

**THAI LABOUR STANDARDS**  
**CORPORATE SOCIAL RESPONSIBILITY OF THAI BUSINESS**  
**TLS 8001-2010**

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**1. Introduction**

The Ministry of Labour had launched the implementation of Thai Labour Standards : Corporate Social Responsibility of Thai Business (TLS. 8001-2003) since June 27, 2003. It was guidelines for the establishments to treat voluntarily with the workers to improve and develop good practices on labour management system, in compliance with the international labour standards, to upgrade life quality of the workers, and to strengthen sustainable growth of the business.

At present, running business with responsibility for society, which covers the issues of human rights, employment conditions, and working conditions, is recognized all over the world. Where an establishment is not in compliance with such international standards, it may be a barrier to trade and affect its business and relevant workers as a whole.

In principle of international practice, revision of a standard shall be taken into account every five years of implementation, or when the situation changes. This revision aims that the revised standard be acceptable and be complying with present situation. Moreover, there were some legislative amendments and releases of new labour laws, including new obligation of international standards. Hence, the Ministry of Labour and by the Department of Labour Protection and Welfare, in collaboration with employers' and employees' organizations, related government and private agencies, and educational institutions, has revised the provisions of the TLS. 8001-2003 to suit and comply with the changes and situations, and with the aims :

(1) to be the operational guidelines for the establishments to provide appropriate protection for the workers by setting related policy for the effective implementation.

(2) to be a criteria for the establishments to audit and to declare themselves that they are in compliance with this standard.

(3) to be a criteria for certifying the establishments which imply this standard.

The standard of corporate social responsibility of Thai business is written within the provisional scope of the Constitution of the Kingdom of Thailand, provisions of the labour laws concerning labour protection, occupational safety, health and environment, labour welfare, and labour relations. Moreover, related conventions of the International Labour Organization and of the United Nations are also brought into account.

The contents of the standard's provisions cover labour codes which are implemented by other organizations, both inside and outside the country.

## **2. Scope and Application of the Standard**

2.1 The provisions of this Standard cover the issues of labour management and treatment of the establishments which are under the labour laws, related international standards, and the principle of social responsibility.

2.2 The provisions of this Standard shall be used for all kinds and all sizes of the establishments.

## **3. References**

3.1 Labour Protection Act, B.E. 2541 (1998) and its amendments.

3.2 Labour Relations Act, B.E. 2518 (1975) and its amendments.

3.3 International Labour Organization's Convention Nos. 29, 87, 98, 100, 105, 111, 135, 138, 155, 164, 177 and 182, and include its Recommendation Nos. 146 and 164.

3.4 The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, 2000.

3.5 The ILO Declaration on Social Justice for a Fair Globalization, 2008.

3.6 The ILO Code of Practice on HIV/AIDS and the world of work, 2001.

3.7 The Universal Declaration of Human Rights, 1948.

3.8 The United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979.

3.9 The United Nations Convention on Children's Rights, 1989.

3.10 The Quality Management Standards (ISO 9001 : 2008)

3.11 The Social Responsibility Standards (ISO 26000)

3.12 The Social Responsibility Standards (SA 8000 : 2008)

## **4. Definitions**

4.1 "Labour Standard" means rules or requirements governing the use of labour under the scope of labour laws and international standards.

4.2 "Establishment" means an organization or a business agency including management or other relevant personnel which is responsible for an implementation of the requirements of this Standard.

4.3 "Quality of Life" means good living condition of an employee that builds the employee's prosperous physic, emotion and mentality, as well as, peaceful social life.

4.4 “Labour Laws” means laws governing labour protection; occupational safety, health and environment; labour welfare; and labour relations.

4.5 “Labour Protection” means the protection on employment condition, working condition, labour welfare, and occupational safety, health and environment provided for an employee in an establishment.

4.6 “Occupational Safety, Health and Environment” means a performing or working condition that frees from any cause of injury, illness or nuisance due to or related to work.

4.7 “Corporate Social Responsibility” means the principles which represent the responsibilities of an establishment for any impact of its business on the society. It consists of the principle on law compliance, principle on the respect for international practices, principle on recognition of stakeholders and their comments, principle on the respect for fundamental human rights, principle on the respect for diversity, principle concerning code of morals, principle concerning transparency, and principle concerning accountability.

4.8 “Management system” means policy, plan, process, procedure and controlling which comprise personnel and other coherent resources of organizations as the elements aimed at full implementation of this Standard’s requirements.

4.9 “Continuous Improvement” means the process in analyzing, planning for action, and reviewing in order to become better and updated.

4.10 “Supplier or Sub-contractor” means a person or a juristic person who agrees to provide products or services or to perform work in whole or in part, as the case may be, for an entrepreneur in order to be assembled or used in production or service of an establishment regardless of the number of the sub-contracting.

4.11 “The Use of Forced Labour” means to employ, to set the condition of employment for, or to assign work for any person without an agreement of such person regardless of a means taken whether it is a labour discipline, debt deduction, threat, seizure of identity card or document, or any other means.

## **5. Requirements**

### **5.1 General Requirements**

5.1.1 An establishment shall set the management system in writing to be implemented, maintained and continuously improved.

5.1.2 An establishment shall set and maintain the document control procedure i.e. approval, revision, edition, indication, distribution and maintenance.

5.1.3 An establishment shall set and maintain the record control procedure i.e. indication, maintenance, prevention, access, validation, and elimination. The record as prescribed by law shall be set in the form and be managed in the way as provided by the law.

5.1.4 An establishment shall have specific information for supporting and following up an implementation of this Standard's requirements.

5.1.5 An establishment shall make document and record be available for involved person to ensure an implementation of this Standard's requirements.

## **5.2 Management System**

### **5.2.1 Management Commitment**

#### **(1) Policy**

Top management shall define the policy on social and labour accountability by a written document and formal declaration. The policy shall express the intention to:

a. confirm the requirements of this standard, labour laws and other regulations concerned.

b. continually improve the implementation of these standards including the revision and adjustment of the policy periodically as necessary.

#### **(2) Review by Management**

Top management shall review the results of the application of the policy with regard to the requirements of this Standards within the period specified, to allow the policy and its implementation plan to be effectively revised and corrected in accordance with the intention to conform with the requirements of this standard.

### **5.2.2 Management representative**

The establishment shall appoint at least one management "representative" to be responsible for supervising the application of the Standard. The "representative" shall be authorized to make decisions, give assignments and coordinate with employees to ensure that the requirements of this Standard shall be completely implemented.

### **5.2.3 Collaboration**

(1) The establishment shall appoint a committee comprising of employer and employee representatives to be responsible for the application of the requirements of this Standards.

(2) The establishment shall provide for at least one employee representative of non-management level selected by employees to coordinate and communicate with the top management and carry out other activities related to the application to the requirements of this Standard.

#### 5.2.4 Planning and Implementation

(1) The establishment shall provide for the implementation plan and allocate sufficient resources to ensure that the requirements of this standard shall be smoothly implemented, without any obstacle and for effective continuous improvement.

The plan shall specified the procedure of implementation and assignment with clear description of duties and responsibilities, and shall be comprehensive, covering all requirements of this Standard.

(2) The establishment shall ensure that the requirements of this standard are understood by all personnel and implemented at all levels of the organization.

(3) The establishment shall provide periodically training or any other means of development for employees upon commencing employment to build up their knowledge, to raise awareness and to enable them to conform with the policy and the requirements of this Standard.

(4) The establishment shall provide for and maintain the procedure to periodically monitor the efficiency and effectiveness of application of the standard and its results which will lead to continuous development and improvement. In this regard, the establishment shall recognize and focus its attention on the opinion of employee and concerned parties regarding non-compliance with this standard. The establishment shall investigate, analyze and produce a report on such instance of non-compliance. The employer shall not discriminate by any mean against an employee who provides the information of such non-compliance.

(5) The establishment shall provide for and maintain to carry out the corrective and preventive actions where non-compliance with this Standard is found by allocating adequate resources thereto.

#### 5.2.5 Supplier or Subcontractors

(1) The establishment shall provide for and maintain the procedure to evaluate and select supplier or subcontractors who conform to the requirements of this Standard.

(2) The establishment shall convey its requirement for the suppliers and subcontractors to give their written commitment to conform to all requirements of this standard.

(3) The establishment shall convey its requirement for the suppliers and subcontractors to provide information about its business relationship with other supplier(s) or subcontractor(s) regarding the activities the supplier or subcontractor performs for the establishment.

(4) The establishments shall provide record and maintain the evidence concerning the conformity of the suppliers and the subcontractors to this Standard.

#### 5.2.6 Communication

The establishment shall provide for and maintain procedures to communicate to parties concerned the data and information on the activities as well as its results in accordance with the implementation of this Standard.

### **5.3 Forced Labour**

5.3.1 The establishment shall not engage in or support the use of forced labour in any forms.

5.3.2 The establishment shall not demand or receive from an employee a security deposit for work or a security deposit for damage to work regardless of money, identity card, or any other personal identity document, other property or the contract of surety ship either upon commencing employment or after, nor shall it be a condition of employment to do so unless exempted by law.

### **5.4 Remunerations**

5.4.1 The establishment shall pay wages or remunerations of overtime work to employee at not less than the provision of the law.

5.4.2 The establishment shall pay wages or remunerations in Thai currency at the place of work of the employee, unless the consent of the employee is obtained to be paid by bill or in foreign currency, or at elsewhere, or by any other means. The payment shall be made at due time.

5.4.3 The establishment, at every wage payment, shall provide for the employees comprehensive information in writing on the composition of wages and remunerations paid to them.

5.4.3 The establishment shall not make any deduction from wages, remunerations or other benefits payable in cash from employment unless exempted by law.

## **5.5 Working Hours**

5.5.1 The establishment shall specify normal working hour for employees that shall not exceed eight hours a day or not exceeding forty eight hours a week and shall provide weekly holiday for at least one day per week or as prescribed by law.

5.5.2 For general working conditions, performing overtime work and work on a holiday shall be deemed as the entitlement of an employee, unless the work exempted by law. The establishment shall specify the overtime hours and the holiday working hours for employees as prescribed by law. The establishment may specify the overtime hours and the holiday working hours for employees for not exceeding twenty four hours per week, eighteen hours per week, or twelve hours per week, depending on the management capability of the establishment.

## **5.6 Discrimination**

5.6.1 An establishment shall not engage in or support any discrimination in respect of employment, payment of wage and remuneration, providing welfare and opportunity for training and development, promotion, termination of employment or retirement and so on, due to national extraction, race, religion, language, age, sex, marital status, personal attitude on gender or sexual orientation, invalidity, HIV/AIDS, AIDS patients, trade union membership, employees committee, political affiliation or other personal opinions.

5.6.2 An establishment shall not obstruct, interfere, or perform any action affecting the use of the employees' rights, exercise of their practices related to nationality, race, religion, language, age, sex marital status, sexual orientation, disability, trade union membership, political affiliation or personal opinion, as far as the employees' activity does not cause any damage to the business.

## **5.7 Discipline and Penalty**

5.7.1 An establishment shall not, in any case, make any deduction, for disciplinary or penalty purpose, from or decrease wages and remunerations, or any other benefit payable in cash from employment as prescribed by law.

5.7.2 An establishment shall not impose or give support to impose physical and mental punishment, physical attack or threaten a worker.

5.7.3 An establishment shall conduct measures to prevent and combat verbal or physical sexual harassment.

### **5.8 Employment of Young Workers**

5.8.1 An establishment shall not hire or give support to hire a young worker under 15 years of age.

5.8.2 An establishment shall not permit or give support to allow a young worker to perform hazardous work, or perform work in a hazardous circumstance, which may be harmful to his/her health and safety.

5.8.3 An establishment shall prepare a record of employment condition and a record of working time to be kept at the place of business available for inspection by a Labour Inspector. Such records shall be updated in accordance with changes of employment conditions, and as prescribed in Article 5.1.3.

### **5.9 Employment of Women**

5.9.1 An establishment shall not require a female worker to perform a hazardous work which may be harmful to health as prescribed by law.

5.9.2 An establishment shall provide a suitable work which does not harm a pregnant worker. Moreover, the establishment shall not dismiss or degrade a pregnant worker, or reduce benefits of a pregnant worker on ground of pregnancy.

### **5.10 Freedom of Association and the right to collective bargaining**

5.10.1 An establishment shall respect the right of a workers to establish or become a member of a trade union or other committees in the establishment, and the right of worker to bargain collectively and select or elect worker's representative, without imposing obstacles or any kinds of sanctions on such activities.

5.10.2 An establishment shall conduct a measure to facilitate the workers' representative in regard of performing his work. A workers' representative shall not be subjected to discrimination, displacement or dismissal, or other illegal actions.

### **5.11 Occupational Safety and Health**

5.11.1 In accordance with laws and occupational safety and health standards, an establishment shall conduct appropriate measures on occupational safety and health covering all areas or types of work, which may be harmful to worker's health and safety.



5.11.2 An establishment shall arrange safe working environment in order to prevent harms, and to decrease risk factors, which are in accordance with laws and standards relating to occupational safety and health.

5.11.3 An establishment shall provide the followings for the workers ;

(1) An opportunity to participate in the management of occupational safety and health.

(2) An opportunity to get an access to the information concerning hazards which may arise from working process or working environment.

(3) Knowledge and awareness of rules, regulations, code of practice or guideline concerning occupational safety and health.

(4) Trainings on occupational safety and health focusing on issues which are directly related to one's duty of work, especially the trainings for those who are newly assigned or re-assigned to perform the work. The establishment shall prepare the records of such trainings in accordance with Article 5.1.3

(5) Safety equipment which is in accordance with safety standards and suitable for working conditions of each worker.

## **5.12 Welfares**

5.12.1 An establishment shall provide comfortably accessible and adequate welfares for the workers. The welfares include ;

(1) Hygienic toilet and bathroom.

(2) Hygienic drinking water.

(3) First- aid and nursing equipments as necessary.

5.12.2 In case an establishment provides a dormitory for the workers, such dormitory shall be equipped with fundamental and necessary facilities which are clean, and safe, and be ready for use.

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