

## Abstract

The bipartite system in labor relations is the relation between the employers and the employees, including their labor organizations, regarding the cooperative association between both parties focusing on the relation through cooperation ; the employees' participations can be derived from their rights in according to the statutory provision or from the voluntary consent of both parties.

At the present time, the bipartite system in labor relations in Thailand has been specified in the Labor Relations Act, B.E. 2518 and The State Enterprise Labor Relations Act, B.E. 2543. Commonly, the bipartite system has been used as a joint consultation or joint negotiation between the employers and the employees who belong to different labor organizations. However; The State Enterprise Labor Relations Act, B.E. 2543 has specified the different way of bipartite system by having the Relations Affairs Committee as a joint committee between the employers and the employees. The responsibility of the Relations Affairs Committee is to consult jointly with the employers to improve the efficiency of the State Enterprise's performances and to promote the labor relations between the employers and the employees. While for the private sector, there is no similar labor organization as the Relations Affairs Committee specified in the Labor Relations Act, B.E. 2518. However, recently, there is an idea to have the bipartite system in the form of the Relations Affairs Committee between the employers and the employees specified the Labor Relations Act, which will be effective for the private sector. It appears in the new draft Labor Relations Act, B.E. .... which is in the process of the Office of the Secretariat of the Cabinet's consideration.

The draft Labor Relations Act, B.E. 2518 has been modified by the Labor Relations Act, B.E. .... by abolishing the Employees' Committee Provision in Chapter V and adding "The Promotion of the Relations Affairs in the Establishment" in Chapter I instead. The essence of the provision in this Chapter is to set up the Relations Affairs Committee in the establishment. The committee shall consist of both employers' and employees' representatives and shall have the vital role to solve the conflicts, to consider demands and formulate the collective agreement in a matter that will affect the benefits of both parties by organizing joint consultation. Such joint consultation is the

characteristic of the bipartite system using joint committee between the employers and the employees specified in the Labor Relations Law and will be applied to private sectors for the first time. The main reasons of adding the Relations Affairs Committee Provision in the draft are to amend some errors in the Employees' Committee Provision and to strengthen the bipartite system. However, during the consideration process of the draft of Labor Relations Act, B.E. .... , the employees' representatives have argued that organizing relations affairs committee will not amend the errors in the Employees' Committee Provision of the Labor Relations Law, and it would rather weaken labor union's duties and authorities. I then have studied the characteristic of bipartite system in the labor relations and its problems of applying the joint committee between employers and employees into the new draft. I also have studied the bipartite system in labor relations in foreign countries and international labor law in order to analyze what kind of bipartite system will be suitable to the labor relations in Thailand.

As I have studied the bipartite system as mentioned above, I consider that applying bipartite system in the form of joint committee between the employers and the employees through the provisions of the Labor Relations Law can change the relationship between the employers and the employees in a better way and can amend some errors of the Employees' Committee Provision in the Labor Relations Law. However, in order to make the bipartite system in the form of joint committee between the employers and the employees or the relations affairs committee in the new draft Labor Relations Act, B.E. .... be efficient, there should be some modifications in the draft of the Labor Relations Act, B.E. .... and also an approach to change the attitude between the employers and the employees to have more concord toward each other. This will make both employers and employees ready to carry out their own duties as the relations affairs committee and also make the Provision of "The Promotion of the Relations Affairs in the Establishment" be really enforceable and effective in practice.