

CHAPTER 4

CONCLUSION

Efficiency of ILO labor Standards in Thailand

13 ILO conventions had been ratified by Thailand such as Weekly Rest (Industry) Convention, 1921, Equality of Treatment (Accident Compensation) Convention, 1925, Forced Labor Convention, 1930, Final Articles Revision Convention, 1946, Employment Service Convention, 1948, Equal Remuneration Convention, 1951, Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955, Abolition of Forced Labor Convention, 1957, Final Articles Revision Convention, 1961, Employment Policy Convention, 1964, Maximum Weight Convention, 1967, Minimum Age for Admission to Employment 1973, Worst Forms of Child Labor Convention, 1999. Thailand also had launched Thai labor Acts and established Thai labor Court for deciding the labor cases in order to give the justice for both employers and workers. These can be seen that Thailand has enough Acts for preventing and protecting the laborers. However there can be seen the violation of labor rights in Thailand. It can be analyzed as follow;

1. Lack of good governance

Good governance is the tool for officials to manage their organization in order to be effective efficient accountable and transparently. If the organization is lack of good governance, it will lead to have corruption in that organization. Although Thailand has enough Acts for preventing and protecting the laborers, it can't be brought to apply the case because some officials are bribed by the employers so they will not implement the law for protecting the laborers' advantages. This example shows the problem about labor rights in Thailand.

2. Lack of law enforcement

Although there have been many conventions ratified by Thai government, some articles of those conventions have been made the reservations. Besides only the conventions are bound by the parties. However, the recommendations have been only

the guidelines for member states. Thailand should move the reservations in the conventions for meeting the ILO standard.

3. Lack of Education

The implementation of labor Acts in Thailand has been blocked by the officials in case of children or especially, the immigrant workers unknown Thai language. The immigrant workers who illegally enters Thai borders for being better standard of life may be violated their rights by employers because the workers can't understand the language and dare not to sue the police because they also illegally enter the country. This is the way how the employers take advantages from the workers without assistance from the government due to no complaints from the illegal migrant workers.

4. Psychology or Behavior of employers

Some employers reduce their cost by lower the workers' wages. The ways to reduce wages such as no pay for overtime working or asking the workers to work on holidays without pay. However, most workers accept because they fear to be forced to resign from their works.

Recommendations

The most important to improve the implementation of ILO labor rights in Thailand is to make the law effective and efficient. Besides Thailand should remove the reservations in the ratified conventions and reduce the process to adopt the ILO conventions for extending the labor rights and meeting the international standard. Thai government should use economic tools such as taxation measures for persuading employers to respect the labor rights. Thai government should support the international cooperation for promoting the labor rights through the governmental and private organizations such as the peer review by the ILO member states. If all parts relating the labor rights cooperate, the labor rights will be prevented and protected.