

Mini-Survey on Employer Perceptions of Child Labour, Forced Labour, Migrant Welfare and CSR in Thailand

In an effort to better understand work-place policies as well as employer perceptions of labour laws and corporate social responsibility, ILO-IPEC developed and administered a mini-survey of Thai businesses between August and September 2012. The Employers' Confederation of Thailand (ECOT) and the Thai Frozen Food Association (TFFA) facilitated the dissemination of the survey as well as follow-up interviews with Human Resource (HR) Managers of their members¹. The survey was divided into 5 sections: information about the respondents' firm; perceptions of the Thai legal environment; internal management systems, standards, and certifications; employee management policies and procedures; and future services and support. A scale from 1 to 5 (1 = low) was used for expressing clarity of issues and for situating them in terms of concerns for better business practices and future competitiveness of the industries.

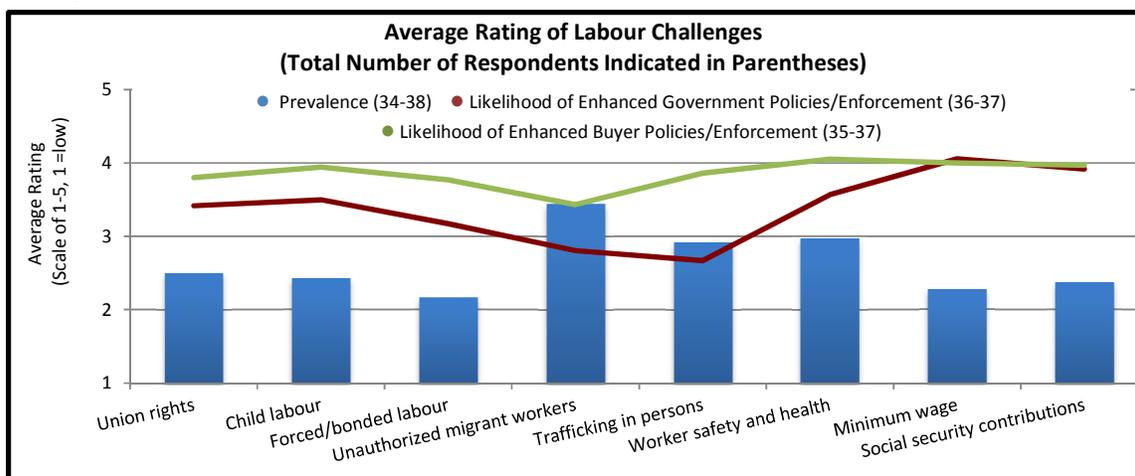
RESPONDENT PROFILE		
Industry		
- Textile Manufacturing: 2	- Food Processing: 10	
- Automotive Manufacturing: 12	- Agriculture: 1	
- Electronics Manufacturing: 2	- Other: 2	
Employees		Main Market
- Under 50: 2	- 250 to 1000: 11	- Provincial: 2
- 50 to 250: 4	- Over 1000: 21	- National: 9
		- International: 27

THAI LABOUR LAW

Survey results and conversations with businesses regarding forced labour and migrant workers situation revealed areas for clarification. Several HR Managers expressed frustration over Thai labour

"These (forced and bonded labour laws) aren't for our factory; we don't use that kind of worker."

laws' silence on migrant workers and lack of clarity of proper procedures and channels to legally recruit migrant workers for their business. With regard to forced labour and bonded labour, in addition to scoring relatively low on the clarity scale interviewees expressed the view that laws related to forced and bonded labour were unconnected to their business as they "don't use that kind of worker."



CHILD LABOUR AND YOUTH EMPLOYMENT

During interviews, enterprises expressed that no child labour exists in their factories or those of their Thai competitors. Additionally, it was common for companies to only hire those at least 18 years of age: out of 32 respondents 21 stated that they do not hire minors. One seafood manufacturer's response that "there are too many special rules" for hiring workers aged 15 to 18 was a recurrent

¹ While providing valuable information, these results should not be interpreted as being representative of all Thai businesses, or as containing data suitable for statistical analysis. The survey was returned by 32 respondents. 12 follow up interviews were conducted.

sentiment amongst interviewees. When asked about the source of the perception that child labour does exist in Thailand, there was a general consensus that it existed, but only in informal sectors.

“Making sure that children are safe is too complicated; there are too many special rules...If it were clearer, that would be good... but I still would not hire them.”

LABOUR SUPPLY AND MIGRATION

All interviewees employ migrant workers, and within each firm, most of the migrants were of the same nationality. Amongst the labour challenges, the presence of unauthorized migrant workers was rated as the most prevalent, while laws for migrant worker rights and their benefits scored the lowest in terms of clarity. While firms currently utilizing the (MoU) process with Myanmar, Lao PDR and Cambodia say that it works well for them, others indicated that they would like to use the MoU process, but they see conflicts between the MoU and Thai labour laws that they would

“There is nothing (in the law), so we treat migrants the same as everyone else, but it would be better if there were laws just for them.”

like to see addressed. Some interviewees also expressed interest in obtaining more information about the ASEAN Economic Community and how this may affect their business and recruitment abilities.

Does Your Industry Face a Labour Shortage?			
	Yes	No	Unsure
Agriculture	1	0	0
Automotive	9	1	2
Electronics	0	3	0
Food Processing	9	1	0
Textile Manufacturing	1	1	0
Other	6	4	1

UNION RIGHTS AND WORKERS’ VOICE

One third of survey respondents had a portion of their employees unionized. Amongst those without any unionized employees, all but 3 respondents indicated that they had a formal method of receiving and incorporating worker feedback such as a suggestion box reviewed by HR managers. The type of worker feedback described by interviewees was uniformly characterized as “small things” related to hours of work and workers’ welfare such as provision of food and free time activities.

“They (workers) always ask for more overtime, but we have to tell them no because of the laws.”

BUYERS, SUPPLIERS, AND COMPETITORS

Third-party audits and certifications of some form were undergone by a majority of those surveyed, and interviewees unanimously pointed to buyers as the motivating factor. In return, a majority of respondents stated that conditions of their own suppliers as well as their competitors have an impact on their business. Therefore, many have established their own systems to verify that their suppliers uphold labour standards. Descriptions of these verification systems commonly consist of a visual assessment of the work environment of the supplier conducted by HR personnel every one to two months.

“If one company violates labour laws, foreigners associate this with everyone and get a bad image of Thailand.”

FUTURE WORK AND TRAINING NEEDS

Respondents expressed a general willingness to pay for management training, especially on human resources, safety and health, and energy management. Future trainings were suggested in areas such as: the occurrence of forced labour without employers’ knowledge; existing and forthcoming laws regarding migrant workers; safe employment of minors; and elicitation and incorporation of workers’ voice in addressing labour issues.

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