

Strengthening Social Dialogue Policy and Practices

Constituents Review of Social Dialogue & Tripartite Mechanism in Thailand

1 December 2021, the Landmark Hotel, Bangkok

Constituents review Tripartite social dialogue mechanisms - call also for ratification of C144

On 1st December 2021, ILO Country Office for Thailand organized a tripartite meeting to discuss 'Social Dialogue & Tripartite Mechanism in Thailand', including tripartite consultation in matters related to international labour standards (C144). Thailand is among the very few countries in the region that is yet to ratify C 144. The meeting was part of the ongoing work of the ILO to assist the constituents to strengthen legal & institutional framework for social dialogue and capacity building for effective and inclusive social dialogue.

Given below is a short summary of the meeting.

Participants:

The meeting was attended by 36 representatives from employers and workers organizations and Ministry of Labour. On behalf of ILO, Mr. Dong Eung Lee, Sr. Specialist Employers Activities, Ms. Yuki Otsuji, Specialist Workers Activities and Arun Kumar, Collective Bargaining & Social Dialogue Specialist participated in the meeting. Mr Boonchob Suthamanuswong, Permanent Secretary, Ministry of Labour (MoL) and Mr. Graeme Buckley, Director Country Office for Thailand, Cambodia and Lao PDR, addressed the opening session. (List of participants attached)

Background:

Social Dialogue and Tripartism is a key principle of ILO – both in its own functioning as also for its member states. Thailand recognises the importance of social dialogue & many advisory tripartite social dialogue bodies have been set up - at national, provincial & sectoral levels. The labour laws also provide for bipartite consultations & cooperation at enterprise level, including collective bargaining. These social dialogue mechanisms have helped to build consensus and move forward in several policy areas but the practice of tripartism and social dialogue in Thailand also faces some fundamental challenges, which need addressing.

The need to strengthen social dialogue processes and tripartite cooperation is among the priorities recognized by the constituents under the DWCP 2019-2021.

Key High lights of the meeting:

Speaking at the opening, Mr. Boonchob Suthamanuswong, Permanent Secretary, Ministry of Labour said, " MoL gives a lot of importance to tripartite social dialogue and is always keen to listen to the views of the employers and workers – this is also one of the reasons why Government did not impose a complete lock down during the Covid pandemic and prioritized industrial workers in its vaccination programme. Government welcomes the suggestions of the constituents for improving the process of consultations. In regard to international labour standards, ratification of C 144 will also be considered positively. We should discuss this further and reach a consensus on this."

Speaking on behalf of the ILO, Mr. Graeme Buckley, Director ILO Country Office for Thailand, Cambodia and Lao PDR said, "ILO has been working closely with the constituents to strengthen social dialogue mechanisms and tripartite cooperation in Thailand. Social dialogue institutions & processes work better when strong, independent and representative organizations, with capacities to make and deliver on agreements participate. It is hoped that not only C 144 but also C87 and C 98 will be ratified in near future as these have been under discussions for some years now and are very much relevant to the practice of 'representative' social dialogue in Thailand."

ILO Survey of the Thai constituents in 2020 on tripartite and bipartite social dialogue mechanisms indicates that there are differences not only in the understanding of the role of social dialogue itself but also improvements need to be made in regard to the consultation process, composition & representation processes, gender, technical support and follow up on the decisions of the social dialogue bodies. Among the challenges identified is also the limitations of existing (social dialogue) systems to timely address issues arising in an emergency situation such as the COVID-19 pandemic.

ILO presentation on C144 - Tripartite Consultation (International Labour Standards) Convention – pointed out that C144 is a governance and a priority convention and it has been ratified by 156 out of 188 member states. Thailand is among the few countries in Asia that is yet to ratify. It was also clarified that C 144 IS NOT about promoting a national tripartite dialogue on labour and social matters but it imposes obligation on the Government to consult with workers & employers' organizations in matters related to the implementation of International Labour Standards and related ILO activities.

The meeting provided an opportunity for sharing of experiences on policy and practices of social dialogue and tripartism in Thailand, the challenges these face and discuss ways forward for improving the policy and practices for both tripartite and bipartite social dialogue. The discussions benefitted from the presentation made by Ministry of Labour on Tripartite social dialogue in Thailand which were followed by presentations by Employers and Workers side.

Key recommendations and conclusions:

Representatives from both Employers (ECOT, CTIE, EION, ECN) and four workers organizations (TTUC, LCT, NCPE and SERC) urged the Government to ratify C144 - Tripartite Consultation (International Labour Standards) Convention and through further consultations improve tripartite social dialogue mechanism (in particular from the point of view of criteria and procedure for nomination of representatives, gender representation, decision making & follow up).

Employers' representatives in particular urged the Government to improve nomination procedures for the delegation of the employers to the ILC and the forthcoming APRM (Asia-Pacific Regional Meeting of the ILO). Workers' representatives also demanded ratification of C87 and C98 to promote representative social dialogue and collective bargaining. Employers' representatives did not express any objections to ratification of freedom of association standards but stressed on the need to reform policies, including labour laws through social dialogue and consensus.

In matters of bipartite labour relations, both the employers organizations represented in the meeting and the four workers organizations agreed to the institutionalization of bipartite social dialogue – both sides agreed to meet quarterly or as regularly as possible with the objective of discussing labour relations matters and moving industrial relations from conflict to dialogue and cooperation on matters of mutual interest.

Both employers and workers representatives called upon the ILO to assist in capacity building in this process and help build shared understanding on industrial relations issues so that productivity, business sustainability and decent work is promoted in this process.

ECOT (Employers Confederation of Thailand) offered to host the next bi-partite dialogue in January 2022 to adopt the joint policy proposal for the ratification of C144 and finalize the ToR for the bipartite SD meetings.

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