>In cases where a government agency, employer, or proprietor of an establishment has laws or regulations governing such operations under paragraphs one and two, but such provisions set standards lower than those prescribed under this Act, the provisions of this Act shall prevail.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
	<p>Section 67 State agencies shall have the duty and authority to implement the provisions of Section 64 by creating additional positions in accordance with the laws governing personnel administration of each respective agency. The head of such agency shall have the authority to request budget allocations or approve budget adjustments for this purpose.</p> <p>In the event that a state agency fails or neglects to comply with the provisions of Section 64 or Section 66, Disability Thailand (DTH), organizations of each disability type, or other organizations of persons with disabilities shall have the right to initiate legal proceedings, whether civil, criminal, or administrative, as the case may be.</p>
<p>Section 36 The Director shall have the power to issue a written order to enforce the garnishment of property of any employer or owner of the establishment who does not send money to the Fund under section 34.</p> <p>The order to garnish the property prescribed in paragraph one shall be done only after a written notice has been sent by registered mail, with the acknowledgement receipt, to the employer or owner of the establishment notifying him or her to send money to the Fund or remit the outstanding amount within the specified period of time but not less than thirty days counting from the day he or she receives the notice and fails to send money within the specified period of time.</p> <p>Criteria and procedures of the forfeiture of property prescribed in paragraph one shall be in accordance with the rules prescribed by the Minister of Social Development and Human Security. Criteria and procedures of the Civil Procedure Codes shall apply mutatis mutandis.</p>	<p>Section 68 The Director-General shall have the power to issue a written order to enforce the garnishment of property of any employer or owner of the establishment who does not send money to the Fund under section 65.</p> <p>The order to garnish the property prescribed in paragraph one shall be done only after a written notice has been sent by registered mail, with the acknowledgement receipt, to the employer or owner of the establishment notifying him or her to send money to the Fund or remit the outstanding amount within the specified period of time but not less than thirty days counting from the day he or she receives the notice and fails to send money within the specified period of time.</p> <p>Criteria and procedures of the forfeiture of property prescribed in paragraph one shall be in accordance with the rules prescribed by the Minister of Social Development and Human Security. Criteria and procedures of the Civil Procedure Codes shall apply mutatis mutandis.</p>
<p>Section 38 Employers or owners of the establishments who employ persons with disabilities at more than sixty percent of the entire employees in the period of more than one hundred and eighty days in any tax year shall be eligible for tax exemption in that tax year as prescribed by law.</p>	<p>Section 73 Employers or owners of the establishments who employ persons with disabilities at more than sixty percent of the entire employees in the period of more than one hundred and eighty days in any tax year shall be eligible for tax exemption in that tax year as prescribed by law.</p>



The Empowerment of Persons with Disabilities Act B.E. 2550	Draft of Empowerment of Persons with Disabilities Act B.E.
Section 39 The Office shall have the power to announce the employer's and owner of the establishment's compliance or violation of section 33, section 34 and section 35 to the public at least once a year. When the State or any State Agency considers granting concessions or investment promotions, honours, credits, awards, royal decorations or any other benefits to any employer or establishment, the information prescribed in paragraph one shall be taken into account.	Section 74 The Department shall have the power to announce the employer's and owner of the establishment's compliance or violation of section 64, section 65 and section 66 to the public at least once a year. When the State or any state agency considers granting concessions or investment promotions, honours, credits, awards, royal decorations or any other benefits to any employer or establishment, the information prescribed in paragraph one shall be taken into account.
	Section 76 Any person who fails to comply with the orders of the Committee on the Consideration of Unfair Discrimination against Persons with Disabilities under Section 22 shall be subject to an administrative fine not exceeding sixty thousand Baht (THB 60,000).

The bill introduces several key amendments, including the following:

- On Non-Discrimination: Relevant amendments are contained in Sections 17 to 31.
- On Accessibility to the Physical Environment: Provisions related to accessibility are addressed in Sections 35 (6), 35 (8), and 69.
- On Disability Organizations or Other Entities Providing Services to Persons with Disabilities: The recognition and accreditation of organizations that provide services for persons with disabilities are addressed in Section 37.
- On Disability Service Centers: Provisions concerning the establishment and operation of disability service centers are set out in Sections 38 to 40 and Sections 80–81 (details are provided in the complete bill in the annex).

2.1.3 The Labour Protection Act B.E. 2541 (1998)

This Act does not contain any specific provisions for the protection of employees with disabilities, unlike the explicit provisions regarding the protection of female workers (Chapter 3) or child workers (Chapter 4). As a result, persons with disabilities who are employed in any position or workplace and who hold the legal status of “employees” are protected under the Labour Protection Act in the same manner and to the same extent as general employees. This legal gap has become a significant challenge in practice, as employees with disabilities should receive higher or enhanced protection standards in certain aspects compared to employees without disabilities. However, due to the absence of specific legislation, employers and the public sector are not legally obligated to provide such additional protections, and failure to do so does not constitute a legal violation. This situation directly results from the fact that the definition of an “employee with disabilities” is not included in Section 5 of the



Labour Protection Act B.E. 2541 (1998). Consequently, providing additional or specific protections for employees with disabilities beyond the general standards is difficult for establishments to implement, including the following aspects:

- 1) The right to access appropriate workplace facilities, such as work-related equipment, accessibility in workplace mobility, and emergency evacuation measures equipped with warning systems suitable for all types of disabilities.
- 2) The right to vocational skills development and training. In most workplaces, persons with disabilities rarely receive skills development training, and there is often no systematic guidance, mentoring, or direct job coaching for employees with disabilities.
- 3) The right to receive welfare benefits related to transportation accessibility, specifically designed for workers with disabilities, such as commuting services (pick-up and drop-off between residence and workplace) or on-site accommodation provided for employees with disabilities.
- 4) The right to specific types of leave, particularly leave for health care or rehabilitation purposes. Under Section 119 (5) of the Labour Protection Act B.E. 2541 (1998), it is stipulated that: “An employer may not pay severance pay to an employee when employment is terminated upon absenting himself/herself from duty without justifiable reason for three consecutive working days, regardless of whether there is a holiday in between the days.” This provision poses a serious barrier for employees with disabilities, who may require continuous medical treatment or rehabilitation, as their absences could be misinterpreted as abandonment of duty.
- 5) The right to receive additional compensation in the event of work-related injury. If a worker with a pre-existing disability suffers further injury or illness that aggravates their existing impairment, such a worker should be entitled to fair compensation to cover all damages arising from the incident including income replacement, medical expenses, funeral costs, and vocational rehabilitation expenses without any exception or exclusion.
- 6) The right to work in an inclusive environment, alongside other employees, without discrimination, harassment, or devaluation. Enterprises should be required to promote attitudinal change and awareness among all employees, ensuring that persons with disabilities are not perceived as patients, but as equal members of the workforce capable of developing their potential and contributing productively to the organization.

The six aforementioned examples represent key labour protection rights directly relevant to persons with disabilities employed in establishments. However, these rights are not explicitly stipulated in the Labour Protection Act B.E. 2541 (1998) and so, there is the need for specific legal provisions to address them. Without such explicit inclusion, employers are likely to apply the same standards and criteria as those for employees without disabilities, which are not conducive to the effective employment and participation of workers with disabilities. Proposing amendments to this Act is therefore a complex and challenging task, requiring collaboration and support from the Ministry of Labour which must take the lead in initiating legal amendments as well as from organizations involved in labour and employment promotion.



In addition, there are several Ministerial Announcement and Regulations issued under the Persons with Disabilities Empowerment Act and the Labour Protection Act, such as: The Announcement of the Ministry of Labour on Criteria, Methods, and Conditions for Vocational Rehabilitation, Standardized Services, Labour Protection Measures, Employment Promotion, and the Support for Self-Employment, as well as provisions on media, assistive devices, technology, or other necessary supports for the employment and occupation of persons with disabilities. The Regulation of the Ministry of Social Development and Human Security on Criteria and Procedures for the Forfeiture of Property of Employers or Proprietors of Establishments who fail to remit contributions to Fund for Empowerment of Persons with Disabilities, as specified in the Persons with Disabilities Empowerment Act B.E. 2550 (2007). Furthermore, the Department of Employment, Ministry of Labour, has prepared a Guideline Manual on the Implementation of Section 33 and Section 35 of the Persons with disabilities Empowerment Act B.E. 2550 (2007) and its (Second Amendment) B.E. 2556 (2013), serving as a practical guide for establishments to ensure compliance with the law.

2.1.4 The Fifth National Plan on the Development of the Quality of Life of Persons with Disabilities B.E. 2560-2564 (2017–2021)

The Fifth National Plan on the Empowerment of Persons with disabilities B.E. 2560-2564 (2017–2021) identified employment of persons with disabilities under Strategy 2: Enhancing Quality Management and Eliminating Discrimination to Ensure the Realization of Rights. Under Guideline 5, the Plan aimed to strengthen the efficiency of systems and mechanisms across the public, private, and civil society sectors to enhance the capacity of persons with disabilities so that they can engage in employment and generate income more effectively. The key indicators under this guideline included: 1. An increased proportion of working-age persons with disabilities who are able to engage in occupations, have employment, and earn income. 2. The development of effective systems and mechanisms supporting employment and vocational opportunities for persons with disabilities.

For the Sixth National Plan on the Empowerment of Persons with disabilities B.E. 2566-2570 (2023–2027), the Office of the National Economic and Social Development Council (NESDC) submitted the draft plan for consideration to the National Economic and Social Development Council at its 3/2024 meeting held on Wednesday, 4 September 2024. The meeting approved the plan in principle, with additional recommendations. After incorporating these recommendations, the Ministry of Social Development and Human Security, through the Department of Empowerment of Persons with disabilities, will submit the Plan to the Cabinet for consideration in accordance with established procedures. Once approved and promulgated, the relevant public sector will proceed to publicize and implement the Plan accordingly.



2.1.5 The Thirteenth National Economic and Social Development Plan B.E. 2566-2570 (2023–2027)

The Plan identifies strategies to promote and support employment for persons with disabilities that enable them to work with dignity, value, and sustainability, as reflected in the following two national milestones:

1) Milestone 9: Thailand achieves a reduction in intergenerational poverty and ensures adequate and appropriate social protection. Strategy 4: Enhancing the efficiency of the social protection system. Sub-strategy 4.1: Integrating the national social protection system. This includes jointly defining the objectives and purposes of social protection, establishing clear structures and roles for relevant agencies at the central, regional, and local levels and ensuring interoperable databases that enable all agencies to operate under a unified data system. The aim is to reduce duplication among programmes and measures, enhance the adequacy of benefits, and prevent the exclusion of vulnerable groups, including persons with disabilities, homeless persons, those facing multiple vulnerabilities, and individuals in distress.

2) Milestone 12: Thailand develops a high-competency workforce that engages in lifelong learning and meets future development needs. Strategy 1: Developing people of all age groups in every dimension. Sub-strategy 1.2: Enhancing learners at the basic education level to develop self-awareness, digital skills, and essential competencies for learning, living, and working. This sub-strategy also promotes the development of learning support systems to ensure that persons with special needs have access to diverse educational opportunities and learning resources, thereby reducing school dropout rates. It further seeks to strengthen support mechanisms and reform relevant regulations to enable greater participation of the private sector, civil society, and non-profit organizations in providing care and educational support for persons with special needs.



2.1.6 Criteria, Methods, and Conditions for Recruitment and Selection of Persons with Disabilities in the Civil Service, by the Office of the Civil Service Commission (OCSC)

The Office of the Civil Service Commission (OCSC) has established criteria, methods, and conditions for the recruitment and selection of persons with disabilities for employment in the public sector. In addition, the OCSC has produced a Manual on the Recruitment and Selection of Persons with Disabilities for Government Service, which was published in 2016.⁸

2.2 International Laws, Policies, and Treaties

2.2.1 Convention on the Rights of Persons with Disabilities (CRPD)

The Convention on the Rights of Persons with Disabilities (CRPD) establishes the goal of promoting open, inclusive, and accessible employment for persons with disabilities. Article 27 Work and Employment provide a comprehensive framework for ensuring the protection and promotion of the right to work, as follows:

(1) States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living through work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, *inter alia*:

(a) Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;

(b) Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances;

(c) Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;

⁸ Office of the Civil Service Commission (OCSC). Manual for the Recruitment and Selection of Persons with Disabilities for Employment in State agencies. Published 2016. accessed on March 23, 2025, Retrieved from https://www.ocsc.go.th/?post_type=knowledge&p=13133.



- (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
- (e) Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as provide assistance in finding, obtaining, maintaining and returning to employment;
- (f) Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
- (g) Employ persons with disabilities in the public sector;
- (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
- (i) Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- (j) Promote the acquisition by persons with disabilities of work experience in the open labour market;
- (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

(2) States parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

2.2.2 General Comment No. 8 (2022) on the Rights of Persons with Disabilities to Work and Employment⁹

General Comment No. 8 of the Committee on the Rights of Persons with Disabilities (CRPD Committee) focuses on the interpretation and elaboration of Article 27 of the Convention on the Rights of Persons with Disabilities (CRPD), which concerns the right to work and employment of persons with disabilities. This General Comment aims to provide guidance to states parties on how to fulfil their obligations to promote and protect the right of persons with disabilities to work, ensuring that such rights are realized fully and equally. The key issues addressed in General Comment No. 8 can be summarized as follows:

1) **Recognition of the Right to Work:** States parties must recognize that persons with disabilities have the right to work on an equal basis with others, including the right to gain a living by work freely chosen or accepted in an open, inclusive, and accessible labour market and work environment.

⁹ General comment No. 8 (2022) on the right of persons with disabilities to work and employment). Retrieved from <https://www.ohchr.org/en/documents/general-comments-and-recommendations/crpdcgc8-general-comment-no-8-2022-right-persons>.



2) Elimination of Discrimination: States parties must take measures to eliminate all forms of discrimination related to employment including recruitment, hiring, retention, promotion, working conditions, and termination of employment.

3) Reasonable Accommodation: Employers have an obligation to provide reasonable accommodation to persons with disabilities to enable them to perform their work effectively, without imposing a disproportionate or undue burden on the employer.

4) Access to Training and Skills Development: States parties must ensure that persons with disabilities have equal access to vocational training, career guidance, counselling, and skill-development opportunities in order to enhance their employability and competitiveness in the labour market.

5) Promotion of Employment in Public and Private Sectors: States parties should adopt proactive measures, such as employment quotas, tax incentives for employers hiring persons with disabilities, and programmes promoting entrepreneurship and self-employment among persons with disabilities.

6) Social Protection and Labour Rights: Persons with disabilities must enjoy equal access to social protection and labour rights, including membership in trade unions, equal pay for work of equal value, and safe and healthy working conditions.

7) Data Collection and Statistics: States parties should collect, analyse, and disseminate disaggregated data and statistics on the employment of persons with disabilities to inform evidence-based policies and monitor progress in the implementation of Article 27.

8) Participation of Persons with disabilities: States parties must ensure the active and meaningful participation of persons with disabilities and their representative organizations in all policy-making and decision-making processes related to employment.

General Comment No. 8 underscores the importance of establishing an inclusive and non-discriminatory work environment to ensure that persons with disabilities can access, participate in, and contribute to the labour market fully and equally.

Key challenges in implementing the Convention on the Rights of Persons with Disabilities (CRPD) consist of three urgent issues that have been identified as priority areas for improvement:

1) Recognition of the Right to Work of Persons with Disabilities

All public sector must accelerate efforts to open employment positions and hire persons with disabilities in accordance with the legal requirements. Delays or negligence in public sector implementation have often been cited by private sector employers as justification for non-compliance. However, Thai labour courts have ruled that such reasoning cannot be used as a legitimate excuse for failure to comply with the law.



2) Recognition of the Right to Work of Persons with Disabilities

All public sector must accelerate efforts to open employment positions and hire persons with disabilities in accordance with the legal requirements. Delays or negligence in public sector implementation have often been cited by private sector employers as justification for non-compliance. However, Thai labour courts have ruled that such reasoning cannot be used as a legitimate excuse for failure to comply with the law.

3) Reasonable Accommodation

Thailand needs to revise and strengthen policies and legislation to ensure the provision of reasonable accommodation for persons with disabilities in the workplace. This includes promoting adequate remuneration and welfare for personal assistants or support workers, ensuring that they receive fair compensation to maintain a decent standard of living.

2.2.3 Sustainable Development Goals (SDGs)

Goal 8 of the Sustainable Development Goals (SDGs) emphasizes “Promoting sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all.” This goal is directly linked to the right to work of persons with disabilities, as reflected in Target 8.5, which states “Achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.” The main dimensions can be summarized as follows:

1) Full and Productive Employment: Supporting persons with disabilities to have equal access to the labour market and reducing their unemployment rate through employment promotion and skill development measures.

2) Decent Work: Ensuring fair wages and welfare, improving workplaces to be accessible, providing assistive technology, and protecting the labour rights of persons with disabilities under the law.

3) Equal Pay for Equal Work: Eliminating wage disparities and ensuring that persons with disabilities performing the same work or having equal abilities receive equal pay.

Target 8.5 is an important step toward creating an inclusive and fair labour market for persons with disabilities, emphasizing full, productive, and fair employment where persons with disabilities can work with dignity and receive equal pay. Appropriate policies and measures will help persons with disabilities access and remain in the labour market sustainably.



2.2.4 International Labour Organization Convention No. 159 on Vocational Rehabilitation and Employment (Disabled Persons), 1983¹⁰

Thailand ratified the Convention on 11 October 2007. The Convention requires state parties to establish, implement, and periodically review national policies concerning vocational rehabilitation and employment of persons with disabilities. Such policies shall aim to ensure the availability of appropriate vocational rehabilitation measures for all types of disabilities and to promote employment opportunities for persons with disabilities in the open labour market. These policies must be based on equal opportunities between workers with disabilities and other workers, and must respect equality of opportunity and treatment between male and female workers with disabilities. Positive measures aimed at achieving effective equality of opportunity and treatment between workers with disabilities and other workers shall not be regarded as discrimination against other workers. Organizations representing employers and workers shall be consulted on the implementation of such policies, including measures to promote cooperation and coordination between public and private bodies engaged in vocational rehabilitation activities. Consultation shall also be held with organizations of and for persons with disabilities.

The establishment of a vocational rehabilitation system and an employment support system (job coach), including peer support services, aims to enhance the capacity of persons with disabilities to prepare for suitable and smooth employment, enabling them to work securely and sustainably, and to reduce high turnover rates in the early stages of employment. The process covers the period before, during, and after employment, as follows:

- 1) Assessment of persons with disabilities – evaluating skills and work capabilities.
- 2) Finding of workplaces – identifying suitable workplaces for persons with disabilities.
- 3) Assessment of workplace environment – evaluating accessibility and workplace conditions.
- 4) Job matching – assessing compatibility between individual abilities and job requirements.
- 5) Intensive support at the workplaces – preparing personnel and adapting workplaces.
- 6) Coordination of employment agreements between employers and persons with disabilities.
- 7) Gradual withdrawal process of job coach – phasing out support after stabilization.
- 8) Follow-up and evaluation of work performance.

¹⁰ สำนักงาน ก.พ. คู่มือการสรรหาและเลือกสรรคนพิการเข้าทำงานในส่วนราชการ เผยแพร่ 2559. สืบคืบเมื่อวันที่ 23 มีนาคม 2568 https://www.ocsc.go.th/?post_type=knowledge&p=13133.



In addition, the International Labour Organization (ILO) has developed the “ILO Job and Work Analysis Guidelines on Identifying Jobs for Persons with Disabilities,” which state that the most effective approach to employing job seekers with disabilities is to achieve the best possible match between two factors: 1) the qualifications and interests of the person with disabilities, 2) the expectations and requirements of the employer, as specified in the job description and occupational standards. The job matching process requires qualitative information about job seekers with disabilities such as experience, skills, interests, and general potential as well as qualitative information about the job itself, including specific job tasks, performance standards, working conditions, and the physical environment of the workplace.

2.2.5 Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities (2023-2032)¹¹

and Operational Guide on the Implementation of the Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities¹² Priority Area 4: Galvanizing the power of private sector including its resources, technological innovations and talents, to advance disability-inclusive development. This area emphasizes the importance of private sector engagement in promoting disability-inclusive development, particularly through Disability-Inclusive Business (DIB) models. The key characteristics of Disability-Inclusive Business (DIB) are as follows:

- 1) Organizational policies or strategies committed to disability inclusion: Organizations should establish clear policies supporting and integrating persons with disabilities at all levels of operation.
- 2) Participation of persons with disabilities across the business value chain: Opportunities should be provided for persons with disabilities to take on diverse roles, including senior executives, specialists, contractors, consultants, suppliers, distributors, and consumers.
- 3) Products and services designed based on the principles of Universal Design: Ensuring that everyone can access and use them on an equal basis
- 4) Disability-Inclusive Procurement Practices: Both in public procurement (government contracting) and private sector purchasing, persons with disabilities should be meaningfully included in the procurement process.

¹¹ Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities. 2023–2032 ASIA-PACIFIC COMMITMENTS ON DISABILITY INCLUSIVE DEVELOPMENT Retrieved from <https://www.unescap.org/kp/2023/jakarta-declaration-asian-and-pacific-decade-persons-disabilities-2023-2032>

¹² Operational Guide on the Implementation of the Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities. Retrieved from <https://www.unescap.org/kp/2024/operational-guide-implementation-jakarta-declaration -asian-and-pacific-decade-persons>.



4) Disability-Inclusive Procurement Practices: Both in public procurement (government contracting) and private sector purchasing, persons with disabilities should be meaningfully included in the procurement process.

5) Disability-Inclusive Work Environment and Business Processes: This includes accessible workplaces, information infrastructure, digital systems, and other business activities that are inclusive of persons with disabilities.

The recommended actions for the Government of Thailand during 2023–2032 are as follows:

1) Legal and Policy Reforms:

- Review and revise existing laws and regulations related to employment, labour, and commerce to ensure non-discrimination and inclusion of persons with disabilities, including the integration of accessibility requirements in the private sector.

- Develop disability-inclusive public procurement policies, incorporating set-aside contracts or accessibility compliance requirements in bidding processes.

- Provide incentives for private companies that demonstrate disability-inclusive business practices, such as leadership commitment to disability inclusion, employment of persons with disabilities at all levels, design of products and services following Universal Design principles, and the creation of inclusive workplaces for persons with disabilities.

2) Institutional Mechanisms:

- Establish or strengthen mechanisms to develop, monitor, and enforce standards and procedures for implementing disability-inclusive public procurement processes.

- National and subnational chambers of commerce and business associations should engage with disability rights and inclusion experts, organizations of persons with disabilities (OPDs), and relevant government focal points in developing and implementing industry codes of conduct that prohibit and address discrimination on the basis of disability.

3) Capacity Development:

- Develop training materials and trainer teams to provide training on disability-inclusive business practices for private companies.

- Identify and promote networks of champions who demonstrate leadership in disability inclusion, particularly among senior executives, to foster cultural and behavioural change within companies and across sectors.

- Collaborate with higher education institutions, particularly those in the fields of business and management, to raise awareness among future business leaders and entrepreneurs about disability inclusion, by integrating disability inclusion modules into curricula in line with the principles of inclusive education.



Priority Area 5: Promoting a gender-responsive life cycle approach to developing and implementing disability-related policies and programmes

1) Collaboration among education and employment ministries with civil society organizations specializing in inclusive education and employment of persons with disabilities should be strengthened. These partnerships should support teachers, parents, teaching assistants, therapists, job coaches, employers (both public and private), and students with disabilities, with a focus on the following: Inclusive pre-employment education and skills training to build a strong foundation for employment, self-employment, and entrepreneurship and good national practices in universal design for learning and the transition from school to work.

2) The Ministries of Education and Labour should establish collaboration to support students with disabilities in their transition from school to work and in job retention, through active engagement and technical support for employers, including the establishment or strengthening of job coaching services to facilitate inclusive transition and employment.

These approaches aim to promote Disability-Inclusive Development (DID) through private sector engagement, by creating an open and supportive business environment that includes persons with disabilities in all aspects of operation. They also aim to foster inclusive and sustainable employment for persons with disabilities through collaboration among the public sector, private sector, and civil society organizations.

2.2.6 ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities¹³

The Masterplan emphasizes the promotion of participation of persons with disabilities in business and employment sectors, outlining six key action points as follows:

1) AEC 1: Develop policies that encourage inclusivity of persons with disabilities and the protection of rights of persons with disabilities in harmonising to the CRPD concept and to remove obstacles of employment and business opportunities and encourage a disability-inclusive environment for entrepreneurship, enterprises, including social enterprises, cooperatives and regular businesses and e-commerce run by persons with or without disabilities.

2) AEC 2: Enhance equal-opportunity marketplaces for persons with disabilities as consumers, clients, suppliers and entrepreneurs in all ASEAN member states by facilitating more inclusive, accessible, and liberalized trade in services, financial services, and the facilitation of movement of skilled labour and business visitors.

¹³ ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities. Retrieved from <https://asean.org/asean-enabling-masterplan-2025-mainstreaming-rights-persons-disabilities/>.



3) AEC 19: Encourage corporations to practice corporate social responsibility and promote sustainable development, including developing and implementing disability-inclusive initiatives that complement the United Nations Guiding Principles on Business and Human Rights

4) AEC 21: Provide support to persons with disabilities to enable them to start business by providing access to diversified financial sources that are responsive to the economic status of persons with disabilities and streamlining processes in obtaining permits and licenses.

5) AEC 24: Encourage and support the creation of inclusive business opportunities for growth and employment, and access to financial services of persons with disabilities.

6) AEC 25: Encourage an inclusive global economy and non-discrimination for persons with disabilities in the region through the promotion of equitable opportunity to employment and entrepreneurship and economic integration for all.

The overall goal of the Masterplan is to build an inclusive community, where persons with disabilities can fully participate in the regional economy, reduce employment barriers, and enjoy equitable access to business and entrepreneurship opportunities throughout the ASEAN region.

2.2.7 The Americans with Disabilities Act (ADA)¹⁴

Thailand has drawn upon the Americans with Disabilities Act (ADA) as a model in improving the Persons with disabilities Empowerment Act B.E. 2550 (2007). The ADA is a landmark legislation that prohibits discrimination against persons with disabilities in various areas, including employment, and is administered by the Equal Employment Opportunity Commission (EEOC). The key elements of the ADA are as follows:

1) Employment: Employers with 15 or more employees are prohibited from discriminating against persons with disabilities in recruitment, hiring, promotion, termination, or benefits. Employers are also required to provide reasonable accommodation for employees with disabilities, unless doing so would impose an undue hardship on the operation of the business. Furthermore, the ADA protects employees from retaliation for exercising their rights under the Act.

2) Equal Employment Opportunity Commission (EEOC): The EEOC is responsible for enforcing the ADA, including receiving and investigating discrimination complaints, as well as providing guidance, education, and training to help employers comply with the law.

In summary, the ADA ensures equal access to employment, while the EEOC serves as the enforcement and oversight body that safeguards the rights of persons with disabilities in the workplace.

¹⁴ พระราชบัญญัติคุณอเมริกันที่มีความพิการ (The Americans with Disabilities Act - ADA). Retrieved from <https://www.ada.gov/>.



2.2.8 European Union Disability Employment Package to Improve Labour Market Outcomes for Persons with Disabilities¹⁵

The European Union (EU) has introduced the Disability Employment Package to improve labour market outcomes for persons with disabilities and to promote inclusion in employment. This initiative sets out six key objectives, as follows:

- 1) Strengthening the capacity of employment and integrated support services
- 2) Encourage employers to hire people with disabilities through affirmative action and by combating stereotypes that act as barriers.
- 3) Ensuring reasonable accommodation in the workplace
- 4) Supporting job retention
- 5) Providing vocational rehabilitation programmes (illness or accidents)
- 6) Facilitating the transition of persons with disabilities from sheltered workshops into the open labour market

Based on these six objectives, the European Union has developed and disseminated a practitioner toolkit on strengthening PES (Public Employment Services) to improve the labour market outcomes of persons with disabilities.¹⁶

¹⁵ European Union Disability Employment Package to improve labour market outcomes for persons with disabilities. Retrieved from <https://ec.europa.eu/social/main.jsp?catId=1597&langId=en>.

¹⁶ <https://ec.europa.eu/social/main.jsp?catId=1597&langId=en>



Chapter 3 Problems, Obstacles, Recommendations, and Best Practices

The challenges and obstacles in promoting employment for persons with disabilities can be categorized into the following areas:

- 3.1 Legal and Policy Frameworks
- 3.2 Education and Skills of Persons with Disabilities
- 3.3 Employment
- 3.4 Attitudes and Unfavorable Work Environments
- 3.5 Issues Specific to Certain Disability Groups
- 3.6 Cooperation and Support from All Sectors
- 3.7 Other Issues

The details of the challenges and constraints are categorized into the following areas:

3.1 Legal and Policy Frameworks

The main laws and policies that pose obstacles to the employment of persons with disabilities, along with relevant recommendations, are as follows.

3.1.1 Draft Empowerment of Persons with Disabilities Act B.E.

The Empowerment of Persons with Disabilities Act, B.E. 2550 (2007) and its Amendment (No. 2), B.E. 2556 (2013) have been in use for some time. Several obstacles and challenges have been identified that should be addressed. Therefore, the Draft Empowerment of Persons with Disabilities (Amendment) Act, B.E. has been proposed. Examples of some provisions are shown in Table 2.1, with full details in the attached draft in the Annex.

3.1.2 Recommendations on Amendments to the Labour Protection Act B.E. 2541 (1998)

Since the Labour Protection Act, B.E. 2541 (1998) does not contain specific provisions for the protection of employees with disabilities, Disability Thailand (DTH) has proposed the following amendments:

- 1) The right to receive reasonable accommodations in the workplace, such as work equipment, mobility within the workplace, and emergency evacuation (e.g., fire alarms with sound or visual signals for persons with disabilities). Currently, the law only requires public buildings to provide accessible facilities, without any binding obligation for employers to provide such facilities in workplaces.



2) The right to skill development and vocational training. Most employees with disabilities work in establishments that do not offer training programmes or direct guidance for employees with disabilities.

3) The right to welfare related to commuting convenience for workers with disabilities, such as transportation between residence and workplace or the provision of on-site accommodation. Such measures may involve cooperation between business establishments and public sector to support these welfare services.

4) The right to leave, particularly for health care or physical rehabilitation, as well as for vocational training for persons with disabilities, in order to enhance their work efficiency. Currently, Section 119 (5) of the Labour Protection Act, B.E. 2541 (1998) stipulates that “An employer may not pay severance pay to an employee when employment is terminated upon absenting himself/herself from duty without justifiable reason for three consecutive working days regardless of whether there is holiday in between.” This creates a significant obstacle for employees with disabilities who require continuous medical treatment or rehabilitation.

5) The right to increased compensation in the event of work-related injury, where an employee with disabilities sustains an injury or illness that worsens their existing disability. Such employees must be entitled to compensation for damages, including loss of income, medical expenses, funeral costs, and vocational rehabilitation, without any exceptions.

6) The right to work alongside other employees in the establishment without being violated or devalued. Measures should be established to promote or adjust the attitudes of other employees in the workplace so that persons with disabilities are not viewed as ill or incapable, but as equal members of society capable of developing their potential as workers.

3.1.3 The Motor Vehicle Act B.E. 2522 (1979)

Section 46 of the Motor Vehicle Act, B.E. 2522 (1979) stipulates that an applicant for a driver's license under Section 43(1) must possess the prescribed qualifications and must not have any prohibited characteristics as follows:

Section 46 (4): “A person shall not be physically disabled to the extent that they are deemed incapable of driving a vehicle.”

Furthermore, under Clause 8 (2) of the Ministerial Regulation on the Application for, and Issuance or Renewal of, a Driver's License, B.E. 2563 (2020), it is stated that: “The registrar shall consider the applicant's physical and mental condition, driving record, and suitability to drive. The registrar may request additional facts, documents, or information from the applicant or relevant agencies, and may require the applicant to undergo a driving test again or to provide a medical certificate confirming that the applicant is physically fit to drive safely.”



Current issue: At present, some persons with disabilities work as drivers for service platforms such as Grab and LINE Man, providing delivery or passenger transport services. However, following new requirements that riders must possess a public driver's license, persons with disabilities face significant difficulty obtaining such licenses, as the public sector enforces stricter regulations for public drivers with disabilities. As a result, many riders with disabilities have lost their jobs, while others continue to work using a private driver's license, which puts them at risk of arrest and fines.

3.2 Education, Skills, and Knowledge of Persons with Disabilities

The challenges concerning the education, skills, and knowledge of persons with disabilities are as follows:

1. Inclusive schools face difficulties in adapting and fostering mutual understanding between students with disabilities and those without disabilities.
2. Persons with disabilities generally have low educational attainment, with most completing only primary education.
3. Persons with disabilities lack language and computer skills, including IT and technological competencies, which are highly demanded in the labour market.
4. Students with disabilities do not receive adequate career guidance services and lack counselling or assessment to identify their aptitudes and abilities.
5. Many establishments require specific educational qualifications for employment, prompting persons with disabilities to pursue higher education through non-formal or informal learning. However, they face challenges in transportation, as well as insufficient learning materials, teaching aids, and sign language interpreters appropriate for their disability types.

3.3 Employment

1. Wage disparity: Persons with disabilities are often paid lower salaries than employees without disabilities with the same educational qualifications and skills. Some persons with disabilities who hold a bachelor's degree receive only around 9,000 baht per month, while others are paid the national minimum wage rather than the regional rate.
2. Delayed salary payments: Employers are not legally required to pay salaries to employees with disabilities on a monthly basis, resulting in cases of delayed payments.
3. Lack of employer preparedness: Many establishments lack knowledge and experience in working with persons with disabilities. They do not adjust job descriptions appropriately, lack skills in task supervision and communication, and are unaware of the specific needs and limitations of persons with disabilities. Meanwhile, persons with disabilities are often hesitant to express their needs



for fear of being perceived as overly demanding, and there is an absence of intermediaries to facilitate communication and coordination.

4. **Transportation and accessibility barriers:** Public transportation remains limited and inaccessible, particularly for persons with disabilities living in rural or remote areas. Those who commute to work must bear additional expenses for accommodation and travel, leaving little disposable income. Moreover, some persons with disabilities require personal assistants to help with daily activities due to limited self-care abilities.

5. **Low employment rates in the public sector:** Employment of persons with disabilities in the public sector remains significantly lower than in the private sector. The public sector employs persons with disabilities under Sections 33 and 35 at only 21% of the legally required quota. Out of 18,796 required positions, only 3,966 persons with disabilities have been employed. Only three ministries, the Ministry of Labour, the Ministry of Social Development and Human Security, and the Ministry of Transport have fully met their employment quotas. In contrast, the private sector employs 67,476 persons with disabilities under Sections 33, 34, and 35, accounting for approximately 97% of the required number.

6. **Lack of understanding of different types of disabilities:** Some employers lack understanding of disability classifications. For example, certain companies advertise job vacancies for persons with visual disabilities, but when blind applicants apply, they are rejected because the employers only accept those with partially blindness.

7. **Discriminatory job requirements:** Some establishments specify in job advertisements that applicants “must be able to take care of themselves,” excluding persons with severe disabilities. Others accept only certain types of disabilities, most commonly those with mild physical disabilities.

8. **Underpayment and nominal employment under Section 33:** Some persons with disabilities employed under Section 33 do not receive full wages; in certain cases, more than 50% of their salary is deducted. Moreover, some are formally listed as employees but do not actually work, instead remaining at home and receiving only a small amount of money that is far below the legal minimum wage.

9. **Inaccessible sales locations under Section 35:** In some cases, the locations allocated for persons with disabilities to sell goods or products under Section 35 are inappropriately situated in isolated or low-traffic areas, resulting in poor sales performance.

Retention Issues

Key factors hindering job retention among persons with disabilities include:

1. **Persons with disabilities often face challenges in adapting to the workplace environment.**

2. **Lack of orientation and preparation:** New employees with disabilities frequently receive no orientation or job readiness training, and supervisors or co-workers are often unprepared to work with them.



3. Limited understanding among colleagues and supervisors: Co-workers and supervisors may lack awareness of the needs and limitations of persons with different types of disabilities. For example, persons with psychosocial disabilities may need to rest after taking medication, which can lead to misunderstandings or dissatisfaction among colleagues.

4. Transportation difficulties: Changes in transport routes or the cancellation of company shuttle services make commuting difficult for employees with disabilities.

3.4 Attitudes, Environments, and Structural and Mechanism-Related Barriers to Employment of Persons with Disabilities

3.4.1 PWDs' Lack of Confidence and Reluctance to Socialize

1. Employers, supervisors, or co-workers lack understanding or hold inappropriate attitudes toward persons with disabilities and have little confidence in their capabilities.

2. Workplace environments are not conducive to the employment of persons with disabilities, lacking basic accessibility facilities and proper adjustments to accommodate their needs.

3. Lack of assistive devices to support persons with disabilities in performing their work

4. Unsuitable home and community environments: many houses are deteriorated and unsafe for living or working. Homes often lack privacy, such as bathrooms without proper enclosures or located outside the house, making them inaccessible. Some home improvement programs provide only material costs but exclude labour expenses. In certain areas, volunteer soldiers assist with home repairs for persons with disabilities, while in the three southern border provinces, soldiers have declined to help due to security concerns.

5. Lack of accessible public transportation in areas where persons with disabilities live or work, or existing systems that are unusable for them.

6. Unstable internet and frequent power outages hinder persons with disabilities who work from home.

7. Insurance companies refuse to provide health insurance to persons with disabilities, both individual and group policies, resulting in unequal access to healthcare and medical benefits compared to other employees.

3.4.2 Specific Problems of Certain Disability Groups or Areas

1. Some types of disabilities face greater difficulty in finding employment than others, such as persons with intellectual disabilities, persons with psychosocial or behavioral disabilities, and persons with autism. Employers tend to prefer hiring persons with physical disabilities, followed by those with visual or hearing disabilities.



2. Lack of support systems for persons with disabilities who face greater barriers to employment, such as those with psychosocial or behavioral disabilities, intellectual disabilities, autism, or severe physical disabilities.

3. Persons with disabilities in the three southern border provinces or high-risk areas have limited access to employment and vocational training opportunities. In some cases, trainers from outside these areas hesitate or are afraid to conduct training sessions due to security concerns.

4. Limited employment opportunities in provinces or areas with few enterprises, resulting in fewer available jobs for persons with disabilities.

3.4.3 Cooperation and Support from All Sectors and Assistance

Measures for PWDs and Establishments

1. Lack of coordination between central and local public sector.

2. Different implementation approaches across areas: Some local administrative organizations are strong and provide a variety of services for persons with disabilities, while others lack such services and show limited integration or communication among local organizations.

3. Difficulty and lengthy process in establishing associations and general disability service centers, due to a lack of mentors or advisors to provide guidance.

4. Lack of knowledge integration and sharing of good practices among organizations of persons with disabilities.

5. Limited tripartite cooperation, particularly among the government, private sector, organizations of persons with disabilities, and educational institutions.

3.5 Other Issues

1. Persons with disabilities lack expertise in project proposal writing, including vocational training projects, resulting in disapproval or repeated revisions.

2. Limited access to assistive devices, facilities, and healthcare services, including both physical and mental health services.

3. Limited access to information and communication, particularly among persons with hearing disabilities, leading to missed opportunities in employment and other areas.

4. Lack of services or assistance during disasters or pandemics, such as earthquakes or COVID-19.



3.6 Recommendations

Recommendations are presented under seven key areas as follows:

1. Legal and Policy Recommendations: Relevant public sector, private sector, and civil society organizations (CSOs) should work collaboratively to undertake actions in the following areas:

1.1 Promote the adoption of universal principles and practices, such as the “Make the Rights Real” approach, the concept of Decent Work, the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and the Sustainable Development Goals (SDGs) 8 on promoting inclusive and sustainable economic growth, full and productive employment, and decent work for all.

1.2 Amend laws to reflect changing economic conditions. For example, Japan has proposed increasing the employment quota for persons with disabilities to 2.7% by the end of fiscal year 2026. Many other countries that apply the quota system also adjust their target ratios periodically.

1.3 Revise laws, regulations, and administrative rules that restrict the rights of persons with disabilities to work in public service positions (e.g., cases where persons with disabilities were prevented from taking the assistant judge examination). Such revisions should align with the Constitution of the Kingdom of Thailand B.E. 2560 (2017) and international human rights treaties to which Thailand is a State Party, such as the Convention on the Rights of Persons with Disabilities (CRPD).

1.4 Advance disability-friendly labour rights legislation, including: reasonable accommodation requiring employers to adjust work environments or hours according to employees’ functional limitations; non-discrimination prohibiting employment denial based on disability; and access to justice ensuring the right to file complaints or legal actions when rights are violated.

1.5 Improve enforcement of the Motor Vehicle Act by minimizing discretionary interpretation by officials and establishing clear operational guidelines, allowing persons with disabilities working as riders to obtain a public driver’s license, with detailed and inclusive requirements.

1.6 Amend ministerial regulations to require that employers pay wages to employees with disabilities on a monthly basis, preventing delayed or irregular wage payments.

2. Recommendations on Education, Skills, and Knowledge Development of PWDs

2.1 Promote access to all forms of education, including formal, non-formal, informal, higher education, vocational education, and skills training with support systems tailored to learners’ needs. Expand educational opportunities and accessibility in line with the policy of “Every person with disabilities who wishes to study must be able to study”, introduced in 2008 when the Education Provision for Persons with Disabilities Act, B.E. 2551 (2008) came into effect.

2.2 Enhance digital access for persons with disabilities by promoting the widespread use of smartphones and providing training on smartphone usage, digital literacy, IT skills, and social media engagement. Support persons with disabilities in exploring diverse career paths such as influencers,



content creators, and online entrepreneurs as an alternative career, which some persons with disabilities currently work on this track. Develop digital skills through accessible online learning platforms that consider language, font size, screen layout, and audio descriptions, enabling learners with disabilities to acquire skills such as data handling, digital marketing, programming, or specialized software use. These skills can lead to self-employment or home-based work, following good practices from European countries (Ferri & Favalli, 2018).

2.3 Promote the development of vocational skills tailored to individual interests and abilities through tailor-made training, emphasizing skills that match labour market demand, as well as soft skills such as communication, interpersonal relations, teamwork, social interaction, and self-advocacy.

2.4 Establish institutions or academic programs that help adjust and develop the attitudes and personalities of persons with disabilities to align with labour market requirements.

2.5 Provide vocational training for students with disabilities before graduation, with companies offering job-oriented training aligned with their skill needs, and recruiting trainees after graduation when performance is satisfactory.

2.6 Enhance specialized skills for guidance teachers and academic advisors at both school and university levels, enabling them to provide effective career counseling for students with disabilities.

2.7 Encourage establishments to offer internship opportunities for students with disabilities through on-the-job training (OJT), and consider employment upon graduation if the performance meets expectations.

2.8 Promote non-formal and informal education for persons with disabilities, ensuring accessibility across all levels, ages, and locations, and advancing lifelong learning in line with SDG 4, which aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.”

2.9 The Office of the Basic Education Commission (OBEC) should remove age limits for learners with disabilities to increase educational access and eligibility for government financial support.

2.10 Promote reasonable accommodation in education for learners with disabilities including adjustments in curriculum, assessment, educational technology, and learning environments and support the implementation of Individual Education Plans (IEPs). Although Thailand has long adopted this concept, implementation remains incomplete in many schools.

2.11 The government should provide diverse and needs-based assistive devices and technologies with flexibility, recognizing that technology evolves rapidly. Some technologies essential for the education or employment of persons with disabilities may not currently be listed among eligible assistive items.

2.12 Vocational and higher education institutions should provide individualized support services based on the principle of Reasonable Accommodation, beyond the standard facilities offered under Universal Design.



2.13 Strengthen the role of disability support centers in universities nationwide to clearly and consistently promote employment opportunities for students with disabilities.

2.14 Enhance the capacity of vocational and higher education instructors to provide counseling for students with disabilities in areas such as learning, daily living, identifying interests and aptitudes, and preparing for employment.

2.15 Provide training and knowledge for instructors in vocational and higher education institutions to adapt teaching methods and assessment processes to meet individual needs of students with disabilities, in accordance with Reasonable Accommodation principles.

2.16 Promote income-generating opportunities for students with disabilities while studying, such as the “Learn to Earn” initiative implemented in schools for the blind.

2.17 Ensure that all educational and knowledge-sharing platforms are accessible to persons with all types of disabilities.

3. Recommendations on Employment

To encourage enterprises to employ persons with disabilities, the government should implement the following support measures:

3.1 Introduce financial incentive measures that are sufficiently attractive, such as providing direct wage subsidies for employees with disabilities, rather than limiting support to tax deductions, which usually result in a smaller financial benefit. For example, in Senegal, the government subsidizes up to 50% of the wages paid by employers to employees with disabilities. In terms of tax measures, some countries grant direct income tax exemptions to employers, rather than only allowing wage costs to be deducted as business expenses, which provides less benefit in monetary value. The support should also extend to expenses for workplace adjustments, as well as the purchase of software and assistive technologies necessary for persons with disabilities to perform their jobs effectively. Providing direct financial support therefore serves as a stronger incentive for employers. This aligns with recommendations from nationwide public consultations with persons with disabilities across four regions, which proposed increasing employer incentives such as higher tax deductions and partial wage subsidies (e.g., government covering 10% of the wage paid to employees with disabilities). In addition, employers hiring persons with disabilities should be allowed to claim tax deductions for expenses related to health insurance and medical care provided to employees with disabilities.

3.2 Provide reward schemes for employers who hire persons with disabilities beyond the required quota. For example, in Japan, employers who exceed the employment quota for persons with disabilities receive a government subsidy of 21,000 yen per person per month.¹⁷ In contrast, Thailand only offers additional tax deduction ratios before tax calculation, which is rather complicated and provides insufficient incentive for employers.

¹⁷ https://www.jeed.go.jp/english/disability/levy_and_grant_system.html.



3.3 Create incentives to encourage the employment of persons with severe or less employable disabilities, such as persons with psychosocial or behavioral disabilities, intellectual disabilities, and autism. Employers hiring workers from these groups should be allowed to count each individual as two or three persons toward the employment quota. Additional support services should also be provided to such employers, including assistance in job modification, work methods, training, performance evaluation, and access to assistive technologies that facilitate both work and daily living.

3.4 Simplify the employment process for persons with disabilities to make it more convenient for employers, for instance by introducing user-friendly online forms and accessible submission systems.

3.5 Establish a comprehensive support system for employers and employees with disabilities in workplaces to address issues and ensure job retention in the long term. This support should include both universal measures (e.g., tax incentives) and individualized support under the principle of Reasonable Accommodation, such as providing a call center service operated jointly by multiple stakeholders.

3.6 Employers hiring persons with disabilities should receive individualized support in accordance with the principle of Reasonable Accommodation. Both employers and employees with disabilities should have the right to specify the type of assistance they require, which may vary from person to person, to ensure that the support provided is relevant and genuinely beneficial for sustainable employment. Examples include subsidies for transportation and accommodation, access to job coaching services, and allowing employees with psychosocial disabilities to attend medical appointments or refill prescriptions without treating such absences being deducted from their leave entitlements. Adjustments should be made based on each individual's specific needs

3.7 Implement measures to promote positive attitudes toward the employment and inclusion of persons with disabilities. For instance, in the United States, emphasis is placed on training human resource personnel to better understand disability-related issues, while in the United Kingdom, guidelines and training programs have been developed with the focus not only on creating an inclusive work environment but also on fostering positive attitudes among colleagues working with persons with disabilities.

3.8 For private companies participating in public–private partnerships (PPPs) or government concession projects, terms of reference (ToR) should include mandatory provisions on employing persons with disabilities and ensuring the provision of accessible facilities as a condition for contract eligibility. This should apply to companies engaged in joint ventures or consortiums as defined under the Revenue Code.

3.9 Promote disability inclusive employment in the public sector by applying both incentive and fund contribution mechanisms similar to those used in the private sector. Employment of persons with disabilities should also be included as a key performance indicator (KPI) in the evaluation of the public sector.

3.10 Establish supportive systems that facilitate the employment of persons with disabilities, such as accessible public transportation and sufficient personal assistant services, to increase job opportunities for persons with severe disabilities.



3.11 Increase the contribution rate that employers must pay to the Fund for Empowerment of Persons with Disabilities under Section 34, to discourage employers from opting to pay into the fund instead of employing persons with disabilities.

3.12 Encourage persons with disabilities employed under Section 35 to transition into employment under Section 33 as much as possible. Employment under Section 35 should be regarded as a preparatory stage toward regular employment under Section 33.

3.13 Develop persons with disabilities to serve as job coaches and encourage enterprises to hire job coaches with disabilities instead of paying contributions to the fund.

3.14 Promote knowledge and awareness of the importance of job coaches among relevant agencies, persons with disabilities, families, communities, the business sector, and educational institutions.

3.15 Job vacancy announcements should not specify disability types. Persons with disabilities themselves are best positioned to determine whether they can perform a given job. Stating a specific type of disability in job advertisements can unintentionally exclude other qualified persons with disabilities, as employers often lack sufficient understanding of disability diversity.

3.16 Assess local labour market demands and enterprise characteristics, and identify the skills required by local businesses to promote employment opportunities for persons with disabilities within their own communities, reducing the need for long-distance travel and accommodation costs.

3.17 Expand employment opportunities for disability groups with limited chances of being employed, such as persons with intellectual disabilities, psychosocial or behavioral disabilities, autism, or severe disabilities.

In addition to creating incentives for employers, it is proposed that employment under Section 33 may allow family members to work in place of the person with disabilities. If family members cannot work in the enterprise due to caregiving duties, alternative options should be considered, such as engaging in Section 35 activities through home-based work or other supportive arrangements

3.18 Establish a robust monitoring and inspection system to prevent corruption in the employment process of persons with disabilities. There should be a comprehensive mechanism to oversee employment under Section 35, ensuring that such measures genuinely benefit persons with disabilities and prevent exploitation. For instance, when providing locations for selling goods, the designated areas should be appropriate, accessible, and commercially viable, or offer rental discounts for persons with disabilities who wish to rent high-demand or premium locations.

3.19 Create incentives for employers to pay salaries according to educational qualifications. If employers pay persons with disabilities based on their educational attainment, such employment should count as equivalent to hiring three persons with disabilities. If paid at the minimum wage, it must comply with the local minimum wage rates, which in some areas exceed 300 Baht per day.



This aligns with SDG 8.5 promoting full and productive employment and decent work for all, including women, men, youth, and persons with disabilities, and ensuring equal pay for work of equal value.

3.20 The utilization of the Fund for Empowerment of Persons with Disabilities should cover health-related activities and projects, as health conditions have a direct impact on a person's ability to work.

3.21 The public sector should support products and services made by persons with disabilities. For example, during official meetings, refreshments should be procured from disability-owned enterprises or groups.

3.22 Encourage organizations promoting employment of persons with disabilities to transform from foundations or associations into social enterprises (SEs) to ensure operational sustainability.

3.23 Adapt the concept of job coaches to fit the Thai context and promote their role in facilitating coordination between employers and employees with disabilities to enhance both employment and job retention. It is proposed that official job coach positions be established at Provincial Disability Service Centers and General Disability Service Centers, or that job coaches be hired on an hourly basis similar to personal assistants for persons with disabilities. Job coaches would serve as intermediaries between enterprises and employees with disabilities, assisting with job matching and long-term job retention, fostering understanding between employees with disabilities, coworkers, and supervisors, and preparing workplaces both physically and attitudinally. They would also conduct regular visits, provide counseling, and offer remote consultation, especially during the early stages of employment, to ensure that both employers and employees do not feel isolated and have support when problems arise. Successful enterprises employing persons with disabilities should be recognized and showcased as role models to inspire other businesses that may still be hesitant or uncertain about employing persons with disabilities.

3.24 Develop and distribute a practical employment guideline for persons with disabilities to both public and private sector employers, as well as other relevant agencies.

4. Recommendations on Attitudes, Environment, Structures, and Mechanisms Affecting Employment of Persons with Disabilities

The recommendations on attitudes, environment, and structures are as follows:

4.1 Enhance understanding of disabilities among employers, especially supervisors and coworkers of employees with disabilities. This includes general knowledge such as types and levels of disabilities and recognizing individual differences among persons with disabilities. The aim is to prevent inappropriate attitudes or both positive and negative stereotypes, such as assuming that persons with disabilities are always diligent, submissive, or voiceless, or that they are overly sensitive or difficult to adjust, as well as avoiding judging all persons with disabilities based on experiences with a single individual.



4.2 Promote positive self-attitudes among persons with disabilities through psychological training to build self-confidence, self-respect, personality development, communication skills, and interpersonal relations.

4.3 Provide counseling and mental health support services for both employees with disabilities and employees without disabilities in workplaces that employ persons with disabilities.

4.4 Conduct public awareness campaigns to promote social understanding and recognition of the importance of employing persons with disabilities and their participation in society, through public media and social media platforms.

4.5 Workplaces and organizations employing persons with disabilities should adjust the working environment and provide basic facilities and assistive devices necessary for their work.

4.6 Improve home and community environments to be conducive to the work and daily living of persons with disabilities.

4.7 Promote accessible public transportation systems in areas where persons with disabilities live or work, ensuring that such systems can be used by all.

4.8 Internet service providers should ensure equal service quality across all areas so that persons with disabilities in remote locations can effectively work from home or engage in online employment.

4.9 The Office of Insurance Commission (OIC) should adopt policies requiring insurance companies to provide health insurance coverage for persons with disabilities both individual and group insurance to ensure equal access to healthcare and health protection.

5. Recommendations on Addressing Issues Specific to Certain Disability Groups or Regions

For some types or groups of persons with disabilities, as well as those living in particular areas, there are overlapping problems beyond their disabilities. Therefore, specific measures or additional support are required as follows:

5.1 Implement special measures to assist persons with disabilities facing overlapping issues in specific areas, such as security challenges in the three southern border provinces, which affect their quality of life and employment. The roles of local organizations and the Southern Border Provinces Administrative Center (SBPAC) should be strengthened to support employment and related projects for persons with disabilities in the region.

5.2 Establish a support system for persons with disabilities who do not hold Thai nationality. In Draft Empowerment of Persons with Disabilities Act (Amendment) B.E., there is an amendment under Section 34 stating that: "Persons with disabilities who do not have a legal civil registration status under the law on civil registration may receive appropriate assistance from the State in accordance with human dignity, subject to criteria, methods, and conditions prescribed by the Committee."



5.3 For the problems in the southern border provinces which volunteer home-repair work faces safety concerns, the Provincial Social Development and Human Security Office (SDHSO) should coordinate with local administrative organizations or community volunteers to assist in home repairs or allocate additional budget specifically for high-risk areas, including covering labour costs.

6. Recommendations on Multi-Sectoral Collaboration

Effective employment of persons with disabilities requires strong collaboration among all sectors, including government, the private sector, organizations of persons with disabilities (OPDs), and educational institutions. The recommendations are as follows:

6.1 Integrate the efforts of all ministries and agencies, since disability-related issues are multidimensional, encompassing education, employment, public transportation, and social aspects. Relevant ministries include the Ministry of Education, Ministry of Labour, Ministry of Interior, Ministry of Transport, Ministry of Social Development and Human Security, and the Ministry of Higher Education, Science, Research and Innovation. Cooperation should be promoted among government, the private sector, educational institutions, financial institutions, organizations of persons with disabilities, and other civil society organizations, not only in job placement but also in vocational training aligned with labour market demands. Tailor-made training courses should be developed to meet specific occupational needs, while workplaces should be encouraged to improve accessibility (e.g., installing elevators, adaptive software, and assistive technologies). Additionally, business sector engagement should be strengthened through supply chain inclusion, encouraging large companies to choose business partners that employ or support persons with disabilities. Short-term vocational training programs (1–6 months) should be organized by vocational institutes based on employers' needs, ensuring that trained persons with disabilities have the necessary skills and employment opportunities upon completion. Such training should emphasize tailor-made approaches rather than general programs and should be open to persons with disabilities outside the formal education system.

6.2 Enhance the role of organizations of persons with disabilities (OPDs) in promoting employment, in cooperation with higher education and vocational institutions to provide skills training according to the interests and needs of each disability group. They should also collaborate directly with employers to match qualified persons with disabilities to available positions and assign job coaches to act as intermediaries between employers and employees from the job matching stage through post-employment follow-up services, similar to after-sales service models in the private sector.

6.3 Enhance the roles of Provincial Disability Service Centers and the Provincial Sub-Committees on the Promotion and Development of the Quality of Life of Persons with Disabilities in promoting comprehensive and standardized employment support for persons with disabilities nationwide. This includes training programs, job coaching systems, job matching, counselling services, and sustainable job retention support.

6.4 Strengthen the role of Special Education Centers in promoting standardized nationwide pre-employment preparation for persons with disabilities, such as career readiness programs.



6.5 Empower The National Commission on Promotion and Development of Life Quality of Disabled Persons to play a stronger role in formulating integrated national policies to promote comprehensive employment of persons with disabilities.

7. Other Recommendations

Promote the implementation of the Independent Living (IL) concept for persons with disabilities through cooperation between Independent Living Centers (ILCs) and organizations of persons with disabilities (OPDs) at both national and local levels.

7.1 Establish a support system for persons with disabilities who are entrepreneurs or self-employed, as follows:

1) Promote legal literacy and provide capacity-building support.

1.1 Encourage persons with disabilities to become new entrepreneurs in the startup sector, which focuses on rapid business growth through the use of new technologies or innovations that meet market demands.

1.2 Provide business consultation services and digital skills training for persons with disabilities.

1.3 Promote access to diverse and large-scale funding sources beyond the Fund for Empowerment of Persons with Disabilities, for entrepreneurs with disabilities.

1.4 Facilitate market linkages that are friendly to products made by persons with disabilities.

1.5 Create incentives for private-sector partners and clients of entrepreneurs with disabilities by offering additional privileges or benefits.

2) Organize meetings to define roles and action plans (Mapping and Action Plan) among all relevant agencies and ensure joint implementation, including mechanisms for monitoring, enforcement, and coordination of related laws and policies.

3) Integrate policy papers and action plans on independent living with national and international development frameworks.

3.7 Urgent and Priority Policies

Among the various proposed policies, the following are considered urgent and require priority attention from relevant agencies:

1. Promote employment of persons with disabilities in the public sector, including the introduction of reward mechanisms and the requirement to contribute to the Fund for Empowerment of Persons with Disabilities in cases where agencies do not employ or fail to meet the employment quota for persons with disabilities. Employment of persons with disabilities should also be established as one of the Key Performance Indicators (KPIs) for the public sector.



2. Enhance multi-sectoral collaboration among key stakeholders including the government, private sector, educational institutions, organizations of persons with disabilities (OPDs), and civil society to strengthen inclusive employment efforts.
3. Formalize the role and status of job coaches, recognizing them as official community-based workers, similar to village health volunteers or personal assistants for persons with disabilities.
4. Amend laws and regulations that pose barriers to the employment of persons with disabilities.

While the above are priority actions, other proposed policies, both long-term and structural, are also essential and should be advanced to ensure genuine and inclusive employment for persons with disabilities.

3.8 Best Practices

Best Practices from Other Countries

1. United States – The country implements the “Employment First” policy, which promotes the idea that employing persons with disabilities is not an option but a core mission for both public and private organizations. Proactive measures include providing tax incentives, financial support for workplace modification, and training for human resource personnel to enhance their understanding of disability and inclusive employment.

2. United Kingdom – The “Disability Confident Scheme” encourages employers to hire and retain employees with disabilities. This initiative was developed collaboratively between businesses and organizations of persons with disabilities (OPDs) as a certification mechanism recognizing employers committed to inclusive hiring and workplace practices. It aims to inspire organizations to continuously improve their disability employment standards. Currently, over 20,000 organizations across the UK participate in this scheme, covering more than 11 million workers. The scheme also includes guidelines and training programmes focusing on attitude change and creating accessible workplace environments (Department for Work & Pensions, 2024).

3. Japan – Japan has a strict legal enforcement mechanism on disability employment. The law mandates a minimum employment rate of 2.3% for public sector and 2.2% for private sector, with an ongoing proposal to increase these quotas. Companies failing to comply must pay a levy to the Employment Levy and Grant System, which supports the employment of persons with disabilities. Japan has also established “Hello Work” offices, nationwide job consultation centers for persons with disabilities, to ensure their placement in jobs suited to their capabilities (OECD, 2015).

4. Australia – The Disability Employment Services (DES) programme serves as a comprehensive system linking persons with disabilities to employers. DES provides end-to-end support, including job readiness training, vocational education, workplace accommodations, and post-placement follow-up. The Australian government also emphasizes building an inclusive work ecosystem, such as developing accessible technologies and conducting training on diversity and inclusion for employees (Hayward et al., 2023).



Best Practices in Promoting Entrepreneurs with Disabilities

1. Australia – The “Ability First Australia” initiative is a network of non-profit organizations dedicated to supporting persons with disabilities in self-employment and entrepreneurship. The programme not only provides seed funding but also offers business skill development, local partnership linkages, and confidence-building support to empower persons with disabilities to compete sustainably in the market (Ability First Australia, 2024)

2. Denmark – The “Specialisterne” business model was founded on the belief that autistic and neurodivergent individuals possess exceptional abilities in information technology, data analysis, and coding. Today, Specialisterne operates in over 15 countries worldwide and is recognized as a global model for leveraging the unique talents of persons with disabilities in innovative and productive ways (Specialisterne Global, 2025).

Best Practices in Thailand

1. Public sector with full or above-quota employment of persons with disabilities include:

- Ministry of Social Development and Human Security (MSDHS)
- Ministry of Labour
- Ministry of Transport
- Bangkok Metropolitan Administration (BMA) – which employs persons with disabilities across all 50 districts

2. Most private sector enterprises have fully complied with the employment quota for persons with disabilities, opting to employ persons with disabilities rather than contribute to the Fund for Empowerment of Persons with Disabilities. In 2024, private enterprises were required to employ a total of 69,266 persons with disabilities, and 67,476 persons were actually employed. Of these, 39,867 persons were employed under Section 33, 16,528 persons under Section 35, and 11,081 employers contributed to the Fund under Section 34. These enterprises serve as role models for other organizations in effectively complying with disability employment legislation.

3. Collaborations between local educational institutions have also emerged as good practices. Vocational colleges and technical institutes in the same or nearby areas have partnered with schools serving students with disabilities to provide vocational training and life skills education, including financial discipline, appropriate spending, and savings promotion to prepare students with disabilities for future employment and independent living.



4. Civil society organizations have played an active role in promoting the employment of persons with disabilities, both through social employment initiatives and mainstream employment opportunities. These organizations act as intermediaries between employers and persons with disabilities and collaborate with educational institutions through various projects that promote inclusive employment. They also encourage greater employment under Section 33, by supporting persons with disabilities employed under Section 35 to transition into regular employment under Section 33. In addition, they provide skills training and pre-employment preparation for university students with disabilities nearing graduation to support their transition from education to work. Some educational institutions have also adopted the Job Coach concept, organizing readiness training for students with disabilities to prepare them for entering the labour market.

5. Digital platforms have been developed to promote employment and access to occupational loans for persons with disabilities. For example, the “NiNA 1479” application, developed by The Redemptorist Foundation for People with Disabilities, provides employment-related services for persons with disabilities and employers. Meanwhile, the Fund for Empowerment of Persons with Disabilities (DEP Fund) application, developed by the Department of Empowerment of Persons with Disabilities, facilitates easier access to financial support, allowing users to track loan applications, monitor repayment history, and manage funding status conveniently.



Chapter 4 Conclusion and Recommendations for Further Study

A large number of Persons with Disabilities (PWDs) in Thailand continue to face structural barriers that prevent them from freely entering the labour market. These include limited access to education and vocational training, inadequate workplace accessibility, employers' perceptions that hiring PWDs involves higher costs, and the tendency of certain organizations to choose alternative measures instead of employing PWDs under Section 33 of the Empowerment of Persons with Disabilities Act B.E. 2550 (2007) and its Second Amendment B.E. 2556 (2013), opting instead to make contributions to the Fund under Section 34. This reflects a lack of genuine opportunities for inclusion and participation.

This situation underscores that promoting the employment of PWDs requires strategies that focus on changing attitudes and systematically and continuously strengthening capacity. Promoting employment and disability-inclusive business is therefore not merely a measure to address unemployment among PWDs, but rather a key mechanism for driving an Inclusive Economy, one that ensures equal and sustainable participation of all people in the national economic system across the dimensions of economy, society, and human rights.

By enabling PWDs to fully realize their potential as valuable workers, visionary entrepreneurs, and self-reliant citizens, such efforts also foster a sense of dignity and pride in being human.

Recommendations for Further Study

1. A comprehensive study should be conducted to examine the feasibility of increasing employment quotas, reducing the size of establishments subject to the quota system, and enforcing the quota system within public sector.
2. Further research should explore good practices from countries that have higher employment quota requirements or that apply quota schemes to small enterprises or across all establishments, focusing on identifying implementation challenges and solutions. The study should emphasize direct engagement with and analysis of data from those countries.
3. A handbook on promoting disability-inclusive employment should be developed for all relevant stakeholders, including employers in the business sector, the public sector, civil society organizations (CSOs), and Organizations of Persons with disabilities (OPDs).



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QR Code

File 1: เอกสารนโยบายการส่งเสริมการจ้างงานที่คนพิการมีส่วนร่วม

File 2: Policy Paper on Promoting Disability-Inclusive Employment

<https://drive.google.com/drive/folders/1ltb4WGNhejw1aV--lcaWzR4CLOU0l9DS>

