



มาตรฐาน.
TLS 8001

THAI LABOUR STANDARD

LABOUR CORPORATE SOCIAL RESPONSIBILITY: REQUIREMENTS



Department of Labour Protection and Welfare
Ministry of Labour



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Preamble

The Ministry of Labour has issued the Thai Labour Standard TLS 8001-2020, dated 24 March B.E. 2563 (2020), for enterprises to provide social responsibility on their workers.

This Thai labour standard TLS 8001-2020 is the second amendment to be accepted under the current situation and labour laws that were amended, as well as other relevant international standard requirements, including public hearing with all the stakeholders. The essence consists of 2 main parts of requirements, including 1) labour management system, which is a quality management system to ensure

that the treatment of workers shall be based on the requirements with effective, continuous and sustainable development 2) labour rights and protection referring to conventions of the International Labour Organization, which is based on the current applicable labour law and other additional terms included in commercial terms.

Anyway, the establishment can apply Thai labour standard TLS 8001-2020 to develop benefits for their own business voluntarily to increase export growth for world trade competitiveness.

Department of Labour Protection and Welfare,
March 2020

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Thai Labour Standard TLS 8001–2020

Introduction

According to Thai labour standards TLS 8001-2020, Corporate social responsibility: requirements are a voluntarily standard for establishments applied for developing its labour management system based on international labour standards, focusing on employees to get acceptance, equal treatment with the emphasis on equalization of suitable income, and safety at work, which is an important basis for sustainable business development under the framework of the Constitution of the Kingdom of Thailand, the provisions of the labour law

concerning labour protection, occupational safety, health, and environment, labour welfare and labour relations, other relevant laws and regulations, as well as related Conventions of the International Labour Organization, and of the United Nations, the International standards and guidelines, with the aims:

1. Establishments apply this standard as the operational guideline for labour-management by taking the substance of this standard into policy and managing it in accordance with the policy.

2. Establishments apply this standard to audit and declare themselves that are in compliance with this standard.

3. Certification Bodies apply this standard to assess and certify establishments that comply with this standard.

Benefits from being compliance with this standard

1. Establishments have products and services that are accepted and trustworthy from fair labour management, corporate social responsibility with standardized performance and respect for international human rights principles.

2. Workers remain job security, and receive protection under the labour law, with fair treatment and good occupational, safety and health.

3. The country has a good image and capable of sustainable trade competition.

1 Scope

1.1 The requirements of this standard define labour management and treatment of establishment in compliance with labour laws, rules, regulations, and relevant international practices, which covers the workforce of the workplace and the labour of the supplier, subcontractor, and contractors working in the workplace.

1.2 The requirements of this standard can be applied to all types of establishments and sizes.

2 References

2.1 Labour Protection Act, B.E. 2541 (1998) and its amendment

2.2 Labour Relations Act, B.E. 2518 (1975) and its amendment

2.3 Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008) and its amendment

2.4 Occupational Safety, Health and Environment Act, B.E. 2554 (2011)

2.5 Conventions of the International Labour Organization Nos. 29 87 98 100 105 111 135 138 155 177 182 and 187, Protocol of 2014 to the Forced Labour Convention and the recommendations of the International Labour Organization, Nos. 146 and 164

2.6 Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, 2000, of the International Labour Organization

2.7 ILO Declaration on Social Justice for a Fair Globalization, 2008

2.8 ILO Code of Practices on HIV / AIDS and the World of Work, 2001

2.9 Universal Declaration of Human Rights, 1948

2.10 UN Convention on the Elimination of All Forms of Discrimination Against Women, 1979

2.11 UN Convention on the Rights of the Child, 1989

2.12 Quality Management System - Requirement (ISO 9001:2015)

2.13 Social Responsible Guidance on Social Responsibility (ISO 26000 : 2010)

2.14 Social Responsibility Standard

(SA 8000: 2008)

2.15 Guidelines on Occupational Safety and

Health Management System, ILO-OSH 2001

2.16 Occupational Health and safety Management

system (ISO 45001)

3 Vocabulary and Definitions

3.1 Establishment means an organization or business unit which is responsible for an implementation of the requirements of this standard.

3.2 Quality of life means the well-being of employees, which helps employees to be physically, emotionally, and mentally, including living in the same standard as others in society.

3.3 Labour law means the law concerning labour protection, occupational safety, health and environment, labour welfare, labour relations and other related laws or regulations.

3.4 Corporate Social Responsibility means the principles that represent the responsibilities for the consequences of society on labour issues, including

the principle on legal compliance, respect for international practices, recognition of stakeholders and their comments, respect for fundamental human rights, respect for diversity, principle on ethical practices, transparency, and accountability.

3.5 Management system means policy, plan, process, procedures, controls which consist of personnel and other coherent resources of organization as the elements aimed at full implementation of this Standard's requirements.

3.6 Supplier, Subcontractor, or Contractor means an individual or a juristic person who agrees to provide products or services or to perform work in whole or in part, as the case maybe, for establishments in order to be assembled or used in production or services of the establishment or perform other tasks in establishment regardless of the number of sub-contracting.

3.7 The use of Forced labour means any action by an employer or any other person for employees to work or provide involuntary service or resulting in an employee being forced to work without any resistance.

3.8 Employment and occupation means the employment process, payment of wages and compensation, welfare provision, an opportunity for training and development, promotion consideration, termination or retirement, etc.

3.9 Employment condition means conditions of employment or work, setting working days and times, wages, labour welfare, social security, termination of employment, or other benefits of employers or employees relating to employment or working.

4 Requirements

4.1 General Requirements

Establishments shall take the following actions:

4.1.1 Set a written management system, to be implemented, maintained, and continuously improved.

4.1.2 Set and maintain document control procedures, including approval, review, amendment, identification, distribution, and storage.

4.1.3 Set and maintain records control procedures, including identification, storage, prevention, accessing period in storage, and destruction. The record shall be set in the form and be managed as prescribed by law.

4.1.4 Have the necessary information to support and monitor practices in compliance with this standard.

4.1.5 Be available for relevant parties to enable access to documents, data, and records to ensure that practices meet the requirements of this standard.

4.1.6 Gather and specify labour laws and take actions to ensure compliance with the law.

4.2 Management System

4.2.1 Commitment of management

Top management shall formulate and officially announce a written social responsibility policy on labour as well as communicate with interested parties. The policy shall express the intention to comply with the requirements of this standard including labour laws and continuous improvement.

4.2.2 Management representative

Establishments are required to appoint at least one management representative to be responsible for supervising the application of this Standard.

4.2.3 Cooperation in practice

Establishments shall take the following actions:

(1) Appoint a committee consisting of employer representative and the employee representative to act responsible for the application of the requirements of this standard.

(2) Appoint at least one “employee representative of non-management level”, selected by employee to coordinate and communicate with top management and take actions related to the application to the requirements of this standard.

4.2.4 Planning and implementation

Establishments shall take the following actions:

(1) Prepare an action plan and allocate necessary resources sufficiently to ensure that the requirements of this Standard can be implemented without interruption or obstacles for effective continuous improvement.

The action plan shall specify procedures, assignment with clear description of duties and responsibilities for easy understanding, and covering all requirements of this Standard.

(2) Ensure that the requirements of this Standard are understood and implemented in all levels of the organization.

(3) Provide training or any other means of development for all employees to have knowledge, to raise awareness and to enable them to conform with the policy and the requirements of this standard since newly starting the job and continuing for a period.

(4) Establish and maintain procedures to periodically monitor the periodic performance efficiency and effectiveness of application of the Standard and its results which will lead to continuous improvement and development by emphasizing the opinion of employees and those involved in non-compliance practices. Investigations, analysis of causes, and reporting of results shall be required. The employer shall not discriminate by any means employees who provide such information.

(5) Establish and maintain corrective actions where non-compliance with this Standard is found by allocating sufficient resources.

(6) Establish and maintain preventive action procedures where non-compliance with this Standard is found by allocating sufficient resources.

4.2.5 Supplier or subcontractor

Establishments shall take the following actions:

(1) Establish and maintain the procedures to evaluate and select supplier or sub-contractors who conform to the requirements of this Standard.

(2) Ask suppliers or subcontractors to express their written commitment to comply with the regulations of this Standard.

(3) Encourage suppliers or subcontractors to apply this Standard.

4.2.6 Communication

Establishments shall establish and maintain procedures for communicating with relevant parties regarding information, activities, and results of compliance with the requirements of this Standard.

4.2.7 Management's review

Top management shall review the consequences of complying with the requirements of this Standard as periodical schedule to be used to revise policies and action plans for continuous effectiveness.

4.3 Forced labour

Establishments shall take the following actions:

4.3.1 Do not engage in or support all forms of forced labour.

4.3.2 Do not demand or receive a security deposit or make a guarantee contract to compensate for damage done by employees, whether money, other assets, personal guarantee, seizure of any identification documents regardless of whether they have worked or as a condition to work except law is exempt.

4.4 Remunerations

Establishments shall take the following actions:

4.4.1 Pay wages and remunerations of overtime work or beyond normal working hours to an employee not less than as specified by law.

4.4.2 Pay wages or remunerations in Thai currency at employees' workplace. The employer shall obtain prior consent from the employee to pay by bill or in foreign currency or at elsewhere or by other means. The payment shall be made at due time.

4.4.3 Provide employees with comprehensive information in writing about the composition of wages and remunerations received in each installment.

4.4.4 Do not make any deduction from wages, remunerations or other benefits as the labour protection law specified to be paid to the employee under any circumstances, exempted by law.

4.5 Working Hours and Rest Period

Establishments shall take the following actions:

4.5.1 Specify working hours; normal working hours, hours of overtime work, and hours of holiday work, not exceed the legal requirements.

4.5.2 Maintain the rights of employees to work overtime, and work on a holiday, and provide evidence of employee's consent, except for the characteristics or conditions of work stipulated by law. The establishment shall specify overtime hours and working hours on holidays of employees as prescribed by law or not exceeding twenty-four hours a week or eighteen hours or twelve hours according to the ability of the workplace management.

4.5.3 Provide rest period during work and before overtime work not less than the time required by law.

4.6 Holidays and Leave

Establishments shall take the following actions:

4.6.1 Provide employees with weekly holiday, traditional holidays, and annual holidays not less than the law stipulated.

4.6.2 Provide employees with the right to take leave not less than specified by the law.

4.7 Discrimination

Establishments shall take the following actions:

4.7.1 Do not engage in or support any discrimination in employment and occupation on the basis of nationality, race, color, gender, age, religion, political opinion, national extraction and social origin, language, marital status, personal attitudes about sex, disability, HIV / AIDS - related illnesses, pregnancy status, labour union membership, employee committee, or any other personal opinions.

4.7.2 Do not obstruct, interfere, or performing any action affecting in the exercise of rights of employees that does not cause any damage to the business in respect of race activities, national customs, religion, sex, disability, employee committee, labour union

membership or political parties, and expressions based on other personal attitudes.

4.7.3 ensure equal treatment in wages or remuneration payment regardless of employee gender differences.

4.8 Discipline and Punishment

Establishments shall take the following actions:

4.8.1 Do not make any deduction of wages or remuneration or other benefit payable in cash from employment as prescribed by law for disciplinary or penalty purpose.

4.8.2 Do not engage in or support disciplinary purpose that result in physical or mental harm of an employee.

4.9 Sexual Harassment and Violence

Establishments shall take the following actions:

4.9.1 Conduct preventive measures and solve the problems of employees being threatened, exposed to sexual harassment by verbal abuses, gestures, physical contact, or by any other means.

4.9.2 Conduct measures to prevent and end violence in the workplace.

4.10 Employment of Young Workers

Establishments shall take the following actions:

4.10.1 Eliminate and not support illegal child labour

4.10.2 In case of young workers, consideration shall be given to

- (1) The minimum age for hiring a child as an employee
- (2) Working hours and rest period
- (3) Work and places that may cause hazards to the health or morals of employees
- (4) Provide evidence documents on employment condition.

4.11 Female Workers

Establishments shall take the following actions:

4.11.1 Do not allow female workers to perform a hazardous work which may be harmful to health as prescribed by law.

4.11.2 Provide a suitable work which does not harm to pregnant workers or workers in breastfeeding breaks in an environment that is dangerous for health and pregnancy or breastfeeding.

4.11.3 Ensure that breastfeeding breaks are allow female employees to rest counted as working hours.

4.11.4 Do not dismiss, degrade, or reduced benefits of a pregnant worker on ground of pregnancy.

4.12 Freedom of Association and Collective Bargaining

Establishments shall take the following actions:

4.12.1 Respect the right of a worker to establish or join any organization to promote and protect benefits from work, and do not act anything to interfere or obstruct any legal activity of the employees.

4.12.2 Facilitate convenience for employees' representatives in carrying out various duties or undertaking any legal activities of the employee or employee organizations in the workplace.

4.12.3 Do not take any unfair action to employees due to the use of freedom of establishment organization or joining employee organization or conducting any lawful activities of the employee or employee organization.

4.13 Occupational Safety, Health, and Working

Environment

Establishments shall take the following actions:

4.13.1 administer, manage and carry out of activities on occupational safety, health, and working environment covering areas or types of work which may be harmful to workers' health and safety and related parties as well as to control and prevent harms or risk factors in accordance with laws and standards relating to occupational safety, health, and working environment.

4.13.2 Arrange and supervise establishments, workplaces, and working conditions, safe and hygiene working environment of workers as well as to promote and support the performance of workers not to be harmed to their lives, bodies, mind, and health.

4.13.3 Provide all workers with the following protection:

(1) Participate in operations regarding occupational safety, health, and working environment.

(2) Recognize and access information about hazards that may arise from work processes or from the working environment.

(3) Acknowledge and understand the rules, regulations, manuals, hazard warning signs, and marks of occupational safety, health, and working environment, including statements of rights and obligations of employers and employees.

(4) Provide training on occupational safety, health and working environment for those who are newly assigned or re-assigned or relocate or work with new devices. The establishment shall also prepare the records of such trainings.

(5) Allocate and supervise the use of standardized and suitable personal protection equipment for such type and working conditions.

4.13.4 Inform workers about the right to refuse to work without safety measures.

4.14 Labour Welfare

Establishments shall take the following actions:

4.14.1 Provide workers with convenient and sufficient welfare as follows:

(1) Clean and hygienic bathrooms
and toilets

(2) Clean drinking water

(3) Medical supplies and medicines
for first aid and medical treatment

(4) Dining places and places for
keeping food clean in accordance with food sanitation

4.14.2 If accommodation is provided to
the workers, it must provide the necessary basic
elements that are clean and safe and always available.

4.14.3 Provide activities that promote
occupations and labour welfare for the quality of life
of employees.

4.14.4 Provide social security benefits
for employees.

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