

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Thailand - 2023

FREEDOM OF ASSOCIATION AND THE EFFECTIVE RECOGNITION OF THE RIGHT TO COLLECTIVE BARGAINING

REPORTING

Fulfilment of Government's reporting obligations

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers organizations ,b) The most representative workers organizations,c) The competent authorities

94. Please describe the consultation process(es). [10.2]

The government sent copies of the report to the organization of employers and employees for their additional comments. And will forward the comments to the ILO through the following link (if any).

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

95. Did employers organizations comment on the report? [11a]

Yes

Workers' organizations

96. Did workers organizations comment on the report? [11b]

Yes

EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT

Ratification

Ratification intention

6. What are the prospects for ratification of Convention No. 87?	Likely
7. What are the prospects for ratification of Convention No. 98?	Likely
8. What, if any, are the impediments to the ratification of Convention No. 87 and/or Convention No. 98?	1. Socio-economic situations are constantly changing. 2. The related laws such as the Labour Relations Act B.E. 2518 (1975) and the State Enterprise Labour Relations Act B.E. 2543 (2000), are not completely consistent with both conventions. The Amendment of the laws in order to be in line with the conventions needs to take into account the impacts of many aspects as well as the current labour relations situation in Thailand. 3. Disagreement of stakeholders over the amendments to the draft Labor Relations Act B.E. and the draft Labour Relations in State Enterprises Act B.E. in some articles causes the controversial issues that have not yet been resolved, which are in the process of considering and reviewing the amendments to the draft laws.

Recognition of the principle and right (prospect(s), means of action, basic legal provisions)

9. Have there been changes in law and practice in your country as regards freedom of association and the effective recognition of the right to collective bargaining?	Yes
	At present the draft Labour Relations Act B.E. and the draft Labour Relations in State Enterprises Act B.E. have been considered by the Council of State, and the both draft acts are being processed in the following steps: 1) the draft Labour Relations Act B.E. is in the process of joint discussion among the Ministry of Labour, the Council of State and Workers' Representatives to reach a settlement in particular issues before proposing to the Cabinet for further consideration 2) The draft Labour Relations in State Enterprises Act B.E. had been submitted to the House of Representatives, and the government whip had a resolution

	to propose the draft to members of the House of Representatives for consideration. Yet, it appeared that there was opposition from the union group and a request to withdraw the draft from the House of Representatives. Consequently, on 22 November 2022, the Cabinet had a resolution to have the Ministry of Labour withdraw the draft for review before proposing it to the Cabinet for reconsideration.
--	--

Promotional activities – Special initiatives /Progress

13. Have any initiatives resulted in successful examples or good practice in promoting freedom of association and the effective recognition of the right to collective bargaining?	Yes
	<p>1) Encourage enterprises to implement Good Labour Practices (GLP) in labour management. Currently, there are 5 volumes of GLP consisting of (1) Good Labour Practices in Thailand's Seafood Industry (2) Good Labour Practices for Poultry Farms and Hatchery in Thailand (3) Good Labour Practices for General Enterprises (4) Good Labour Practices for Shrimp Farms in Thailand and (5) Good Labour Practices for Pig Farms in Thailand. Every volume contains the content stipulating that enterprises should provide freedom of association and open communications. 2) Include a provision on freedom and collective bargaining as a requirement in the Thai Labour Standard (TLS) Social Responsibility of Business or TLS 8001 - 2020. 3) Honor enterprises with awarding systems such as the Excellent Award on labour relations and welfare for the outstanding enterprises in labour relations and welfare, and the Thailand Labour Management Excellent Award for outstanding enterprises in labour management system. Both of the awards use a good labour relations and labour welfare systems are one of the criteria for these awards.</p>