

DEPARTMENT OF RURAL ROADS, MINISTRY OF TRANSPORT

Thailand Resilient Transport Connectivity and Irrawaddy Dolphin
Conservation Project
(P509460)

LABOR MANAGEMENT PROCEDURES
(Component 1)

May 2025

TABLE OF CONTENTS

	Page
I. Introduction	7
II. Overview of the national labor laws and the requirements of the Environmental and Social Standard 2 (ESS 2)	8
A. Brief overview of national labor laws	8
B. Brief overview of occupational health and safety legislation	9
C. Policies on public health	10
III. Description of the project workers	10
A. Number of project workers	10
B. Characteristics of project workers	12
C. Timing of labor requirements	16
IV. Assessment of key potential labor risks	16
A. Occupational Health and Safety Risks	16
B. Discrimination and Inequal Opportunities	17
C. Misuse of labor contract	17
D. Forced labor	17
E. Child labor	18
F. Migrant Workers	18
G. Harassment in the workplace	18
H. Sexual exploitation and abuse and sexual harassment (SEA/SH)	18
V. Responsibilities and functions of those in charge of the LMP implementation	19
VI. Policies and procedures of the project	20

A. Policies to prevent discrimination and ensuring equal opportunities	20
B. Policies on occupational health and safety	21
C. Policies of address child labor and forced labor issues	22
D. Policies to prevent harassment, sexual harassment, and gender-based violence in the workplace	23
E. Policies to promote free association	24
F. Policies on managing workers' camps	24
G. Policies on misuse of labor contract	24
H. Policies on addressing labor disputes and related issues	24
I. Policies for addressing public health crisis/pandemic Covid-19	24
VII. Labor terms and conditions of the project	25
A. Provision on the contract of employment	25
B. Worker's age	25
C. Minimum wages and bonuses	25
D. Hours of work	26
E. Overtime pay	26
F. Regulation of shifts	27
G. Rest	27
H. Deductions for remuneration	27
I. Mandatory or standard benefits	28
J. Injured and sick workers	28
K. Termination of contract including workers' compensation	28
L. Collective bargaining agreements	29
M. Behavior of the worker (Code of Conduct)	29

VIII. Management of Contractors and Sub-Contractors	29
IX. Complaints and Labor Grievance Management System	30
Annex 1: Assessment of Gaps between Environmental and Social Standard 2 (ESS2) and Thai Labor Regulations	33
Annex 2: Thailand laws and regulations on Work Conditions and Benefits	43
Annex 3: Thailand regulations on safety and health at work	45
Annex 4: Occupational health and safety risks management (Lanta Island Bridge)	48
Annex 5: Occupational health and safety risks management (Songkhla Lake Bridge)	53
Annex 6: Covid-19 guidelines for management of construction site	59
Annex 7: Sample of the Code of Conduct	62
Annex 8: Policy and procedure for the management of workers' camps	65
Annex 9: Laws and regulations on labor disputes	67
Annex 10: Collective bargaining agreements	69
Annex 11: Sample of labor section clause for contracts for the execution and supervision of work	70
Annex 12: Publicly advertised procedures for grievances lodged at the Ministry of Labor	72
Annex 13: Sample Complaints Form for Project Workers	73

LIST OF TABLES

Table 3.1	Estimated number of workers according to contract modality, PMU (based in Bangkok)
Table 3.2	Estimated number of workers according to contract modality, Lanta Bridge Project
Table 3.3	Estimated number of workers according to contract modality, Songkhla Lake Bridge Project
Table 3.4	Estimated Number of Workers According to Project Stages
Table 5.1	Description of LMP responsibilities and functions in the Project
Table 6.1	Applicable laws and regulations relating to Occupational Health and Safety
Table 9.1	Competent authorities to address labor complaints

LIST OF FIGURES

Figure 3.1	Project organization chart
Figure 3.2	Construction supervisor organization chart (Lanta Bridge)
Figure 3.3	Construction supervisor organization chart (Songkhla Lake Bridge)
Figure 3.4	Construction supervisor organization chart for support units
Figure 9.1	DRR complaints and grievances attention flow chart

ABBREVIATIONS AND ACRONYMS

CBA	Collective bargaining agreements
DOH	Department of Health
DRR	Department of Rural Roads
FY	Fiscal year
EIA	Environmental Impact Assessment
EHSg	Environmental health and safety guidelines
ESF	Environmental and Social Framework
ESS	Environmental and Social Standard
GBV	Gender-based violence
IBRD	International Bank for Reconstruction and Development
ILO	International Labor Organization
LMP	Labor Management Procedures
LRA	Labor Relations Act
MNRE	Ministry of Natural Resources and Environment
MOF	Ministry of Finance
MOT	Ministry of Transport
PDMO	Public Debt Management Office
PDO	Project development objective
PMU	Project management unit
PIU	Project implementation unit
OHS	Occupational Health and Safety
SEA/SH	Sexual Exploitation and Abuse and Sexual Harassment
USD	United States Dollar
WB	World Bank

I. INTRODUCTION

1. This document, Labor Management Procedures (LMP), has been prepared within the framework of the Thailand Resilient Transport Connectivity and Irrawaddy Dolphin Conservation Project, a project of the Kingdom of Thailand, with the Department of Rural Roads (DRR) as its Implementing Agency.
2. The project will support the construction of two bridges: the 2.2-km Lanta Island bridge in Koh Lanta, Krabi province and the 7 km-Songkhla Lake bridge connecting Songkhla and Phatthalung provinces. The project development objective (PDO) is to improve resilient transport connectivity to Lanta Island and across Songkhla Lake. The project consists of three major components.

- Component 1: Lanta Island and Songkhla Bridge Construction
 - i. Sub-component 1.1: The 2.2 km-Lanta Island bridge project connects the mainland of Krabi with Koh Lanta, an island of 35,000 people in 2022, whose only source of transportation to the mainland is by ferry. The project is expected to directly reduce travel time, expand transport services, and provide regular and reliable access to trade essential services in Krabi mainland.
 - ii. Sub-component 1.2: The 7 -km Songkhla Lake bridge project, traversing the largest lake in Thailand, will directly reduce the travel time and transport costs for about 308,000 people living in the districts connected by the bridge in Songkhla and Phatthalung.

Transport connectivity for both projects is deemed to enhance resilience as the proposed bridges will serve as emergency evacuation routes in the event of natural calamities and disasters. Development in the three provinces will be spurred by expected growth in tourism, agricultural production, and trade.

- Component 2: Strengthening Environmental and Social Sustainability of Resilient Transport Infrastructure. The component involves support for critical biodiversity management focusing on Irrawaddy dolphin conservation management and ecosystem management of Songkhla Lake.
 - Component 3: Institutional Development and Project Management. The component will involve the DRR, providing implementation support and technical assistance in the aspects of project management, road safety assessment and awareness-raising, construction supervision, procurement, financial management and audit, environmental and social oversight, monitoring and evaluation (M&E), training, and communications.
3. The total cost of the two bridges is estimated at THB 6,678.75 million (approximately USD 195 million). The Thai Government is financing 70 percent of the project cost through a proposed IBRD loan of USD 136.5 million. The remaining 30 percent of USD 58.5 million will be financed with the country's FY 2023 budget.

4. The Environmental Impact Assessment (EIA) studies for the Lanta Island and Songkhla bridge projects have identified the potential risks and impacts on project workers. The purpose of this LMP is to establish the guidelines on labor matters, including the issues of health and safety at work, child labor, fair treatment, non-discrimination and equal opportunities for project workers. The LMP sets out the approach to meet all national labor requirements as well as the objectives of the World Bank's Environmental and Social Framework (ESF), specifically objectives of Environmental and Social Standard 2: Labor and Working Conditions (ESS2).
5. The LMP was prepared by the DRR to manage and mitigate related risks and impacts. In particular, the LMP will ensure that project development and implementation will adhere to labor and employment standards on the aspects of: (i) promoting worker health and safety; (ii) promoting fair treatment, equal protection and non-discrimination; (iii) preventing child labor and forced labor; (iv) addressing the issue of harassment, sexual harassment, and gender based violence (GBV) in the workplace; (v) supporting free association of workers in a manner consistent with national laws; (vi) managing workers' camps; (vii) preventing the misuse of labor contracts; (viii) providing project workers with mechanisms to raise concerns; and (ix) protecting project workers from Covid-19 and other public health risks.
6. It should be noted that the context in which the Project will be implemented requires particular attention to the following aspects: occupational health and safety (OHS), discrimination and unequal opportunities, misuse of labor contract, forced labor, child labor, and harassment in the workplace, among others.

II. OVERVIEW OF THE NATIONAL LABOR LAWS AND THE REQUIREMENTS OF THE ENVIRONMENTAL AND SOCIAL STANDARD 2 (ESS 2)

The LMP has been prepared in accordance with the applicable Thai laws and regulations, international agreements and conventions on labor matters ratified by Thailand before international organizations such as the International Labor Organization (ILO), applicable general and industry-specific Environment, Health and Safety Guidelines (EHSGs) adopted by the World Bank Group and the Environmental and Social Framework (ESF) of the World Bank. It serves to provide for minimum working conditions for the development of the Project, and aims to address the labor risks and issues that may arise during Project implementation. The project will conform to the national laws and regulations which are largely consistent with ESS2.

A. Brief Overview of National Labor Laws

7. The Constitution of the Kingdom of Thailand includes several provisions related to labor rights and protection, including provisions for fair wages and welfare, safety of work conditions, and the right to form and join labor unions.¹ The Labor Protection Act B.E. 2541 (1998) amended B.E. 2562 (2019), is the main labor law in Thailand which provides basic rights and protection for all workers, including migrant workers. It covers various aspects of employment such as wages, working hours, leave entitlements, termination of employment, and occupational health and safety. The Act also provides for penalties and enforcement mechanisms for non-compliance by employers. The Labor Relations Act B.E. 2518 (1975) regulates conflicts arising between employers and employees by establishing procedures for labor negotiations. The

¹ Constitution of the Kingdom of Thailand (2017). Articles 42 and 74

Compensation Act B.E. 2537 (1994) provides compensation to employees who are injured, disabled or killed as a result of work-related accidents or illnesses. The Department of Labor Protection and Welfare, under the Ministry of Labor and Social Welfare, is charged with implementing labor laws and performing labor inspections throughout the country. The main Thai labor laws are summarized in Annex 2.

8. Government workers in Thailand are governed by the Civil Service Act B.E. 2551 (2008). The Civil Service Act establishes rules and procedures for the recruitment, selection, appointment, and promotion of civil servants, as well as their rights and obligations while employed.

B. Brief Overview of Occupational Health and Safety Legislation

9. The primary legislation that regulates OHS in Thailand is the "Occupational Safety, Health and Environment Act, B.E. 2554 (A.D. 2011)" (hereafter referred to as the "OSH Act"), which was endorsed by a Cabinet Resolution in December 2010. As defined under the OSH Act 2011, "Occupational Safety, Health and Environment" means actions or working conditions that are safe from any cause resulting in danger to life, physique, mentality, or health arising out of or related to work. Despite the recent passage of the law, extensive regulations on OHS in Thailand were already in place under the Labor Protection Act.
10. The OSH Act requires employers to provide and keep safe hygienic working conditions and environment, including preventing harm to employees' lives, physique, mentality and health. The OSH Act is mostly consistent with ESS2 of the World Bank's Environmental and Social Framework (ESF). The occupational safety and health aspects in the legislation which relate to the requirements set out in ESS2; namely, paragraphs 24 to 30, are summarized below.
 - The employer will conduct hazard assessment, study the impact of working environments on workers, and prepare an operation plan on occupational safety, health and environment, and supervisory plans (OSH Act, Section 32).
 - Whereas an employer assigns an employee to work in a working condition or environment that may be harmful to life, physique, mentality and health of such employee, the employer shall inform the employee of danger which may arise out of work, and shall distribute the work manual to every employee before commencing work, changing work or changing workplace (OSH Act, Section 14).
 - When a severe incident, danger, or illness from work arises, the employer shall report the detail to the safety inspector in writing by specifying the cause of dangers, damages or injuries, corrective and preventive measures to prevent any recurrence within seven days from the incident date. (OSH Act, Section 34)
 - Employers are responsible for sicknesses and/or injuries their employees incur due to work, including treatment, disability compensation, annuity to the family, and funeral expenses, as applicable. (Compensation Act, ss13 and 15-20)

- An employer shall provide an occupational safety, health and environment training to be attended by executives, supervisors and employees in order to safely administer, manage and execute the occupational safety, health and environment plan. (OSH Act, Section 16)
- An employer shall arrange to have a safety officer, or personnel, working unit, or a group of individuals to carry out safety matters in every establishment according to the criteria, methods and conditions as prescribed in the Ministerial Regulations (OSH Act, Section 13).

C. Policies on Public Health

11. The primary public health law is the Public Health Act B.E. 2535 (1992). For COVID-19 measures related to construction, the Department of Health (DOH) of the Ministry of Public Health issued Measures and Operational Guidelines for the Management of Construction Sites and Temporary Accommodation for Construction Workers in the Prevention and Control of the COVID-19.² These included guidelines for prevention and control measures for COVID-19; registration of workers; measures for preventing COVID-19 in construction sites and worker camps; preparation of preparedness action plans; establishment of construction sites bubble and seal systems; managing COVID-19 infected cases in worker camps; labor evacuation; and enhancement of public health management in construction sites during outbreaks of COVID-19.

III. DESCRIPTION OF PROJECT WORKERS

A. Number of project workers

12. The tables below show the total estimated number of workers that will be employed by the Project, including the overall Project Management Unit (PMU). As of September 2023, the projects are estimated to have 514 project workers. These consist of 21 direct workers in the PMU, which are shared by the two bridge projects, 229 project workers in Lanta and 264 project workers in Songkhla. The numbers provided for Lanta and Songkhla do not include primary supply workers which would be estimated by the contractor prior to construction. The number of workers will be updated prior to the start of construction activities and throughout the implementation of the project. This will include the number of primary supply workers and migrant workers, both regional and international, as applicable.

² Department of Health (2021). [https://env.anamai.moph.go.th/th/covid-19/download/?did=207007&id=80481&reload=\(in Thai\)](https://env.anamai.moph.go.th/th/covid-19/download/?did=207007&id=80481&reload=(in%20Thai)).

Table 3.1 Estimated Number of Workers according to Contract Modality, PMU (based in Bangkok), July 2023

N°	Type of Project Workers for PMU	Number
1	Direct Workers	
	Individual Contract of Service - Consultants for project preparation (11) - Environmental consultant (1) - Social development consultant (1) - Other support staff (1)	14
	Government workers - Project Director (1) - Project Engineers (2) - Administrative Officers (2) - Finance support (2 – support from Bureau of Financial Management)	7
Total number of project workers in the PMU:		21

Table 3.2 Estimated Number of Workers according to Contract Modality
Lanta Bridge Project, July 2023

N°	Type of Project Workers	Number
1	Direct Workers	
	Individual Contract of Service - PIU support staff (1)	1
	Government worker - Project engineer (1) - Civil engineer (2)	3
2	Contracted Workers	
	Construction Technical Supervisor and Support Unit	45
	Contractor construction workers (unskilled) construction workers (skilled)	104 76
3	Primary Supply Workers [name of primary supplier/s to be provided]	TBD
Total number of project workers in Lanta Bridge Project (excludes Primary Supply Workers):		229

Table 3.3 Estimated Number of Workers according to Contract Modality
Songkhla Lake Bridge Project, July 2023

N°	Type of Project Workers	Number
1	Direct Workers	
	<i>Individual Contract of Service</i> - PIU support staff (1)	1
	<i>Government worker</i> - Project engineer (1) - Civil engineer (2)	3
2	Contracted Workers	
	Construction Technical Supervisor and Support Unit	100
	<i>Contractor</i> construction workers (unskilled) construction workers (skilled)	67 93
3	Primary Supply Workers [name of primary supplier/s to be provided]	TBD
Total number of project workers in Songkhla Lake Bridge Project (excludes Primary Supply Workers):		264

B. Characteristics of project workers

- **Direct Workers**

13. Direct workers are those who are engaged directly by the DRR either as part of the PMU or are professionals hired to provide technical and advisory services. In this Project, it is estimated that 19 direct workers will be engaged directly by DRR.

- The PMU in Bangkok will comprise a project director, project engineers, financial support staff, administrative staff, and environmental and social staff, and consultants. A total of **21** workers will be employed during different stages of the project: **8** workers will be employed full time; 2 financial staff will be sourced from the Bureau of Financial Management; and 11 consultants will be employed for project preparation. Among these workers, **16** workers are to be employed during the pre-construction phase.
- The Sub-Project Implementation Unit (PIU) will be established in Krabi and Songkhla. Each PIU is planned to employ 4 direct workers. The PIU staff will consist of a project engineer, civil engineers, and other support staff as demonstrated in Figure 3.2 (Lanta) and Figure 3.3 (Songkhla).
- Government workers employed in PMU and PIU are not contracted directly by the Project. They hold civil service contracts and will retain their status as civil servants. They will be supporting the project or work at the PMU or PIU as assigned. It is estimated 13 government workers will be working to support the Project.

- **Contracted workers**

14. Contracted workers are workers employed or engaged through third parties to perform work related to core functions of the project. The main contractors for the projects are (i) construction technical supervision (consultant firm); and (ii) construction contractors.
15. **Construction Technical Supervisors.** DRR will contract a Construction Supervision consultant firm to provide supervision to the construction activities of contractors. Figures 3.2 to 3.4 show the organizational charts for the construction supervision consulting firm and the support unit for the project. Not all positions are full-time during the construction period. Some technical workers will be hired for specified periods only on an as needed basis.
16. **Construction workers.** Approximately 340 construction workers (180 for Lanta bridge and 160 for Songkhla Lake bridge) will be employed by the contractors or sub-contractors for the construction of the bridges. The construction workers will comprise project managers, construction managers, technicians, and skilled and unskilled laborers. Among the construction workers, it is estimated by DRR that: (i) for Lanta bridge, 42 percent will be skilled workers and 58 percent will be unskilled workers; and (ii) for Songkhla Lake bridge, 58 percent will be skilled workers and 42 percent will be unskilled workers. The number of migrants workers will be determined as the contractors that will be sourced through international competitive bidding (ICB) are selected and approved. Local workers could be employed by the contractors to work as unskilled workers. There is no regulation in Thailand that imposes a certain percentage of total workers in public projects to be filled up by local workers. DRR will encourage contractors to adopt a policy of hiring local workers consistent with the labor-related recommendations in the government-approved EIAs.

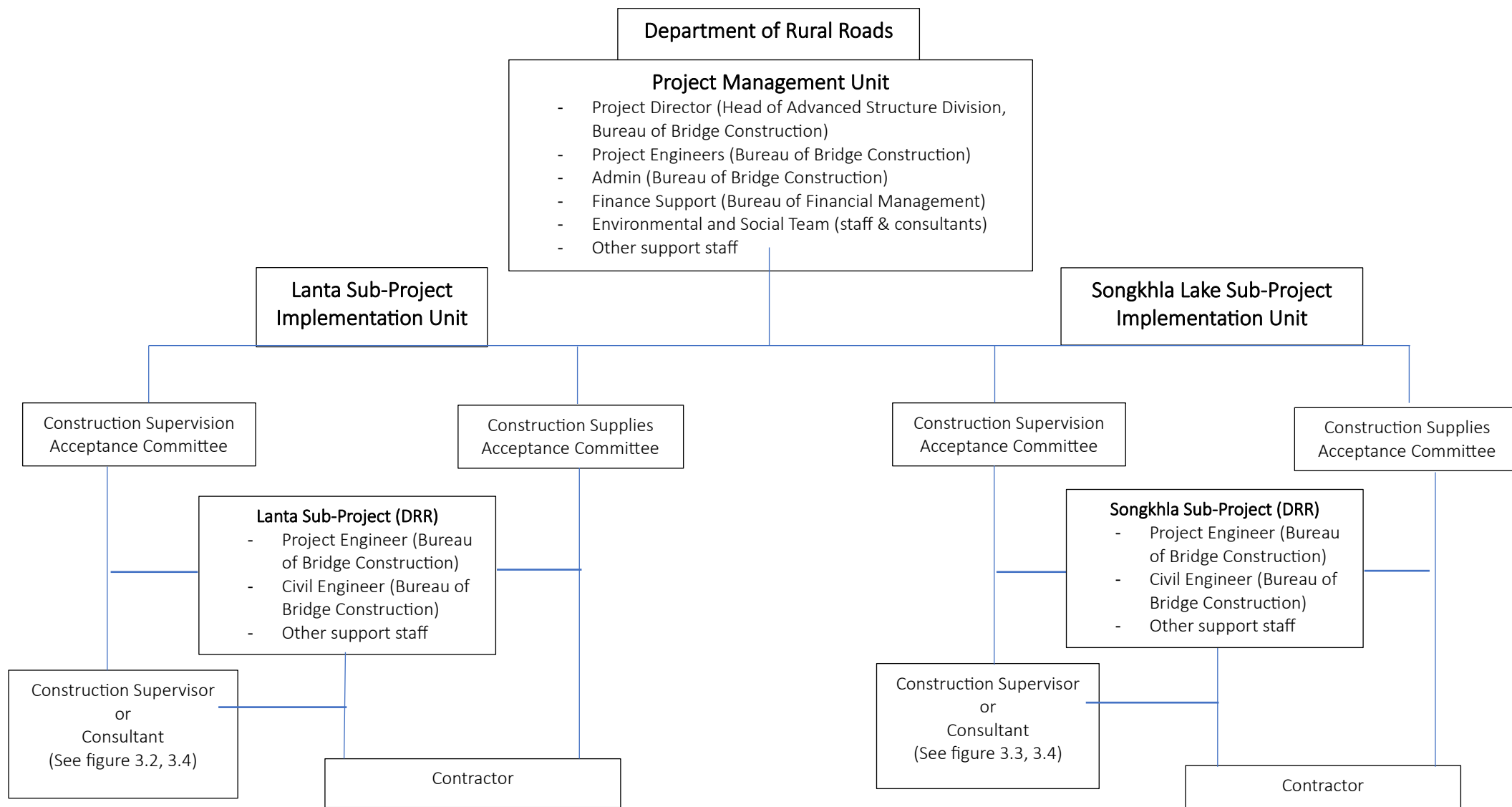


Figure 3.1 Project Organization Chart, July 2023

Figure 3.2 Organization Chart for the Construction Technical Supervisor
Lanta Bridge Project, July 2023

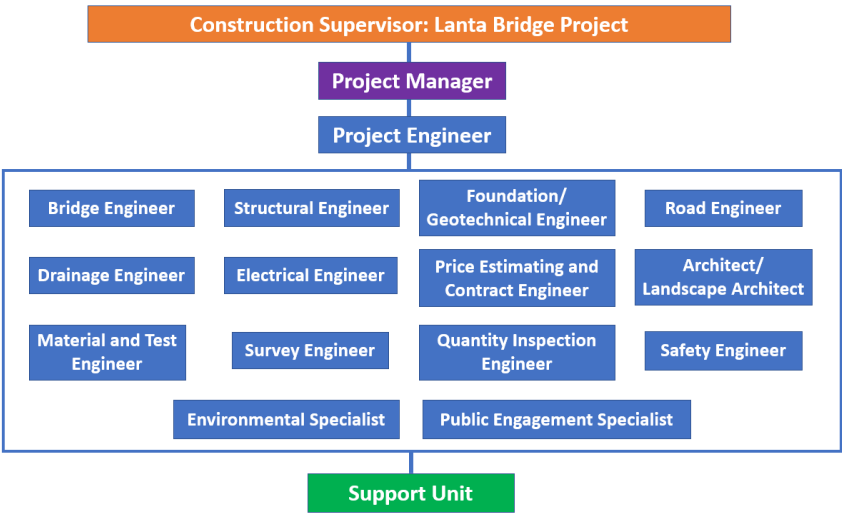


Figure 3.3 Organization Chart for the Construction Technical Supervisor
Songkhla Lake Bridge Project, July 2023

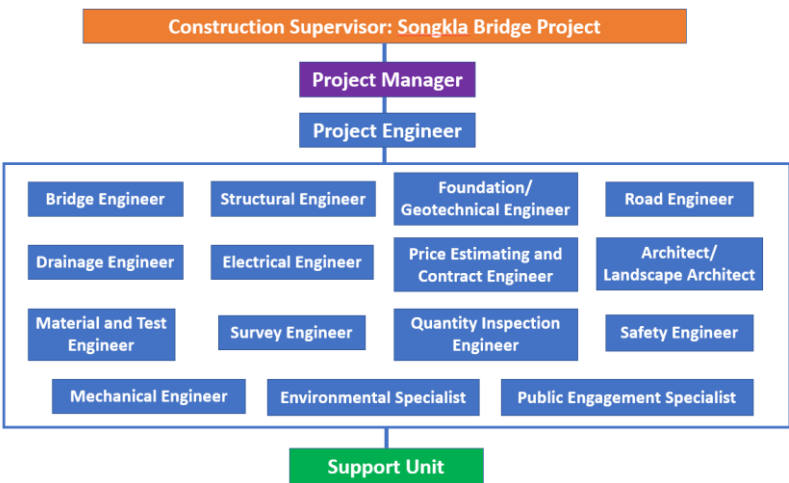
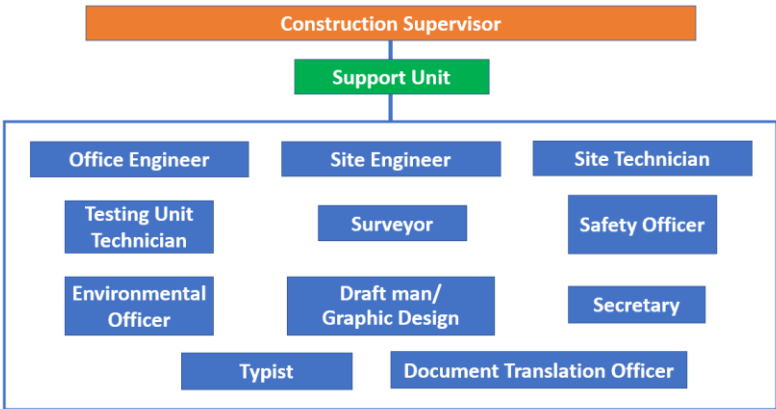


Figure 3.4 Organization Chart for the Construction Supervisor Support Units, July 2023



- **Primary supply workers**

17. The contractor will propose primary suppliers to the Construction Technical Supervisor and DRR. With the Construction Technical Supervisor, DRR will evaluate their qualifications and their goods and/or in accordance with the Product/Service Specifications which will be part of the contract document. The number of suppliers and their workers cannot be estimated at this time as primary suppliers are not yet identified. The LMP will be revised once labor-related information from primary suppliers are gathered, reviewed and approved by the DRR. DRR will ensure that the contractors will adopt applicable measures of the LMP for primary supply workers in accordance with ESS2, i.e., prohibitions against child labor and forced labor, and OHS measures.

18. Component 1 activities for the Lanta and Songkhla bridge projects will not likely engage the community workers. The need for community workers will be assessed before construction and during implementation (e.g., participation of communities in environmental monitoring). If community workers will be needed, the LMP will be updated with the required number and the relevant ESS2 measures on working conditions and OHS, and the prevention of child labor and forced labor.

C. Timing of labor requirements

19. It is estimated that the duration of the Project will be 3 years. It is expected that the Project will begin on Jan 2024 and will conclude on Dec 2026. The Project includes the following phases as demonstrated in Table 3.4.

Table 3.4 Estimated Number of Workers According to Project Stages, July 2023

Stage	Duration (months)	Direct Workers	Contracted Workers	Primary Supply Workers	Total
<i>Pre-Con</i>					
PMU	8	5	11	0	16
<i>Construction</i>					
PMU	36	10	0	0	10
Lanta bridge	36	4	225	TBD	229
Songkhla Lake bridge	36	4	260	TBD	264

IV. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

20. In order to implement prevention and mitigation measures, the Project has identified the following risks that project workers could face during project implementation.

A. Occupational Health and Safety Risks

- Construction poses occupational health and safety risks, including physical and psychological hazards. Physical risks arise from exposure to dust, exhaust fumes, noise, and

vibrations resulting in respiratory diseases, hearing loss, visual impairments, impairments and diseases caused by working over and under water and other related health issues. Contributing factors include dust particles, air and water quality, sound levels, surface water contamination, vibrations, accidents, and inadequate sanitation.

- Additionally, there are occupational health risks associated with accidents, work-related illnesses, and unsafe working environments. The construction of the bridges includes working over water and the risks of collision with and between water transport vehicles. Potential risks from the workplace are workers falling into the water, drowning, and submersion injury, especially for the workers who cannot swim. Potential situations could arise from the construction of the bridges, which requires working over heights for the bridge columns and the bridge girders. The workers have a risk of falling into the ground or on water.
- Further details on these occupational health and safety risks and proposed mitigation can be found in the Annex 3. Policies on water-related risks and policies for safety from working with heights are described in Section VI (B) of this report.

B. Discrimination and Unequal Opportunities

- Risks of discrimination in the hiring process and treatment of workers, especially migrant workers. Construction work in Thailand often involves migrant workers, who may be at risk of receiving lower wages and performing their work under inferior working conditions and accommodation, often among unskilled migrant workers.
- Women are often underrepresented in the construction industry and may face discrimination in terms of hiring, pay, and training opportunities. Women are also prone to GBV risks in the workplace.

C. Misuse of Labor Contract

- Risks in the possible misuse of the labor contract may include unclear terms and conditions of employment, contract substitutions (i.e., using a temporary contract for long-term work to avoid providing long-term benefits or protection), underpayment, or delayed payment of wages.

D. Forced Labor

- Within the Project's context, the potential risks associated with forced labor could fall on contracted/sub-contracted construction workers. These include debt bondage, human trafficking, forced recruitment, withholding of wages, imposing excessive working hours, restricting workers' movements, and using threats or abuse to coerce them into working. Additionally, there are potential GBV-related risks which could encompass various forms of physical and sexual abuse or emotional violence.

E. Child Labor

- In ESS2, the minimum working age is 14 years. In comparison, Thailand's Labor Protection Act (Chapter 4) sets a higher age requirement of 15. For the purposes of this Project, no children under 15 years of age will be employed and any form of child labor will be disallowed. The potential risks of child labor, particularly in construction-related activities, may involve employing underaged children, exposing young workers to physical and mental harm, such as working at heights or underwater, handling dangerous machinery and tools, taking them away from their families, and housing them in unfit conditions or in living quarters together with adults. Furthermore, children working in construction are constrained from attending school, limiting their opportunities for personal growth. Additionally, there are risks of wage exploitation, such as paying children lower wages than adults or forcing them to work longer hours or in worse conditions. Children are also vulnerable to trafficking, especially migrant children.

F. Migrant Workers

- In addition to the risks related to discrimination Section 2 (Discrimination and Unequal Opportunities), there are additional risks associated with migrant workers in the project. These risks include health and communicable diseases. Migrant workers without proper legal status are particularly vulnerable to exploitation, including the risk of forced labor. Furthermore, the language barriers that migrant workers often face can hinder effective communication on construction sites, with surrounding communities, and their access to and use of the grievance redress mechanisms for project workers. These conditions could result to conflict with other workers, increased safety risks, and difficulties in accessing necessary information, resources, and assistance from the project and other concerned agencies.

G. Harassment in the Workplace

- Potential situations of workplace harassment that could arise, including verbal and physical abuse, intimidation or threats, cyberbullying, denial of advancement opportunities, and unreasonable or excessive work demands.

H. Sexual exploitation and abuse and Sexual Harassment (SEA/SH)

- The risks of sexual exploitation and abuse and sexual harassment (SEA/SH) in the project have been assessed using the World Bank's SEA/SH screening tool. The current SEA/SH risk rating is 'low' because of the low likelihood of labor influx given the number of project workers and the priority hiring of local labor. The risk level, though, could increase should the contractor bring in more migrant labor and primary supply workers than expected. The hiring of female project workers is also unknown at this stage, their exposure to construction work, and whether they will be housed in predominantly male workers' camps. Other than direct employment, women's indirect employment as informal laborers (e.g., vendors, laundry services) could expose them to SEA/SH risks in the camps and construction sites. Among primary supply workers, the presence of paid security personnel deployed in construction sites and the workers' camps could be a cause for concern. The

EIAs lacked any systematic assessment of SEA/SH risks as women's groups were not engaged in previous public consultation activities. The impact of bridge construction activities on women and girls have not been thoroughly studied, i.e., their use of connecting roads for commuting or pedestrian access and the siting of soil dumping sites near schools and temples

V. RESPONSIBILITIES AND FUNCTIONS OF THOSE IN CHARGE OF THE LMP IMPLEMENTATION

21. All obligations on labor matters assumed by DRR will be transmitted, through contractual clauses, to contractors or third parties in order to guarantee compliance with the LMP. However, the responsibility to supervise and guarantee compliance will fall on certain staff, bureaus and divisions within DRR and the PMU.

Table 5.1 Description of LMP Responsibilities and Functions of the Project, July 2023

N°	Institutions involved	Key functions within the Project	Responsible for area
1	DRR	Responsible for developing policy and overseeing project compliance with current labor regulations and the LMP	Bureau of Bridge Construction
		Develop and ensure implementation of grievance mechanisms for the project	Bureau of Bridge Construction DRR Staff
		Defining staffing needs in the PMU and PIUs	Bureau of Bridge Construction
		Managing contract of the construction technical supervisor consultant firm and contractors for construction	Fiscal Division (Procurement and HR is under this Division) and Bureau of Bridge Construction
		Ensuring labor matters included in the contractual clauses of contractors and enforce compliance	Bureau of Bridge Construction
2	Project Management Unit (PMU)	Responsible for overseeing project compliance with current labor regulations and the Labor Management Procedure (LMP).	Project Director (DRR) Project Engineer (DRR)
		Overseeing implementation of safety and health in the workplace.	Project Director (DRR) Project Engineer (DRR)
		Implement grievance mechanisms for the project	Project Director (DRR) Project Engineer (DRR) Project Staff (DRR)
		Coordinate with external agencies such as MOL on labor protection issues and grievances.	Project Director (DRR) Project Engineer (DRR)

N°	Institutions involved	Key functions within the Project	Responsible for area
3	Sub-Project Implementation PIUs	Responsible for overseeing LMP compliance	Project Engineer (DRR) Project Staff (DRR)
		Manage complaints or grievances of workers.	Project Engineer (DRR) Project Staff (DRR)
		Disseminate LMP to construction supervisor consultants and contractors	Project Engineer (DRR) Project Staff (DRR)
4	Construction Technical Supervisors Consultant Firm	Hiring and administration of their contracted workers.	Head of supervisor firm
		Responsible for complying with current labor regulations and the LMP.	Head of supervisor firm All supervisor staff
		In charge of safety and health in the workplace	Safety Engineer
		Manage complaints or grievances of workers..	Project Director (Supervisor)
		Disseminate the LMP among workers and carry out trainings	Project Director (Supervisor)
5	Contractors and subcontractors	Responsible for complying with current labor regulations and the Labor Management Procedure (LMP).	Project Director (Contractor) Contractor Staff
		Hiring and administration of construction workers.	Project Director (Contractor)
		In charge of safety and health in the workplace	Project Director (Contractor) Contractor Staff
		Manage complaints or grievances of workers.	Project Director (Contractor) Contractor Staff
		Disseminate the LMP among workers and carry out trainings.	Project Director (Contractor) Contractor Staff

VI. LABOR POLICIES AND PROCEDURES OF THE PROJECT

22. DRR as well as the contractor and subcontractor shall abide by the following national and international regulations to provide equal opportunities, and manage health, safety and working conditions of all project workers.

A. Policies to Prevent Discrimination and Ensure Equal Opportunities

23. The ILO conventions to be applied include the C 100 -Equal Remuneration 1951; and C111-Discrimination (Employment and Occupation 1958) Conventions. Discrimination means denying someone a job or training on the basis of a factor, which does not affect their ability

to perform that job. For example, because they are from a particular region, ethnic group, or because they are women. The Project is committed to ensuring that men and women hired for work receive equal rates of pay for equal types of work. It will not discriminate in its hiring and employment practices on any basis of sex, race, culture, religion, sexual orientation, or other aspect as per ILO convention.

B. Policies on Occupational Health and Safety

24. The Project will be carried out in a proper and appropriate manner, and in compliance with the relevant labor regulations. DRR will ensure compliance with the laws and standards that are currently in effect and any future laws that may be enforced. Details of the relevant laws and regulations are in Table 6.1 below.

Table 6.1 Applicable Laws and Regulations relating to Occupational Health and Safety

No.	Laws and regulations	Relevant Details
1	The Occupational Safety, Health, and Environment Act, B.E. 2554 (A.D. 2011)	Management of working conditions and work environment.
2	Ministerial Regulation Prescribing the Standard for Administration and Management of occupational Safety, Health and Environment for Construction Work, B.E. 2564 (A.D. 2021)	Establish guidelines and requirements for management construction projects, including risk assessment, safety training, protective equipment, emergency preparedness, wastemanagment noise control, environment protection.
3	Ministerial Regulation on Administration and Management of the Aspect of Occupational Safety and Health and Working Environment relating to Machines, Cranes and Boilers, B.E. 2552 (A.D.2009)	Chapter 1 – Machines Chapter 2 - Cranes
4	Ministerial Regulation on the Standard for Administration and Management of Occupational Safety, Health and Environment in relation to Fire Prevention and Control, B.E. 2555 (A.D. 2012)	Category 1: General provisions Category 2: Safety of buildings and evacuation routes Category 3: Firefighting Category 8: Operations for safety from fire and reporting.
5	Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Environment in relation to Hazardous Chemicals, B.E. 2556 (A.D. 2013).	Covering the definition of hazardous chemicals and requirements to ensure safe work with hazardous chemicals.

No.	Laws and regulations	Relevant Details
6	Announcement of the Department of Welfare and Labor Protection regarding the Portable Fire Extinguisher Standards B.E. 2556 (A.D. 2013)	No. 2: Standards of Portable Fire Extinguisher
7	Safety Guidelines for Construction Work over/near Water, as prescribed by Marine Industrial Safety Section, Marine Department	Includes measures to mitigate hazards from water-related risks associated with bridge construction.
8	Safety Management on Working at Height Standard (SHS 101 : 2018), as prescribed by Thailand Institute of Occupational Safety and Health. The full book on safety management guidelines and the Ministerial Regulation can be accessed using the QR codes below.	The measures aim to ensure safety from working with heights during bridge construction. The policy is in accordance with “Ministerial Regulation on the Prescribing of Standard for Administration and Management of Occupational Safety, Health and Environment in Working with Height”.



Safety Management on Working
at Height Standard



Ministerial Regulation in
Working with Height

C. Policies to Prevent Child Labor and Forced Labor

25. **Child Labor.** In accordance with the the Labor Protection Act (Chapter 4) of Thailand and for the purposes of this Project, no children under 15 years of age or any form of child labor will be employed. Additionally, minors under 18 years of age will not be employed in jobs that pose a risk to their health, physical, mental, moral, or social development, in accordance with the Labor Protection Act³ and the World Bank's ESS2.⁴

³ For employment of children age 15-18, see reference to Labor Protection Act (1998), Section 45-52.

⁴ See reference to ESS 2 paragraph 18 (footnote 13) of the World Bank Environmental and Social Framework. Work considered hazardous for children is work that, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety, or morals of children. Examples of hazardous work activities prohibited for children include work: (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents or processes, or to temperatures, noise or vibration

26. **Forced labor.** All work required of an individual under threat of any penalty and that is not done voluntarily, that is, there is no consent, will be considered forced labor. DRR will not allow this type of act pursuant to the Thai Constitution,⁵ the Labor Protection Act B.E. 2541 (1998) amended B.E. 2562 (2019), Prevention and Suppression of Trafficking in Persons Act B.E. 2551 (2008) amended (No.3) B.E. 2560 (2017), Anti-trafficking in Persons Act B.E. 2561 (2018), and ESS2 of the World Bank.

D. Policies to Prevent Harassment, Sexual Harassment, and Gender-Based Violence in the Workplace

27. The Project considers sexual harassment in the work-related environment a serious offense. Section 16 of the Labor Protection Act states that "No employer, person in charge, supervisor, or work inspector shall commit sexual abuse, harassment, or nuisance against an employee." DRR will also ensure compliance with the Civil Service Act B.E. 2551 (2008), Section 13 (8) and the Regulations of the Office of the Civil Service Commission (OCSC) regarding the Act of Sexual Harassment, B.E. 2553 (2010).
28. DRR requires that all contractors maintain labor relations with surrounding communities through a Code of Conduct. The Code of Conduct commits all persons employed by the contractor, including sub-contractors and suppliers, to acceptable standards of behavior. The Code of Conduct must include punishments for non-compliance, including non-compliance with specific policies related to GBV, sexual exploitation, and sexual harassment (e.g., termination). The Code of Conduct should be written in an understandable language, with appropriate translations to cater to migrant workers that could be employed by the Project. A sample of a Code of Conduct is presented in Annex 7. The Code of Conduct will be signed by each worker to signify that they have:
- Received a copy of the Code of Conduct as part of their contract;
 - Had the Code of Conduct explained to them as part of induction process;
 - Acknowledged that adherence to this Code of Conduct is a mandatory condition of employment;
 - Understood that violations of the Code of Conduct can result in serious consequences, up to and including dismissal, or referral to legal authorities
29. Awareness on GBV and its prevention will be addressed through mandatory training and awareness raising for the workforce about refraining from unacceptable conduct toward local community members and fellow workers, specifically women. The workers will be informed about national laws that render sexual harassment and GBV a punishable offence.

damaging to health; or under difficult conditions such as work for long hours, during the night or in confinement on the premises of the employer.

⁵Constitution of the Kingdom of Thailand B.E.2560 (2017), Section 30. Section 30. *Forced labour shall not be imposed, except by virtue of a provision of law enacted for the purpose of averting public calamity, or when a state of emergency or martial law is declared, or during the time when the country is in a state of war or armed conflict.*

https://www.krisdika.go.th/documents/67673/181643/837163_0001.pdf/3d0aab10-e61f-03a4-136a-75003ce4c625

E. Policies to Promote Free Association

30. All contractors of the Project will need to recognize the freedom of its employees and those of its sub-contractors to be able to participate in collective bargaining agreements. Workers shall be allowed to establish and join work-based organizations if they wish to negotiate wages and other working conditions. In the case of Thailand, an example of these organizations are called 'employee welfare committees'. The Thailand Labor Relations Act, B.E. 2518 (1975) regulates the establishment, registration and management of labor unions and provides for other related matters.

F. Policies on Managing Workers' Camps

31. Management of workers' camps will be abide by the minimum guidelines indicated in the EIA⁶. As detailed in Annex 8, these guidelines refer to the management of office, living and other places within the scope of the project department, including camp fire management, environmental sanitation, and canteens. All staff of the DRR, the supervisors, and the contractors will abide by these minimum requirements. The personnel assigned to workers' camp management or the hiring of third-party contractors to do so will be determined before project construction, and the LMP will be updated accordingly, e.g., number of and provisions applying for contracted workers.

G. Policies on Misuse of Labor Contract

32. The Project shall guarantee the correct relationship between its activities and its employment contract and the terms and conditions under national labor legislations. For this reason, DRR will monitor compliance with the conditions and benefits according to the corresponding Contracting Modality. If there is any case of misuse of labor contract, DRR shall guarantee that the corresponding rights of the worker are recognized, and that the labor contract is not contrary to law, morals, good customs, public order, or public policy.

H. Policies on Addressing Labor Disputes and Related Issues

33. The Project shall promote fairness, reason and lawful terms and conditions to all the project workers so that to prevent labor disputes during the implementation. The relevant laws on labor disputes are described in Annex 9.
34. There shall be an efficient Grievance Redress Mechanism (GRM) to address any issues that may arise during the existence of the contract. The GRM for project workers is described in Section 9.

I. Policies for Addressing Public Health Crisis and Pandemics

35. The measures to mitigate risks of COVID-19 and other risks to public health will be prepared in accordance with national laws, i.e., "Measures and Regulations for the Management of Construction Sites and Construction Worker Camps in Response to COVID-19", as prescribed

⁶ EIA Reports: (i) Lanta Island bridge project. Section 5.2.4.4, (ii) Songkhla Lake bridge Pproject. Section 2.4

by the Bureau of Environmental Health, Department of Health in 2021. The specific policies and measures are in Annex 6.

VII. LABOR TERMS AND CONDITIONS OF THE PROJECT

A. Provisions on the Contract of Employment

36. There is no general mandatory requirement for an employment contract to be in writing, and an employment contract can be formed when one party accepts another's offer of work. An employment contract is defined under the Labor Protection Act BE 2541 (1998) as an agreement, either written or verbal, that clearly or implicitly states that the employee agrees to work for the employer and that the employer agrees to pay a wage throughout the work period. However, as an exception to the above, a fixed-term employment contract must be made in writing for project workers. In addition, in practice, it is advisable for a written employment contract to be used in any event as it provides documentary evidence of the employment relationship and also provides certainty as to the terms agreed.

37. *Contract Terms and Conditions.* Under the applicable regulations, a written employment contract will be used in the Project where the following key terms and conditions will be stipulated.

- The identity of the parties
- An agreement to hire
- A description of the work to be performed
- The duration of the employment (if for a definite term)
- The wages and other compensation to be paid, including benefits mandated under the law
- The effective date of the contract
- The signatures of the parties

B. Worker's Age

Under no circumstance, children under 15 years of age will be engaged for any kind of work as per Chapter 4, Section 44 of the Labor Protection Act B.E. 2541. Children aged between 15 and 18 years can be engaged for non-hazardous or unskilled activities in accordance with the Labor Protection Act B.E. 2541 and the World Bank's ESS2. Examples of the activities are cleaning the labor camp and the construction site, manning traffic detours set up during construction, distributing public participation brochures, and washing truck wheels to reduce air pollution. The age of the employees should be verified by valid documents such as ID card or passport.

C. Minimum Wages and Bonuses

38. Workers shall be paid at a rate not below the applicable minimum wage. The minimum wage differs from one province to another in Thailand. The daily minimum wage is announced by the National Wage Committee of Thailand from time to time. Under Thai law, an employer must

pay wages to the employee at their workplace. The employee must give prior written consent to being paid by other methods (for example, by remittance to the employee's bank account).

39. The bonus payment will be according to the Labor Protection Act BE 2541 (1998), which indicated that any bonus payment or extra month of salary is not mandatorily required and is considered to constitute an extra benefit that an employer can provide to an employee. The employer generally has complete discretion to determine the amount of any such discretionary bonus. However, where an employer has announced that it has a work policy of granting a bonus, this effectively becomes a working condition, which can then only be cancelled or reduced with the affected employees' express consent.

D. Hours of Work

40. Normal working time shall not exceed 8 hours a day. If a working day is shorter than eight hours, it can be extended to up to nine hours by mutual agreement, but normal working time cannot total more than 48 hours a week. Any additional hours worked above the normal working time is classed as overtime and is subject to overtime pay. Where the work performed may be harmful to the health and safety of the employee, the normal working time cannot exceed seven hours a day and 42 hours a week.

E. Overtime Pay

41. When project workers are required to work overtime, it must obtain the worker's prior consent (ideally, in writing), except where the nature or the type of the work necessitates continuous performance, or where any suspension to work may cause damage to the work, or where it is emergency work. The maximum amount of overtime permitted is capped at 36 hours per week.
42. Under Thai law, employees are entitled to overtime pay at the rates provided below. There are exceptions to this entitlement to overtime pay for certain occupations and positions (for example, for managers who have supervisory authority and whose scope of duties includes the power to recruit new staff, grant salary increases or bonuses or to dismiss employees). These types of executive employees can work over eight hours per day without being entitled to overtime pay (though the parties can agree to provide overtime pay should they so wish). The rates at which overtime pay must be paid depend on when the overtime is worked (on a normal working day, during normal working hours on a holiday, or outside of normal working hours on a holiday), and the rates are as follows:
- *Overtime worked on a normal working day:* where the employee works overtime on a normal working day, the employer must pay overtime pay at a rate of at least 1.5 times the normal hourly rate of pay for the number of overtime hours worked. Where the employee receives wages on a piece rate basis, the employer must pay at least 1.5 times the normal piece rate wages for any overtime worked.
 - *Overtime worked during normal working hours on a holiday:* where the employee works overtime during normal working hours on a holiday (that is, during the employee's holiday, on a public holiday, or on a day that would ordinarily be the employee's rest day), the employer must pay overtime pay at a rate of at least two times the normal

hourly rate of pay for the number of overtime hours worked. Where the employee receives wages on a piece rate basis, the employer must pay at least two times the normal piece rate wages for any overtime worked.

- *Overtime worked outside of normal working hours on a holiday:* where the employee works overtime outside of normal working hours on a holiday (that is, during the employee's holiday, on a public holiday, or on a day that would ordinarily be the employee's rest day), the employer must pay overtime pay at a rate of at least three times the normal hourly rate of pay for the number of overtime hours worked. Where the employee receives wages on a piece rate basis, the employer must pay at least three times the normal piece rate wages for any overtime worked.

F. Regulation of Shifts

43. Thai labor law does not specifically regulate night shifts. The employer and the Project workers shall be required to agree on shift times provided that they comply with the mandatory requirements relating to working hours. Changes to normal shift times constitute a change to the employee's work conditions and therefore require the employee's prior consent before implementation.

G. Rest

44. *Rest breaks during the working day.* An employer must provide Project workers with a rest break of at least one hour for every period of work of five consecutive hours or more. An employer and employee can agree in advance that several rest breaks of less than one hour will instead be provided, but the total of those smaller rest breaks, when combined together, cannot be less than one hour for each workday (where the workday is at least five hours in duration). Rest breaks are not considered to form part of working hours for the purpose of calculating wages unless the rest breaks account for more than two hours in a single day, in which case any rest break time in excess of two hours is considered to be part of normal working hours. A break of at least 20 minutes must also be given if overtime work lasts for more than two hours.
45. *Rest periods between working days.* Generally, Project workers must be given at least one rest day per working week, and each rest day cannot be more than six days apart (though in certain cases employers and employees can agree to accumulate these weekly rest breaks within a one-month period). As a normal working day consists of eight hours of work, and overtime work is capped at a maximum of 36 hours per week (or six hours a day), Project workers cannot work for more than 14 hours (including overtime) during any working day.

H. Deductions for Remuneration

46. No deductions other than those agreed upon in the contract or those prescribed by law⁷ or regulations shall be made from a worker's remuneration.

I. Mandatory or Standard Benefits

47. Standard benefits of workers will be in accordance with the Thai labor laws and regulations. This will include paid holidays, sick leave, severance pay, and welfare as prescribed in the Labor Protection Act B.E. 2541 (1998).

J. Injured and Sick Workers

48. Project workers are entitled to receive compensation benefits under the Workmen's Compensation Act BE 2537 (1994) in the case of an occupational disease or a work-related accident where the employee is unable to work for more than three consecutive days. This benefit equals 60 percent of the employee's ordinary monthly wage (with a cap on the monthly wage of THB15,000). Project workers can claim this benefit for up to one year. An employer who is paying the medical expenses for an employee suffering from an occupational disease/work-related accident can also request reimbursement of the costs paid from the Workmen's Compensation Fund. Both of the benefits described above can be claimed by submitting the required forms to the Social Security Office.
49. *Entitlement to Paid Time Off.* Project workers are entitled to up to 30 days of paid sick leave a year. The employer can request an employee who takes three days or more of sick leave to provide a medical certificate from a doctor.
50. *Entitlement to Unpaid Time Off.* Project workers are entitled to take sick leave for the actual period of sickness, which may be more than 30 days a year. However, the employer is not required to pay any salary for sick leave taken in excess of 30 days. In this case, the employer and the employee can agree on whether the employee will take paid annual leave or leave without pay for the sick leave taken in excess of 30 days.

K. Termination of Contract Including Workers' Compensation

51. The contract of employment shall cease at the end of the period stated therein. Given the nature of the Project, open-ended contracts will be avoided. The following conditions will also be considered as wrongful dismissal:

⁷ Labor Protection Act B.E.2541 (1998), Section 76. Section 76. *An Employer shall not make any deductions from Wages, Overtime Pay, Holiday Pay and Holiday Overtime Pay except the deductions made for: (1) payment of income tax in an amount shall be paid by an Employee or other payments provided by law; (2) payment of labour union dues according to the regulations of a labour union; (3) payment of debts owed to the saving cooperatives or other cooperatives of the same description, or of debts relating to beneficial to of the Employee solely, with the prior consent of the Employee; (4) payment as a deposit under Section 10, or as compensation to the Employer for damage caused by the Employee either willfully or with gross negligence, with the prior consent of the Employee; or (5) payment as Contributions under an agreement relating to a provident fund. Deductions made under (2), (3), (4) and (5) shall not in each case exceed 10 percent and, in total, shall not exceed one-fifth of the money which the employee is entitled to receive at the time of payment specified in Section 70, unless the employee otherwise consents.*

- The immediate dismissal without a clear and full explanation of the reason or the termination of the agreement without serious cause nor severance pay
- The termination of the agreement without payment of the unused annual leave
- The termination of the agreement based on the (claimed) violation of the work regulations by the employee without any prior warning

52. *Notice Periods.* An employer or project worker can terminate an employment contract by giving an advance notice in writing to the other party. This notice must be given before the wages are due in order to take effect on the following wages due date. Therefore, it is generally a one-month advance notice period, unless other terms are provided for under the employment contract. If the employer wishes to terminate the employment contract with immediate effect, without an advance notice period, the employer must pay the wage that the project worker would have received during the advance notice period (called a payment in lieu of advance notice). The employer does not need to give advance notice or payment in lieu of advance notice if the employment relationship is terminated due to the employee's serious misconduct.⁸

L. Collective Bargaining Agreements

53. Under Thai law, CBAs are commonly referred to as "Agreements Relating to Conditions of Employment"⁹ which are compulsory in companies employing 20 or more employees.¹⁰ Once a CBA has come into force, the employer is forbidden from entering into any employment contract that is contrary to, or inconsistent with, that CBA, unless that employment contract is more favorable to the employee. If there is no such CBA in place, the employer's internal work regulations (which the employer must issue once it has ten or more employees) will apply. Annex 10 provides a more detailed description of CBAs in Thailand.

M. Behavior of the Worker (Code of Conduct)

54. The Contractor shall foster an understanding among construction workers and project staff on their conduct. They should foster good relationships with the communities through a Code of Conduct, the conditions and applications of which are as earlier described.

⁸ Serious misconduct includes the following grounds for termination: (i) the employee performed their duty dishonestly or intentionally committed a criminal offence against the employer, (ii) the employee willfully caused damage to the employer, (iii) the employee committed negligent acts causing serious damage to the employer, (iv) the employee violated the work rules, regulations or orders of the employer that were lawful and just after a written warning was given by the employer. A written warning is valid for up to one year from the date when the employee committed the offence (though in serious cases of a breach by the employee there is no requirement for the employer to give a written warning), (iv) the employee was absent without justifiable reason for three consecutive working days (regardless of whether there was holiday in between), (v) the employee was sentenced to imprisonment by a final court judgment (however, if the imprisonment is for a petty offence or offences committed by negligence, the offence must also have caused damage to the employer).

⁹ Labor Relation Act B.E.2518 (1975), Section 5. "Agreement relating to Conditions of Employment" means an agreement between an Employer and Employee or between an Employer or Employers' Association and a Labor Union relating to Conditions of Employment.

¹⁰ Labor Relation Act B.E. 2518 (1975), Section 10. Chapter1: Agreements Relating to Conditions of Employment. "A place of business having twenty or more Employees shall have an Agreement relating to Conditions of Employment in accordance with the provisions of this Chapter. Where there is doubt as to whether a place of business has an Agreement relating Conditions of Employment, the working regulations which an Employer is required to have under the law on labor protection shall be regarded as the Agreement relating to Conditions of Employment under this Act.

VIII. MANAGEMENT OF CONTRACTORS AND SUBCONTRACTORS

55. Responsibility for compliance with the LMP will be cascading. In other words, this will fall not only on DRR, but also on the contractor, subcontractors, and the primary suppliers or third parties in charge, which will be incorporated in the respective contracts.
56. For the hiring of the workers of the contractors, subcontractors, and the primary suppliers or third parties that they hire, the same obligation applies with respect to compliance with the LMP and its Annexes, the ESF of the World Bank, and national and international regulations applicable to the Project workers. The scope and procedures of the LMP are not only exclusively for DRR, and the workers that it hires, but is also extended to the contractor companies (works executor), the work supervisor, subcontractors, primary suppliers, third parties, and all personnel related to the execution of the Project. Therefore, the LMP must be disseminated and enforced.

IX. COMPLAINTS AND LABOR GRIEVANCES MANAGEMENT SYSTEM

57. DRR undertakes to implement and disseminate the mechanism for handling complaints and grievances for Project workers, which will be a transparent and timely procedure and will allow workers to raise complaints, claims, labor inquiries, or suggestions even anonymously. The grievance mechanism shall be made easily accessible to all Project workers. Regular meetings with the project workers to discuss any work-related issues and concerns will be conducted. Every grievance raised by a worker will be documented including the actions undertaken by the office to address such grievance. This mechanism will be replicated in contractor and subcontractor companies.

58. The following complaints channels are available for the Project.

(a) DRR's GRM channels: DRR will provide three levels of grievance channels, consist of the site or PIU level, the regional level, and the Department or PMU level. The available channels to submit grievances at each level are as found below.

Site (PIU level)

- Project Website (using the contact menu)
- PIU Hotline (to be developed and disseminated)
- In person at the Grievance Center at the construction site or the PIU Office (to be established and disseminated)

Regional level

- Grievance Center at the DRR provincial office
- Sub-district Administrative Organization
- Provincial Administrative Organization

Department (PMU level)

- Website of the Department of Rural Roads: www.drr.go.th using the complaints/appeal menu
- DRR Hotline: 1146
- Information Center of the Department of Rural Roads, Phahonyothin Road, Anusawaree Sub-District, Bangkok 10220
- PMU at Bureau of Bridge Construction, Department of Rural Roads

(b) Other Channels. Project workers can also refer a labor dispute concerning labor entitlements and employee welfare to these agencies:

- Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor relevant provincial office for workplaces outside of Bangkok (www.labor.go.th).
- Labor Court (LC) of the Central Labor Court in Bangkok and the Regional Labor Court in each region of Thailand (<https://lbc.coj.go.th>).

59. Upon receiving a grievance at the site or project implementation level, the PIU will conduct an initial investigation. Issues related to construction activities that can be promptly resolved will be addressed by referral to the contractor. The DRR staff and the construction supervisor will ensure prompt action within two weeks depending on the nature of the issues. In case of more urgent problems, or unresolved grievances, the matter will be escalated to the PMU. The PMU will thoroughly review the issues and make informed decisions to effectively address them. Resolving larger problems may take approximately two additional weeks. It is noted that according to the DRR's Complaint Resolution Coordination Center, the evaluation and resolution progress for in-process complaints shall be communicated to the affected parties within a 15-day timeframe.

60. When a grievance is reported at the regional or departmental levels, the issue will be forwarded to the PMU, which will then course the grievance to the PIU for further action. The delivery time to the PMU will be around one or two weeks. Then, the PMU will initiate an investigation into the grievance, following the process outlined in the previous section, to thoroughly examine the matter and determine an appropriate resolution.

61. In the event that the complainants remain dissatisfied with the arbitrated decision made by the DRR, they have the option to pursue a legal remedy by filing a lawsuit in a civil court and the labor court in accordance with the relevant laws and regulations of Thailand. It should be noted that the complainant will be responsible for bearing the associated costs during this stage. However, if the complaint is successful, the complainant may be eligible for reimbursement of damages or grievances, as applicable, as determined by the court. It is noted that the amount of time required in this stage will be significantly longer than the regular issues.

62. The PMU and PIU will establish and manage a comprehensive complaint register as an integral part of the project. The register will serve to document and track any concerns raised by stakeholders, including the labor complaint and concerns, throughout the project implementation phase. In the event of serious complaints, such as those pertaining to life-threatening situations, SEA/SH, or criminal activities, immediate notification will be provided to the World Bank within 24 hours of receiving the complaint.

63. The PMU office will be responsible for maintaining the grievance log, ensuring accurate and comprehensive recording of grievances. The grievance log will capture the following information:

- Stakeholder's name, gender, and contact details
- Grievance channel used for submission
- Details describing the nature of the grievance
- Dates of grievance receipt, investigation, and decision making
- Identification of decision maker (s) involved

- Response provided to the grievance
- Date of decision implementation
- Information on how the grievance was submitted, acknowledged, responded to, and ultimately closed out.

64. DRR will publicly advertise the grievance procedures mentioned above through various channels, including websites, notification boards at construction sites, PMU, and PIU offices. Additionally, the grievance process lodged at the Ministry of Labor will follow the publicly advertised procedures as detailed in Annex 12. Other agencies and entities authorized to receive and act on labor complaints in Thailand are laid out in Table 9.1.

Table 9.1 Competent Authorities to Address Labor Complaints ¹¹

N°	Institutions	Types of Responsible Complaints
1	Department of Employment,	Foreign workers, employment service in Thailand and overseas.
2	Department of Skill Development	Labor skill development, labor skill development fund
3	Department of Labor Protection and Welfare	Forced labor, child labor, unlawful usage of women's labor, unfair labor treatment, unfair wages, violation of labor laws by employers, labor relation, occupational safety and health (OSH)
4	Social Security Office	Violation of Social Security Act, services in the health facilities of social security system, severance pay (from social security)
5	Labor Inspector	Labor Inspectors are empowered by the Labor Protection Act. Employees can submit a complaint (in a prescribed complaint form) to the Labor Inspector at their locality. Labor Inspector shall investigate the issue within 60 days from the date of receipt of complaints.
6	Labor Court	The labor court handles all disputes relating to employment, such as labor protection, unfair labor practices or discrimination, and relations, appeals on labor decisions by labor officials or by the Minister concerning wrongful acts in labor disputes or performance.
7	Royal Thai Police	Responds to and investigates complaints involving forced labor and human trafficking.

¹¹ Department of Employment. Manual for receiving grievances and complaints, Public Service Center of the Ministry of Labor.
https://www.doe.go.th/prd/assets/upload/files/sukhothai_th/ba1113be4462c37233729b430455f521.pdf

ANNEX 1 – REQUIREMENTS OF THE ENVIRONMENTAL AND SOCIAL STANDARD 2 (ESS2) AND THAI LABOR REGULATIONS

The Environmental and Social Standard 2 (ESS2) of the World Bank on labor and working conditions applies to all projects financed by the World Bank and aims to promote and protect safety and health, fair treatment, and non-discrimination and equal opportunities for Project workers, especially the most vulnerable.

This ESS recognizes the importance of job creation and income generation in order to reduce poverty and foster inclusive economic growth. It also seeks to prevent the use of all forms of forced labor and child labor. On the other hand, it supports the principles of freedom of association and collective negotiation of the Project's workers in accordance with national laws. And finally, it provides Project workers with accessible means to raise concerns about labor and working conditions.

In general terms, current Thai regulations address most of the requirements considered in this standard. These laws and World Bank's ESS 2 adhere to the same principles:

- Promotion of fair treatment, non-discrimination and equal opportunities for workers
- Prevention of the use of all forms of forced labor and child labor
- Freedom of association and collective bargaining
- Access to raise and submit complaints

The Labor Protection Act No. 7/2017 cover wages, compensation, leave, holiday and overtime pay, employment of women and children, work health and safety, and complaint procedures. The Labor Relations Act regulates conflicts arising between employers and employees by establishing procedures for labor negotiations. The Social Security Act consists of seven kinds of compensation benefits: non-work-related injury or sickness of employees, maternity, disability, death, child welfare, old age and unemployment. Provisions on specific labor aspects that are of particular interest under ESS 2 are provided below:

1. Terms and conditions of employment

(a) Hours of work, wages, overtime, compensation and benefit

- i. Hours of work: National law sets a limit of 8 hours per day and 48 hours per week for normal work, though flex time allows for an additional one hour per day (for a total of nine hours), with the weekly limit of 48 still applicable.¹² Employers and employees of certain categories have the option to agree on any number of regular work hours in a day, as long as the total does not exceed 48.¹³ There is a limit of 7 hours per day and 42 hours per week for dangerous work and a limit of 36 hours of overtime per week, applicable to both categories.¹⁴

¹² Labor Protection Act, ss23 and 26.

¹³ Ministerial Notification 1997, s 2.

¹⁴ Labor Protection Act, ss 23 and 26.

- ii. Wages: Provisions on equal wages for male and female, leave payment, overtime wage on Working Day and Holiday, minimum wage rate. Employer is not allowed to pay wages to an employee at a rate less than the Minimum Wage Rate set by Wage Management Board.¹⁵
- iii. Overtime work shall be paid at a rate of not less than one and a half times of the hourly wage rate of a Working Day.
- iv. Protection of employee from wage deductions.

(b) Periods of rest, annual holiday and sick, maternity leave

- i. Periods of rest not less than one 1 hour/day
- ii. Weekly holiday not less than 1 day/week
- iii. Annual holiday not less than 13 traditional holidays/year.
- iv. Employee is entitled to sick leave, business leave, sterilization leave, military service leave, maternity leave, and training leave.

(c) Health Care Coverage

Employers are obligated to register their employees for social security, to withhold and remit contributions from employees' wages, and to make matching contributions to the social security fund. One of the benefits provided under Thailand's social security regime is health coverage.¹⁶

(d) Receive written notice of termination

Chapter 11 of the Labor Protection Act stipulates the entitlement of employees to severance payments and notification of termination in due time.

2. Nondiscrimination and equal opportunity

Labor Protection Act address some of the fundamental issues concerning discrimination to protect employees from unfair and unequal treatment due to distinctive features. Such features include gender, age, physical or mental handicaps, race or national origin, and religion.

3. Worker's organizations

Labor Relations Act contains provisions on collective bargaining and worker participation. All unions must be registered with the proper authority, and members must exclusively be a part of only one union. A proper union will possess the right to consult with the employer to gain better work rights for employees.

4. Child labor and minimum age

¹⁵ Unofficial translation of 'คณะกรรมการค่าจ้าง' in Thai

¹⁷ International Organization for Migration (2021). Business Guidebook: How to Mediate Employment Disputes within the Thai Labour Law. <https://crest.iom.int/en/resources/tools/business-guidebook-how-mediate-employment-disputes-under-thai-labour-law-2021>

Chapter 4 of the Labor Protection Act is dedicated to the employment of young workers. Section 44 prohibits the employment of children under fifteen. Employment of children above 15 but under 18 is subject to certain compliances.

5. Grievance redress mechanism

Lodgment and consideration of complaints – The employee is entitled to lodge a complaint if the employer violates or fails to comply with an Employee’s entitlement to receive any payments prescribed under the Labor Protection Act.

A summarized assessment of the gaps between ESS2 and Thai labor laws and regulations is presented in Table A-1.1.

Table A.1-1 Comparison of ESS2 and Thai Labor Laws and Regulations

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
Terms and Conditions of Employment		
1. Information and documentation sets out the rights of project workers under national labor and employment law, including rights related to hours of work, wages, overtime, compensation and benefits, non-discrimination and equal opportunity, workers' organizations, protection from child labor and forced labor, grievance redress mechanisms, and occupational health and safety (OHS)	<p>Thai labor laws cover hours of work, wages, overtime, compensation and benefits, gender non-discrimination and equal opportunity, workers' organizations, child labor and forced labor, grievance redress mechanism and OHS.</p> <p>Labor Protection Act (LPA) (Section 108-115) requires employer who employs ten or more persons to provide the information on work regulations including working days, rest periods, holiday, overtime, wages, leave, grievances, and termination of employment and severance pay.</p>	LPA only requires employers who employ ten or more workers to provide the information and documentation on work regulations.
2. Payment of project workers on a regular basis. Deductions from payment of wages made in accordance with national laws	LPA (Chapter 5) covers payment of workers on a regular basis, specifically wages, overtime pay, holiday pay and holiday overtime pay. Deductions from payment of wage is prohibited except for items specified in LPA section 76.	No major gaps
3. Project workers to be provided adequate rest periods of rest per week, annual holiday and sick leaves, maternity and family leave	LPA (Chapter 2) indicate the required rest period, annual holiday, sick leave, maternity and personal leave.	No major gaps
4. Project workers to be provided written notice of termination of employment and details of severance payments in a timely manner. Wages earned, social security benefits, pension contributions and other forms of entitlements paid on or before termination and directly to project workers. There is evidence of payment for	LPA (Chapter 10-11) stipulates the details of termination of employment and severance payment. LPA (section 115) requires employer to maintain records of employees including the evidence of payments for at least two years from the payment date.	No major gaps

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
payments made for the benefit of project workers		
Nondiscrimination and Equal Opportunity		
1. A non-discrimination policy exists, i.e., decisions made to the employment or treatment of project workers not made based on personal characteristics unrelated to inherent job requirements. Employment of project workers is based on principle of equal opportunity and fair treatment, and non-discrimination.	The Thai Constitution prohibits discrimination based on origin, race, language, sex, age, disability, physical or health condition, personal status, economic or social standing, religious belief, education, political view.	The LPA only specifically prohibits discrimination in employment based on gender.
2. Measures are in place to prevent and address harassment, intimidation, and exploitation	Many laws and regulations such as LPA, Civil Service Act, and OCSC regulation regarding Act of Sexual Harassment, are in place to prevent harassment, intimidation, and exploitation.	No major gaps
3. There are appropriate measures for protection and assistance for vulnerable project workers such as women, persons with disabilities (PWDs), migrant workers, and children of working age in accordance with ESS2	In addition to labor laws and regulations that provides protection for vulnerable workers, the 2007 Act on Empowerment of Persons with Disabilities addresses the rights and protection of PWD. Thai labor laws are also applicable to both Thai nationals and migrant workers.	No major gaps
Workers' Organizations		
There are laws that recognize workers' rights to form and join workers' organizations and to bargain collectively without interference	The rights of workers to form and join workers' organizations and engage in collective bargaining are protected under Thai labor laws, primarily the 1975 Labor Relations Act. The laws applies mainly to formal workers or those working in the formal sector.	The laws does not apply to workers in the informal sector
Child Labor		

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
1. National laws prescribe the minimum age of employment of children	LPA (Chapter 4, section 44) on employment of young workers prescribes the minimum age of 15.	No major gaps
2. There are measures to ensure the protection and safety of children employed in accordance with the minimum age	LPA established penalties for employment of children under the prescribed age which included fines and imprisonment of violators. Measures are in place for protection and safety of employment of children under 18 years of age.	No major gaps
Forced Labor		
1. There are prohibitions against the use of forced labor, i.e., involuntary or compulsory labor such as indentured labor, bonded labor or similar labor-contracting arrangements that exacts labor from an individual under threat of force or penalty	Prohibitions against the used of forced labor are prescribed in the 1998 LPA, 2008 Prevention and Suppression of Trafficking in Persons Act, 2018 Anti-Trafficking in Persons Act.	No major gaps
2. There are regulations against the trafficking of persons	Trafficking of persons regulations are the 2008 Prevention and Suppression of Trafficking in Persons Act, 2018 Anti-Trafficking in Persons Act	No major gaps
Grievance Mechanisms		
1. Grievance mechanisms are provided to address workplace concerns.	Various grievance mechanisms are established under Thai labor laws.	No major gaps
2. Project workers are informed of grievance mechanisms at the time of recruitment and the measures in place to protect them against any reprisal for its use	LPA (section 108) requires employer to provide information of GRM.	No major gaps

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
3. The grievance mechanisms are designed to address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution, and will operate in an independent and objective manner.	<p>LPA (section 109) indicated that the procedures of lodgment of grievances should contain: scope and meaning of grievances; method and steps of dealing with grievances; investigation and consideration of grievances; procedures for settlement of grievances; and protection for the claimant and any involve persons.</p> <p>For grievances related to the topics regulated by Labor Protection Act, employees can file a formal complaint with the Labor Inspector at the provincial or district level) who is required to investigate and issue order within 60 days.</p>	<p>The laws do not specifically require the feedback to be in a language understood by those who lodge the grievances. Although in interviews conducted in January 2023, the Ministry of Labor has translators for migrant workers depending on the nationality (e.g., Vietnamese, Cambodian).</p> <p>Migrant workers may face specific challenges in accessing and using available mechanisms, including lack of written evidence to support their claims, lack of knowledge of their rights, high cost of legal assistance and slow legal processes, language barriers, in addition workers may fear retaliation or discrimination.¹⁷</p>
4. The grievance mechanisms will not impede access to other judicial or administrative remedies that are available under national law, or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements	<p>Apart from the grievance mechanism established by the LPA, workers can also file a litigation to the labor court. However, workers cannot use both mechanisms at the same time.</p> <p>While the grievance is being handled by the Labor Inspector, the parties can also decide to use mediation to reach agreement.</p>	Workers cannot utilize the grievance channels of Labor Inspector and Labor Court at the same time.
Occupational Health and Safety		
1. OHS measures will take account of General and Industry-Specific Environmental Health and Safety Guidelines (EHSGs)	Primary legislation to regulate OSH in Thailand is the 2011 Occupational, Safety, Health and Environment Act. There are also Ministerial Regulation, Notification of Ministry, and Notification of Department that provides industry specific	No major gaps

¹⁷ International Organization for Migration (2021). Business Guidebook: How to Mediate Employment Disputes within the Thai Labour Law. <https://crest.iom.int/en/resources/tools/business-guidebook-how-mediate-employment-disputes-under-thai-labour-law-2021>

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
	<p>environmental and safety guidelines.</p> <p>For construction work, in addition to the OSH the main regulation is the 2011 Ministerial Regulation Prescribing the Standard for Administration and Management of Occupational Safety, Health and Environment for Construction Work (amended 2021).</p>	
2. OHS measures and regulations are in place for the following:		
a. Identification of potential hazards to project workers, including those that are life-threatening	<p>OSH (Section 14)</p> <p>In the case where an employer requires an employee to work in a working condition or environment which maybe harmful to life, physique, mentality and health of the employee, the employer shall inform the employee of the danger which may arise from work, and shall distribute work manual to every employee before commencing work, changing work or workplace.</p>	No major gaps
b. Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions, or substances	OSH (Chapter 1,2,4)	No major gaps
c. Training of workers and maintenance of training records	OSH (Section 16)	No major gaps
d. Documentation and reporting of occupational accidents, diseases, and incidents	OSH (Chapter 5)	No major gaps
e. Emergency prevention and preparedness, and response arrangements to emergency situations	2011 Ministerial Regulation Prescribing the Standard for Administration and Management of Occupational Safety, Health and	No major gaps

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
	Environment for Construction Work (amended 2021).	
f. Remedies for adverse impacts such as occupational injuries, deaths, disability, and disease	1994 Compensation Act	No major gaps
3. Measures and procedures are in place to establish and maintain a safe working environment including that workplaces, machinery, equipment, and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical, and biological substances, and agents	2011 Ministerial Regulation Prescribing the Standard for Administration and Management of Occupational Safety, Health and Environment for Construction Work (amended 2021). 2013 Ministerial Regulations on the Standard for Service, Management, and Proceeding on Occupational Safety, Health and Environment for Works Involving Hazardous Chemicals.	No major gaps
4. There are workplace processes in place for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent or serious danger to their life or health. There are measures to protect project workers from retaliation, reprisal or negative action for such reporting or removal.	OSH (Chapter2 and 5)	No major gaps
5. Project workers are provided with facilities appropriate to their work, including access to canteens, hygiene facilities, and appropriate areas for rest.	2005 Ministerial Regulation on the Provision of Welfare in Establishments	No major gaps
6. There are policies for providing accommodation services that protect and promote the health, safety, and well-being of project workers, and to provide access to services that accommodate their	2016 Notification of the Welfare Committee on the Labor Welfare Standards for the Accommodation of Employees in Construction.	No major gaps

ESS2 Requirements	Thai Labor Laws and Regulations	Gaps and Observations
physical, social, and cultural needs		
7. There is a system for regular review of OHS performance and the working environment, which include identification of safety and health hazards and risks, implementation of effective methods for responding to identified hazards and risks, setting priorities for taking action, and evaluation of results	OSH (Chapter 5)	No major gaps

ANNEX 2 – THAILAND LAWS AND REGULATIONS ON WORK CONDITIONS AND BENEFITS

No.	Labor Laws and Regulations	Stipulations
1	Labor Protection Act B.E. 2541 (1998) amended B.E. 2562 (2019)	The Labor Protection Act is an important labor law in Thailand that aims to provide basic rights and protection for employees. It covers various aspects of employment such as wages, working hours, leave entitlements, termination of employment, and occupational health and safety. The Act also provides for penalties and enforcement mechanisms for non-compliance by employers.
2	Occupational Safety, Health, and Environment Act B.E. 2554 (2011)	This Act stipulates the standards for safety, health, and environmental protection in the workplace. The act requires employers to provide a safe and healthy working environment, including the prevention of accidents, injuries, and illnesses related to work. It also mandates that employers establish safety committees and provide training and information on safety and health to employees.
3	Compensation Act B.E. 2537 (1994)	The Act provides compensation to employees who are injured, disabled or killed as a result of work-related accidents or illnesses. Employers are required to provide medical treatment and compensation to employees, and failure to do so can result in penalties and legal action. The act also outlines the procedure for filing a claim and the criteria for determining compensation amounts.
4	Labor Relations Act B.E. 2518 (1975)	The Act regulates the relationship between employers and employees in Thailand. It covers issues such as the establishment of labor unions, collective bargaining, strikes and lockouts, and the resolution of labor disputes through mediation and arbitration. The law aims to promote fair and peaceful relations between employers and employees in the workplace.

No.	Labor Laws and Regulations	Stipulations
5	Alien Workers Act B.E. 2560 (2017)	The Act regulates the employment of foreign workers in Thailand, including their entry, working conditions, welfare, and legal protections. The law requires employers to obtain work permits for their foreign employees and imposes penalties for non-compliance. The law also establishes a committee to oversee the employment of foreign workers and address any issues or disputes that may arise.

ANNEX 3 – THAILAND REGULATIONS ON SAFETY AND HEALTH AT WORK

Primary legislation to regulate occupational health and safety (OHS) in Thailand is Occupational Safety, Health and Environment Act B.E. 2554 (2011). The act clarifies responsibilities and duties of employer and employee as well as those of governments. Employer shall provide a safe working environment for employees. Employee shall cooperate with employer to establish and encourage safe working environment.

Occupational Safety, Health and Environment Act and subsidiary regulations and notifications:

Act/Regulation	Publication Date
Occupational Safety, Health and Environment Act B.E. 2554 (2011)	2011.01.17
Ministerial Regulations	
Ministerial Regulation: Specification of administration standard and the process of safety, industrial hygiene, and environment at workplace in respect of machine, crane and boiler BE 2552 (2009)	2005.01.13
Ministerial Regulation B.E. 2549 (2006): Heat, Lighting, and Noise at the workplace for occupational safety	2006.03.03
Ministerial Regulation for the Administration and Management of Occupational Safety, Health, and Environment B.E. 2549	2006.06.21
Ministerial Regulation (B.E. 2552) on Administration and Management of the Aspect of Occupational Safety and Health and Working Environment relating to Machines, Cranes and Boilers.	2009.06.11
Ministerial Regulation for the Administration and Management of Occupational Safety, Health, and Environment B.E. 2553 (No.2)	2010.07.09
Ministerial Regulation B.E. 2555 (2012): Occupational Safety, Health and Environment Standard Relating to Fire Protection and Prevention	2013.01.09
Ministerial Regulation B.E. 2555 (2012): Standard and criteria for training agencies on basic firefighting and on fire drills and evacuation	2013.01.16
Ministerial Regulations: The Standard for Service, Management, And Proceeding on Occupational Safety, Health And Environment For Works Involving Hazardous Chemicals, B.E.2556 (2013)	2013.11.29
Ministerial Regulation prescribing Administration Standard and Operation on Occupational Safety, Health and Working Conditions related to Electricity B.E. 2558 (2015)	2015.02.06
Ministerial Regulations: The Standard of Management And Operation On Safety, Occupation, And Workplace Environment Regarding To Heat Light And Noise, B.E.2559 (2016)	2016.10.17
Ministerial Regulation B.E. 2561 (2018): Occupational Safety, Health and Environment Standard Relating to Fire Protection and Prevention (No. 2)	2018.08.29

Act/Regulation	Publication Date
Ministerial Regulation Prescribing the Standard for Administration and Management of occupational Safety, Health and Environment for Construction Work, B.E. 2564 (2021)	2021.03.02
Ministerial Regulation: Safety officer at workplace BE 2565 (2022)	2022.06.17
Notification of Ministry	
Notification of the Ministry of Labor concerning Specific Health Checkup for Employees Performing Works in relation to Chemical Risk Factors, B.E. 2552 (A.D. 2009)	2009.04.07
Notification of Department	
Notification of Department of Labor Protection and Welfare on rules and procedures to notify the name of safety officer and reporting in case of injury, illness, or loss	2006.11.02
Notification of the Department of the Labor Protection and Welfare: Subject The regulation and method in the training of occupation safety officer B.E. 2549 (2006)	2006.10.19
Notification of the Department of the Labor Protection and Welfare: Subject The regulation and method in the training of occupation safety officer (No.2) B.E. 2553 (2010)	2011.02.03
Notification of Department of Labor Protection and Welfare: The principle, method and condition of training executives, foreman and employee in respect of safety, industrial hygiene, and environment at workplace	2012.05.02
Notification of Department of Labor Protection and Welfare B.E.2556 (2013): Hazardous Substance List	2013.12.20
Notification of Department of Labor Protection and Welfare B.E.2556 (2013): List of Hazardous Chemicals and Safety Information of Hazardous Chemicals	2013.12.20
Notification of Department of Labor Protection and Welfare: Standard and method to measure and analyze concentration of hazardous chemicals	2016.12.27
Notification of Department of Labor Protection and Welfare: Standard limit for concentration of hazardous chemicals	2017.08.03
Notification of Department of Labor Protection and Welfare: Standard of fire extinguisher	2013.03.11
Notification of Department of Labor Protection and Welfare: Reporting Format for Fire Fighting and Fire Drill Results	2013.03.11
Notification of Department of Labor Protection and Welfare: Format and Method of Electronic Reporting for Fire Fighting and Fire Drill Results	2016.10.05

Act/Regulation	Publication Date
Notification of Department of Labor Protection and Welfare prescribing Measurement, Analysis Method and Regulated Business Type related to Heat, Lighting and Noise in Workplace	2018.03.12
Notification of Department of Labor Protection and Welfare prescribing Format to Report Measurement and Analysis Results of Heat, Lighting and Noise in Workplace	2018.06.28
Notification of Department of Labor Protection and Welfare: Standard for Acceptable Average Noise Level during Normal Working Hours	2018.01.26
Notification of Department of Labor Protection and Welfare: Calculation Method of Noise Level for Worker Equipped with PPE	2018.02.14
Notification of Department of Labor Protection and Welfare: Standard and Method to protect acoustic sense at workplace	2018.06.12
Notification of Department of Labor Protection and Welfare: Lighting Standard	2018.02.21
Notification of Department of Labor Protection and Welfare: Format and Method of Electronic Notification for Accident and Work-related Illness	2016.10.05

ANNEX 4 - OCCUPATIONAL HEALTH AND SAFETY RISKS MANAGEMENT (Lanta Bridge)

Risk Factors	Mitigation measures
<p>A. Air Quality</p> <ul style="list-style-type: none"> Air quality health risks arise from activities that cause dust diffusion, including demolition, land clearing, cutting/filling, transportation of construction materials and equipment, and foundation excavation. These activities can affect the respiratory systems of workers in close proximity to the sources or directly exposed to them. Large machinery and motorized vehicles emit pollutants such as carbon monoxide, hydrocarbons, and nitrogen oxides from their engines. Hydrocarbons are released from exhaust pipes, engine compartments, cranks, and evaporation in carburetors and fuel tanks. Nitrogen oxides, including nitric oxide (NO), nitrogen dioxide (NO₂), and nitrous oxide (N₂O), are predominantly released from exhaust pipes and pose direct toxicity to humans. 	<ul style="list-style-type: none"> Regularly spray the road surface and construction areas with water, especially sensitive areas and communities, which are affected by dust particles exceeding the standard. Control the speed limit for trucks of no more than 30 km/h while passing communities and environmentally sensitive areas. Cover the rear of the truck with canvas to avoid falling objects and the diffusion of dust. Provide staff to clean road surfaces covered with soils, rocks and sand regularly. Check and maintain machines used for construction following the machine and equipment maintenance manual to reduce air pollution emissions and prevent the spread of dust, such as black soot, dust, carbon monoxide (CO) and nitrogen dioxide (NO₂) Provide dust masks to staff and workers during stripping, dismantling and clearing, digging and filling or pile drilling.
<p>B. Noise</p> <ul style="list-style-type: none"> Noise health risks stem from activities that generate loud noise, such as stripping, cutting/filling, foundation excavation, and the transportation of construction materials by large trucks. Workers in close proximity to these noise sources are at a high risk of direct exposure. Excessive noise levels that surpass the standards established by the Pollution Control Department can lead to annoyance, physical and 	<ul style="list-style-type: none"> Provide staff and workers working in noisy construction sites with hearing protection devices, e.g., ear plugs, earmuffs, etc., and instruct them to use such devices in case of working in noisy areas. Instruct construction contractors to use machines according to the Ministry of Interior's announcement regarding working safety regarding environmental conditions. If tools/machines generate Noise exceeding 90 decibels (A), their working period near those machines must be limited, and workers operating in excessive noise areas must be switched to avoid harmful Noise.

Risk Factors	Mitigation measures
<p>mental stress, and can even pose health hazards. Very loud or continuous noise has the potential to frighten workers and adversely affect their well-being.</p>	<ul style="list-style-type: none"> • Construction contractors must check/maintain machines, tools and equipment regularly to keep them in good condition and provide/install noise reduction devices or switch to use new machines to lower the noise level of machines. • Avoid using several large machines at the same time in the same areas.
<p>C. Vibration</p> <ul style="list-style-type: none"> • Project road and bridge construction activities require large machines, road rollers and pile drilling machines, which cause vibration to workers being exposed to vibration for a long time and may lead to physical impacts, such as loss of balance, dizziness, nausea, vomiting, loss of appetite, deteriorating vision and functional abnormalities in the skeletal muscle associated with muscle pain. 	<ul style="list-style-type: none"> • Use tools, equipment and machines causing the lowest impacts. • Rotate workers regularly to minimize prolonged exposure to vibration. • Use bored piles instead of driven piles.
<p>D. Water Quality</p> <ul style="list-style-type: none"> • Land clearing cutting/filling and soil compaction during rainfall can wash debris and soil sediments into nearby water sources, increasing turbidity. • Wastewater released from the project office and labor camps, and leachate from solid waste, may be discharged to nearby natural water sources, impacting surface water quality, including turbidity and suspended solids. • Increasing total coliform bacteria and faecal coliform bacteria in water sources from oil and grease. 	<ul style="list-style-type: none"> • Strict adherence to soil resource impact prevention and correction measures is required for construction contractors. • Sort construction scraps into those that can be recycled and unrecycled and store them in an orderly manner. • Supervise workers to dispose of solid waste in designated bins for each waste type. • Prohibit outdoor burning of waste near labor camps or construction sites. • Strictly forbid staff or workers from disposing of waste, chemicals, or wastewater into waterways. • Provide clean water for consumption at labor camps. • Ensure an adequate ratio of bathrooms and toilets on construction sites (one to 15 workers). • Install a septic-anaerobic filter to accommodate wastewater of 10.0 cu.m. from the bathrooms and toilets, two filters for wastewater of 10 cu.m. from the canteen and one filter for wastewater of 1.50 cu.m. from the repair and maintenance plant for treating wastewater to meet the water quality

Risk Factors	Mitigation measures
	<p>standard before releasing into nearby water sources.</p> <ul style="list-style-type: none"> • Install a grease trap with a capacity of 0.5 cu.m. at the repair and maintenance plant and four grease traps with a capacity of 0.5 cu.m. at the canteen. • Set up a temporary PVC-5 drainpipe with a diameter of 1,20 m around the construction site to collect wastewater from the septic-anaerobic filter to the sewage tank with a dimension of 6.5x6.5x1.0 m (42.25 cu. m.) before releasing into an open chute along Highway 4026 • Place four 240-litre bins/set with lids: one set at the labour camp, one set at the canteen, one set at the office and one set at the construction site to accommodate daily waste. For Lanta, coordinate with Fak Tha Sub-district Administrative Organization in collecting it daily. • Allocate an area for machines and a maintenance plant, storage area of fuel, engine oil tank, and used oil tanks, cleaning areas for vehicles and machines, as well as piling areas, of at least 100 m from water sources and drainage channels to avoid contamination of water sources. • Provide proper containers for collecting and disposing of used oil at the maintenance plant. • Construct raised concrete slabs in areas prone to oil and grease spills at labor camps and maintenance plants. Connect pipes between the slabs and grease traps to collect spills directly and drain water passing through the grease traps into the wastewater treatment system. • Install mobile toilets and septic-anaerobic filters (four toilets per set) at the construction site (one set for Ko Klang and one set for Ko Lanta Noi) to ensure proper hygiene for workers. Coordinate with the In Buri Sub-district Municipality for the collection and disposal of daily waste. • Upon completion of the construction, remove the construction supervision office and labor camps, and properly dispose of the septic-anaerobic filters underground to maintain sanitation standards. • Minimize land stripping during the rainy season and aim to shorten the construction period to reduce soil sediments and suspended solids. • Construct temporary drain channels and sediment traps (1.0x1.0x1.5 m) every 10 m along the project side before reaching the sea by installing drain pipes.

Risk Factors	Mitigation measures
	<ul style="list-style-type: none"> Erect temporary silt fences (1.0 m high) along the banks of Ko Klang and Ko Lanta Noi to prevent sediment erosion from rainwater into water sources. Regularly inspect drainage structures along the project routes to remove any blockages caused by sand deposits or material obstructions, ensuring unobstructed water flow.
<p>E. Occupational health (Accidents and sickness from work and inappropriate and unsafe environment)</p> <ul style="list-style-type: none"> As the project construction continues for an extended period, there is a higher likelihood of staff and workers experiencing illness or accidents due to unfavorable working conditions and inadequate safety measures in place. Careless or reckless operation and lack of expertise in responsible tasks or damaged equipment and machines will contribute to minor injuries, e.g., abrasion, burns and bone fractures to the loss of organs and death. 	<ul style="list-style-type: none"> Strictly adhere to noise, air quality, transport, accident, and safety prevention and correction measures to ensure construction site safety. Develop a comprehensive work safety policy for the construction site, including construction plans and safety control measures for each phase. Regularly supervise and enforce compliance with safety regulations and laws among staff and workers. Conduct investigations into the causes of potential hazards, provide recommendations, and offer training to ensure adherence to the safety policy. Provide workers with necessary knowledge and guidance on disease prevention, especially those related to occupational health and the living conditions at labor camps. Conduct thorough background checks on potential staff and workers to ensure they have no criminal records or involvement with drugs that could pose risks during construction activities. Ensure contractors closely supervise workers to ensure compliance with local operational regulations, establish check-in and check-out procedures, and enforce a strict prohibition on alcohol and drugs to prevent conflicts with local communities. Provide comprehensive training for equipment operators on the correct usage and maintenance of machinery and equipment relevant to their assigned tasks. Designate staff members to regularly inspect and maintain equipment in good working condition. Immediate repairs should be conducted if any machine or equipment is damaged to prevent work-related accidents.

Risk Factors	Mitigation measures
	<ul style="list-style-type: none"> Adhere to the labor Welfare Committee's notification on the Standards of labor Welfare for Construction Employees B.E. 2559 (2016) as mandated by law.
<p>F. Waste</p> <ul style="list-style-type: none"> Inadequate waste collection and disposal practices result in the accumulation of leftover garbage at construction sites, posing a significant health risk. The unattended waste becomes a breeding ground for various diseases. 	<ul style="list-style-type: none"> Contractors are required to adhere to the guidelines set forth by the Labor Welfare Committee on the Standards of Labor Welfare for Construction Employees B.E. 2559 (2016)¹⁸ which included provisions for the arrangement for bathroom and toilet as well as the management of wastewater and waste.
<p>G. Water for Consumption</p> <ul style="list-style-type: none"> In the case of untreated wastewater and solid waste being discharged from labor camps and construction supervision buildings onto soil surfaces, it will result in the contamination and threat to water sources. As a result, the water quality will deteriorate. If water from this source is used for consumption, it can pose a threat as it may contain contaminants that can have adverse health impacts. 	<ul style="list-style-type: none"> Construction contractors must strictly adhere to soil resource impact prevention and correction measures. Separate construction scraps into recyclable and non-recyclable categories and store them in an organized manner. Ensure that workers dispose of solid waste in the designated bins for each waste type. Prohibit the outdoor burning of waste near labor camps or construction sites. Strictly prohibit staff or workers from disposing of waste, chemicals, or discharging wastewater/effluent from construction activities into waterways. Provide clean water for consumption at labor camps. Install an adequate number of bathrooms and toilets at a ratio of 15 people per toilet. Install mobile toilets and one septic anaerobic filter for every four toilets at a distance of 100 meters within construction areas to cater to the daily hygiene needs of workers. Coordinate with local administrative organizations for implementation.

¹⁸ See details (in Thai) for the Labor Welfare for Construction Employees B.E. 2559 (2016).
https://legal.labour.go.th/images/law/Protection2541/notifications_0009.pdf

ANNEX 5 - OCCUPATIONAL HEALTH AND SAFETY RISKS MANAGEMENT (Songkhla Lake Bridge)

Risk Factors	Mitigation measures
<p>A. Air Quality</p> <ul style="list-style-type: none"> Activities such as demolition, moving, area adjustments, and soil cutting/filling contribute to the diffusion of dust. Transportation of construction materials and equipment, as well as foundation drilling, are also involved in these activities. These activities result in air pollution and the dispersion of dust, which has a negative impact on the respiratory system of construction workers working in close proximity to the pollution source. Heavy machinery and used vehicles: Engine pollution emitted from heavy machinery and vehicles includes harmful substances such as carbon monoxide, hydrocarbon oxide, and nitrogen oxide. These pollutants are released from the engine, exhaust pipe, crankshaft room, evaporation in the carburetor, and fuel tank. Nitrogen oxide consists of nitric oxide (NO), nitrogen dioxide (NO₂), and nitrous oxide (N₂O), which are highly toxic to humans and are predominantly emitted through the exhaust pipe. 	<ul style="list-style-type: none"> Regularly sprinkle water on road surfaces and construction areas, particularly in sensitive areas and communities that are significantly impacted by excessive dust. Enforce a maximum truck speed limit of 40 km/h when passing through community and environmentally sensitive areas. Utilize canvas covers to fully enclose the rear of trucks, preventing the dropping and scattering of dust. Assign personnel for regular cleaning of dirt, rocks, and sand that accumulate on road surfaces. Conduct routine inspections and follow maintenance guidelines for all construction machinery and equipment to minimize air pollution emissions and prevent the diffusion of dust, including substances like soot, black smoke, carbon monoxide (CO), and nitrogen dioxide (NO₂). Provide dust protection equipment, such as masks, for staff and construction workers involved in activities like land opening, dismantling, clearing, excavation, or pile drilling in open fields.
<p>B. Noise</p> <p>Activities that generate excessive noise include ground clearing, soil excavation/filling, foundation drilling, and transportation of construction materials using large trucks. Construction workers in close proximity to these noise</p>	<ul style="list-style-type: none"> Provide personal protective equipment for the staff and construction workers working in noisy areas, such as earplugs or earmuffs, to protect their hearing. Enforce the use of protective equipment by workers when operating in areas with excessive noise.

Risk Factors	Mitigation measures
<p>sources are directly exposed to the harmful effects of noise pollution. Additionally, the surrounding environment, which exceeds the standard noise levels set by the Pollution Control Department, can cause annoyance, disruption, stress, and potential danger to both physical and mental health. Factors such as loud and prolonged noise can contribute to these effects.</p>	<ul style="list-style-type: none"> • In accordance with the Ministry of Natural Resources and Environment's announcement on safety in work environments concerning environmental conditions, require contractors to use machinery in construction activities. The equipment used must comply with the regulations, ensuring that the noise level does not exceed 90 decibels(A). Additionally, limit the working hours for workers in close proximity to machinery or in areas with excessive noise to prevent any potential harm from prolonged exposure. • Regularly inspect and maintain machinery, tools, and construction equipment to ensure they are in good condition. Install sound-reducing devices or consider replacing machinery with newer models that produce lower noise levels. • Avoid using multiple large machinery simultaneously in the same area to minimize noise levels.
<p>C. Vibration</p> <ul style="list-style-type: none"> • During road and bridge construction activities, large machinery such as earth movers and pile drivers are used, which can cause prolonged vibrations that may have an impact on the health of construction workers who are exposed to these vibrations. Some potential effects on the body include abnormal body posture, dizziness, nausea, loss of appetite, blurred vision, and abnormal muscle function accompanied by muscle pain. 	<ul style="list-style-type: none"> • Choose to use tools, equipment, and machinery that minimize impact forces. • Provide suitable personal protective equipment for workers to wear, such as gloves, when using tools that cause vibration, especially in the hands. • Rotate and alternate workers who come into contact with vibration for extended periods of time. • Choose for using drilling rods instead of pounding rods.
<p>D. Water Quality</p> <ul style="list-style-type: none"> • Surface scraping for land leveling, excavation/filling, and soil compaction activities can cause erosion of soil particles and sediment runoff into nearby water sources, resulting in an increase in water turbidity. • Discharge of wastewater from project offices and worker accommodations, as well as leachate from solid waste, flows into nearby natural water sources, impacting the quality of surface water, such as turbidity, 	<p><i>Office Facilities, and Workers' Accommodation:</i></p> <ul style="list-style-type: none"> • In setting up temporary offices and worker accommodations, they must be located at a distance of no less than 100 meters from water sources. This is to prevent contamination from activities within the area from reaching nearby water sources. Adequate receptacles for collecting and storing solid waste must be provided in the construction area to gather and dispose of waste from the construction site on a daily basis. Dumping of waste or construction materials into water sources is strictly prohibited. • Sufficient restroom facilities must be prepared according to the regulations announced by the

Risk Factors	Mitigation measures
<p>suspended solids, oil and grease, and the presence of total coliform and fecal coliform bacteria, which increase in the water sources.</p>	<p>Ministry of Public Health regarding health and hygiene welfare for workers. These facilities should be located at least 15 meters away from water sources and must not discharge untreated wastewater into water sources. Waste and contaminants from worker accommodations should be pumped and disposed of properly in accordance with the regulations announced by the Ministry of Industry regarding the disposal of waste and unused materials in 2005.</p> <ul style="list-style-type: none"> • Construction of project offices or temporary worker accommodations must be at least 100 meters away from water bodies to prevent soil erosion and the contamination of water bodies from project offices and worker accommodations. Construction areas must not dispose of waste or clean tools/machinery in water bodies. • Gabion walls must be constructed in areas with steep slopes or as deemed appropriate for each specific location to prevent soil erosion into water sources. <p><i>Rules and Regulations:</i></p> <ul style="list-style-type: none"> • Regulations must be enacted to prohibit the washing of equipment, tools, and machinery and the discharge of polluted water, used engine oil, and other contaminants into water sources. • Regulations must also be enacted to prohibit the construction of machine repair shops and maintenance facilities near water sources. Adequate measures must be implemented to prevent oil and chemical leaks, along with the provision of absorbent materials or containment areas for oil and chemical storage, such as drip trays, in the construction area. • Workers must be instructed to handle oil and chemical transfer with caution to prevent water contamination and to use hand pumps or suitable equipment for transferring oil. • Construction must not obstruct natural water drainage, and the condition of drainage must be checked at least within 24 hours after heavy rainfall. • Contractors must be supervised to ensure the implementation of appropriate drainage systems to prevent flooding in the construction area and nearby areas. • Simultaneous opening of all construction areas along water bodies should be avoided. Areas should be opened gradually, focusing on specific work areas only, to reduce the amount of soil erosion into water sources near the project route and construction activities in the surrounding areas. If excavation near

Risk Factors	Mitigation measures
	<p>slopes is necessary, clear boundaries or limitations must be established to prevent erosion and soil runoff into water sources. Additionally, the restoration of slopes should be promptly carried out after the completion of construction.</p> <ul style="list-style-type: none"> • The stacking of soil, sand, and other construction materials must be located at a minimum distance of 100 meters from water sources to prevent soil erosion and the flow of sediment into water sources. Prompt removal of these materials from the area should be done after construction is completed. • Discharging wastewater from project offices and temporary worker accommodations into natural water sources is strictly prohibited. Wastewater must be treated before being discharged into appropriate receiving areas. • Control measures must be implemented to prevent erosion in areas adjacent to water bodies by planting ground cover plants such as vetiver grass, golden buttonwood, or Bermuda grass on slopes affected by project activities.
<p>E. Occupational health (Accidents and sickness from work and inappropriate and unsafe environment)</p> <ul style="list-style-type: none"> • Construction activities of the project require a daily workforce of 150 people and continuous work for a long period, which may pose risks of accidents during construction or work execution. Particularly, tasks related to the use of large machinery, sharp tools, electrical equipment, cutting and welding work, such as drilling, can lead to injuries, illnesses, disabilities, or even fatalities among construction workers. 	<ul style="list-style-type: none"> • Establish policies regarding safety in construction practices within the construction area, including developing construction plans and safety control measures at various stages of construction. Ensure supervision and monitoring of employees and construction workers to comply with regulations or laws related to safety. Conduct inspections to identify various hazards and provide recommendations and training to employees and construction workers to work with caution and in accordance with the prescribed safety policies. • Provide knowledge and guidance to construction workers on disease prevention, particularly those related to occupational health in their living quarters or work activities. • Implement pre-employment screening procedures, ensuring that employees do not pose a risk of criminal activities or have connections to substance abuse. • Employers must control and oversee construction workers to comply with regulations and rules regarding local work operations, working hours,

Risk Factors	Mitigation measures
	<p>accommodation, and prohibit alcohol and drug use to prevent conflicts with the local community.</p> <ul style="list-style-type: none"> • Provide training to workers on the proper use, care, and maintenance of machinery and equipment relevant to their job type before commencing work. Assign responsible personnel to inspect and maintain machinery and equipment to ensure their proper functioning. Promptly repair any damaged or faulty machinery to prevent accidents during work. • Employers in construction must adhere to the standards set by the Labor Welfare Committee regarding accommodation for construction workers, as specified in the year 2016 (details in Annex 7) • Working at heights exceeding 2.0 meters requires a sturdy and safe sitting position that can support a load of at least 4 times the weight of the load being handled. • For construction work with a risk of falling from a height exceeding 4.0 meters, safety pins and lifelines must be provided, and workers must wear them at all times during work. • Inspect all types of equipment related to the work, such as cranes, slings, ropes, hooks, and scaffolding, to ensure they are in good condition before starting work. • The contractor must oversee the residential area to maintain peace and order. Display signs or warnings regarding hazards or penalties related to drug abuse according to the law.
<p>F. Waste</p> <ul style="list-style-type: none"> • Poor collection and disposal of organic waste or neglecting to properly handle it leads to the accumulation of residual organic waste in construction areas. This becomes a breeding ground for various diseases such as hepatitis, typhoid, AIDS, etc. 	<ul style="list-style-type: none"> • Contractors in construction must comply with the Standard Labor Welfare Committee's announcement regarding labor welfare in residential accommodations for construction workers, issued in 2016.
<p>G. Water Supply</p> <ul style="list-style-type: none"> • Water scarcity leads to physical weakness and affects the overall well-being of individuals. 	<ul style="list-style-type: none"> • The construction contractor must manage the environmental health aspects in the construction area, project office, and worker accommodation to be appropriate. • Coordinate with the local municipality of Jong Thon and the Tambon Administration Organization of Koh Yai to request water supply. • Prepare water storage tanks for sufficient reserve of drinking and domestic water for workers in the accommodation area, along with ensuring an

Risk Factors	Mitigation measures
	adequate supply of clean drinking and utility water for staff and construction workers.
<p>H. COVID-19</p> <ul style="list-style-type: none"> • Close physical proximity: Construction sites often involve workers working in close proximity to one another, which increases the risk of viral transmission if preventive measures are not followed. • Interaction with others: Construction workers may interact with a diverse range of individuals, including co-workers, contractors, suppliers, and site visitors, potentially increasing their exposure to the virus. • Shared facilities: Construction sites often have shared facilities such as restrooms, break areas, and dining spaces, which can contribute to the spread of the virus if proper hygiene practices and distancing measures are not implemented. • Travel and commuting: Construction workers may need to travel to different job sites or use public transportation, which can expose them to crowded environments and increase the risk of virus transmission. • Handling of materials and equipment: Construction workers may come into contact with surfaces and objects that could be contaminated with the virus, such as tools, equipment, or materials shared among workers. 	<ul style="list-style-type: none"> • Implementing strict hygiene practices: Encouraging frequent handwashing with soap and water or using hand sanitizers with at least 60% alcohol content. Providing handwashing stations or hand sanitizers at multiple locations throughout the construction site. • Promoting the use of personal protective equipment (PPE): Requiring construction workers to wear appropriate PPE, such as face masks, gloves, and eye protection, when necessary. Providing an adequate supply of PPE and ensuring proper usage and disposal. • Enforcing physical distancing measures: Establishing protocols to maintain a safe distance of at least 6 feet (2 meters) between workers whenever feasible. Staggering work schedules, breaks, and lunchtimes to reduce the number of workers in shared spaces. • Enhancing site cleanliness: Regularly cleaning and disinfecting frequently touched surfaces, tools, and equipment. Providing cleaning supplies and encouraging workers to clean their work areas before and after use. • Implementing health screenings and monitoring: Conducting temperature checks and symptom screenings for workers and visitors entering the construction site. Encouraging workers to self-monitor for symptoms and report any signs of illness. • Providing training and education: Conducting regular training sessions to educate workers on COVID-19 prevention measures, including proper hand hygiene, respiratory etiquette, and the importance of following safety protocols. Ensuring that workers understand the symptoms of COVID-19 and the procedures for reporting potential exposures or positive cases. • Establishing communication channels: Facilitating open lines of communication between workers, supervisors, and management to report concerns, ask questions, and share information related to COVID-19 prevention. • Collaborating with local health authorities: Following guidelines and recommendations provided by local health authorities and government agencies. Collaborating with health officials to implement contact tracing efforts and testing protocols when necessary.

ANNEX 6 - COVID-19 GUIDELINES FOR MANAGEMENT OF CONSTRUCTION SITE

The measures to mitigate risks of COVID-19 will include measures and regulations according to the guideline of *“Measures and regulations for the management of construction site and construction worker camps in the response to COVID-19”*, as prescribed by the Bureau of Environmental Health, Department of Health.¹⁹ The specific measures for the project are as follow:

A. Measures and Coordination

- Understand the mandate/responsibilities and coordination mechanisms among relevant agencies including administrative agencies (Provincial Administrative Organization, district offices etc.), public health agencies (public health centers, sub-district hospitals, district public health office etc.), business operators (employers, head of staff, employees etc.) and communities in order to jointly specify a coordination plan, foster cooperation to strengthen each agencies’ mandate and responsibilities.
- Establish a joint agreement with the contractor company on the importance of following disease prevention and control measures. The company shall have policies to embrace discussion and consultation from external agencies and construction workers in the solving of issues.
- Establish measures and regulations on the prevention and control in response to COVID-19 in construction sites and construction worker camps. There shall be monitoring measures on the implementation of mitigation measures. Significant regulations include reduction of access to construction sites, adapt plans and activities to reduce close contact, strengthen sanitation measures in construction sites, focus on the health and safety of staff, workers and communities surrounding the area, and raise awareness and foster knowledge on health issues for workers.

B. Prevention and Risk Reduction

- Reduce risk factors to the spread of COVID-19 by appropriate environmental health management and effective disease control through the strengthening of environmental sanitation management in buildings, construction worker camps, bathrooms, toilets, canteens, drinking water fountains, public spaces, and management of solid waste and infectious waste.
- Prevent and control the spread of disease by reducing risk factors through appropriate sanitation behaviors, self-care, monitoring of symptoms of staff and construction workers. The measure DMHTTA (Distancing-Mask wearing-Hand washing-Testing temperature-Test COVID-19-Application) is also in place according to the Universal Prevention for COVID-19 guideline. This means that self-protection measures apply all the time in order to keep everyone safe from COVID-19 even when that person is not yet at risk. Everyone should think that they might have COVID-19 with no symptoms. Those close to us might have COVID-19 with no symptoms and there could be a spread of disease. All individuals shall apply as much protection measures as possible to not get COVID-19 or to spread it.

¹⁹ Measures and regulations for the management of construction site and construction worker camps in the response to COVID-19 (Bureau of Environmental Health, Department of Health, Ministry of Public Health, 2564)

- Raise awareness on health issues, self-protection measures, control of the spread of COVID-19 to all staff. Information shall be available on various platforms and in many languages. The information shall be communicated in a way that is easy to understand, considering the different educational levels, type of work, and ethnicities of people. The focus should especially be on migrant workers as they are a risk group. Communication using pictures shall be used in the awareness-raising campaign in order to bridge language gaps and increase the effectiveness of communication. The information can be easily understood, and individuals can benefit from it in the prevention of COVID-19 that is appropriate to their type of work and way of life. The information campaign presents three tools to promote cooperation. The information brings together the project director/construction worker camps, work supervisor and volunteers of the construction camp and/or temporary shelter to work together. This gives empowerment to the process of disease control and health promotion. Patients who have severe symptoms can be safely transferred to hospitals through the coordination with hospital. There shall also be response of needs/requests and psychosocial support for staff and workers.

C. Provision of support mechanisms and equipment

- In terms of support and psychosocial support for staff and workers, it is important for the project to provide support on living conditions, social needs, mental health of construction workers and their company, both for those that live in the camps and outside. The project shall disseminate information on the situation and issues outside of the construction camps in order to minimize anxiety, stress and to increase understanding and confidence in the isolation in the camps.
- Provide tools and equipment for the response such as develop a system for monitoring of symptoms or develop applications. Provide supplies of equipment such as masks, gloves, PPE suits, pulse oximetry, thermometer, oxygen concentrator etc.
- Build a network of volunteers among migrant workers to improve communication, build understanding, and increase monitoring in the area.
- Preparation of response to emergency situations/unforeseen circumstances such as water outage, power outage, floods, fire, illnesses.
- Designate the “Prevention and control of COVID-19” as the main policy for occupational health and safety in construction sites and construction worker camps. Aim for a strict implementation of the policy.
- Establish a team and responsible persons for the work on the prevention and control of COVID-19. Assign safety officers or chief of staff or others to lead the monitoring of situation in the construction sites and construction worker camps. The responsible persons shall ensure that all measures and guidelines against COVID-19 are followed.

D. Specific measures at construction sites

- Establish entry and exit points into the construction sites and construction worker camps. There shall be only one point for entry-exit for an effective control and screening of persons.

- Workers, staff, employees and other who come to the construction site and construction worker camps shall have their temperature screened prior to entrance to the site. Those with a temperature higher than 37.5 degrees Celsius shall stay in the waiting area and have their temperature screened once again. Should the temperature not decrease, it will be considered as they have a fever and not allowed to enter the site. They shall stay in the temporary quarantine facility. The matter shall be reported to the safety officer or other assigned officers for further risk-prevention measures.
- Workers and visitors shall always wear cloth masks or surgical masks. They might wear other PPE equipment. Workers shall wear gloves, face shield, depending on the characteristics of their work.
- Handwashing spots with soap and alcohol sanitizer/gel (at least 70% alcohol) shall be sufficiently provided at the entry-exit points, and other areas that are at risk of contact such as clocking in area, contact area, canteens, water fountains, toilets, for workers and visitors.
- Physical distancing measures of at least 1-2 meters, depending on the appropriateness, shall be maintained. There shall be distance between sites to reduce contact between individuals.
- Adapt methods of work, establish a system to reduce crowdedness and occupational risks such as work shifts, overlap of working sites, alternate days of working etc.
- Assign workers to work in their own group and stay within their group. There shall be minimum activities between groups. The system shall be designed according to the construction process such as categorization of workers from different contractors. There should be no activities or implementation in the same area at the same time. Work areas shall be separated.
- Prohibit gatherings, events, parties or activities that would create crowdedness. Maintain the policy to minimize contact.
- For transportation of construction workers, there shall be limits of number of workers on the buses/trucks to maintain physical distance. The seats should not be facing each other. Workers shall wear cloth masks or surgical masks and avoid talking throughout the transportation duration. Others who are not related to the work shall not join the transportation. There should be no stops along the way.
- Promote and support vaccination against COVID-19 for employees and employers.
- The contractor shall provide Antigen Test Kit (ATK) for employees who have symptoms of cold, diarrhea, loss of sense of smell and taste, or those suspected to have COVID-19. In case there are no suspected cases, there shall be occasional random tests using PCR or ATK for staff and workers.
- Coordinate and ensure that all workers have access to hospitals where they can receive treatment when they are sick.
- Prepare quarantine facilities within the construction site and construction worker camps for those who contracted COVID-19 or are close contacts of persons who have COVID-19. There shall be food and water provided for the camp.

ANNEX 7 – SAMPLE OF A CODE OF CONDUCT

DEPARTMENT OF RURAL ROADS

[Below is a reference to the Code of Conduct]

The minimum content of the Code of Conduct of the different parties involved in the Project that have workers covered by the Labor Management Procedure - LMP must include the following elements:

I. INTRODUCTION

The Department of Rural Roads (DRR), is in charge of executing Thailand Resilient Transport Connectivity Project that is financed with resources from the World Bank, under its standards and approved policies.

The DRR is the management document designed to treat risk situations and adverse impacts, related to labor and working conditions that arise around the Investment Project. This code is compatible with the specific environmental and social guidelines required of entities that carry out investment projects supported with World Bank financing.

II. OBJECTIVES

This labor management instrument complies with the commitment to develop the minimum concepts aimed at regulating the behavior required of workers and people linked to the execution of the Project, promoting an inclusive, respectful and equal treatment of workers among themselves, as well as with the community.

Our workplace is an environment where unsafe, offensive, abusive, or violent behavior will not be tolerated and where everyone should feel comfortable raising issues or concerns without fear of retaliation.

III. SCOPE

The Code of Conduct is applicable to all project workers of DRR up to the highest level and, without exception, to all workers of the contractor (work executor); supervisor workers, subcontractor workers and / or personnel hired by them related to the Project, either with or without a dependency relationship.

The contractor, the supervisor and the work subcontractors are obliged to comply with the guidelines and procedures contained in this document, as well as to inform all their personnel, having to deliver the corresponding copy with the reception charge. The contractor and the supervisor are obliged to include in the contracts they sign with the subcontractors the clause of subjection to the Code of Conduct.

IV. DESCRIPTION OF THE PROJECT WORKERS

(insert description of project workers)

V. DEFINITIONS

For the purposes of the execution of the Project, the following concepts are defined:

(insert definitions)

VI. CONDUCT GUIDELINES

All the people included in numeral IV of this Code, contribute to generating positive labor relations through fair, dignified, inclusive, tolerant and equal treatment in the workplace, work site or public spaces related to the Project. They are obliged to the following:

1. Perform their duties with competence and diligence;
2. Comply with this Code of Conduct and with all applicable laws, regulations and other requirements, including requirements to protect the health, safety and welfare of other contractor personnel and any other person;
3. Maintain a safe work environment, taking into consideration the following:
 - a. Ensure that workplaces, machinery, equipment and processes under the control of each person are safe and without health risks;
 - b. Wear the required personal protective equipment;
 - c. Use appropriate measures in relation to chemical, physical and biological substances and agents; and
 - d. Follow applicable emergency operating procedures.
4. Report work situations that are not safe or healthy and move away from a work situation that is reasonably considered to present an imminent and serious danger to their life or health;
5. Treat other people with respect and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. Not engage in any form of sexual harassment, including unwelcomed sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature with another Contractor or Employee Personnel;
7. Not engage in sexual exploitation, which means any actual abuse or attempted abuse of someone in a vulnerable situation or anyone for sexual purposes;
8. Do not engage in sexual assault or harassment, which means any form of non-consensual sexual contact that does not result in or include penetration. Examples include: attempted rape, as well as unwanted kissing, fondling, or touching the genitals, breasts and buttocks; not engaging in any form of sexual activity with persons under the age of 18, except in the case of a pre-existing marriage;

9. Complete the relevant training courses to be taught in relation to the environmental and social aspects of the Contract, including those related to health and safety, sexual exploitation and sexual assault;
10. Report violations of this Code of Conduct;
11. Not to retaliate against anyone who reports violations of this Code of Conduct or who makes use of the Grievance Mechanism for workplace complaints and claims.
12. **[Indicate other guidelines]**

VII. CASE REPORTING

If anyone observes behavior that it is believed that may represent a violation of this Code of Conduct, or that may be a case for concern, this matter should be raised as soon as possible. This can be done in any of the following ways:

1. Contact **[write the name of the Contractor's Social Expert with relevant experience in handling gender-based violence, or if such person is not required under the Contract, another person designated by the Contractor to handle these matters]** by writing **[indicate address]** or by telephone **[indicate telephone number]**
2. **[indicate other contact information]** The identity of the person will be kept confidential. Anonymous complaints or allegations may also be made and given all due and appropriate consideration. **[Indicate name of the Executing Unit]** will take seriously all reports of possible misconduct, will investigate and take the appropriate measures.

There will be no retaliation against anyone who in good faith raises a concern about any behavior prohibited by this Code of Conduct. Such retaliation would constitute a violation of this Code of Conduct.

VIII. CONSEQUENCES OF VIOLATION OF THE CODE OF CONDUCT

Any violation of this Code of Conduct by Contractor Personnel can have serious consequences, including termination and possible referral to legal authorities.

IX. FOR THE STAFF OF [INDICATE NAME OF EXECUTING UNIT]:

I have received a copy of this Code of Conduct written in a language that I understand. I understand that, if I have any questions about this Code of Conduct, I can contact **[Indicate the name of the contact person of the Executing Unit, with relevant experience in the management of gender-based violence]** requesting an explanation

Name of the worker of the Executing Unit:

[Insert name]

Signature:

Date (day / month / Year):

ANNEX 8 – DRAFT POLICY AND PROCEDURES FOR THE MANAGEMENT OF WORKERS' CAMPS²⁰

The contractor shall comply with the notification of the Welfare Committee on the Labor Welfare Standards for the Accommodation of employees in construction, B.E.2559, as follows:

Residences of workers or employees

- The narrowest point of the accommodation shall be at least 2.50 meters in width. The total area shall be not less than 9.0 square meters and the height not less than 2.40 meters. The accommodation area shall be at least 3.0 square meters per person. This should comply with the Building Control Act.
- The foundational structure and main structure shall be safe and strong. The materials used for construction must be adequate and appropriate.
- A dwelling for employees in construction that is constructed consecutively in a row or with a total length of 45 meters shall have a space between the rows on both sides of the dwelling. The space has to be at least 2.50 meters in width and go along the depth of the dwelling.
- There should be natural air circulation in the dwelling. There shall be doors and windows or vents to the outside air that cover a total area of not less than 10% of the total area of the space. However, the areas of doors, windows, vents that are attached to other rooms or walkways in the building do not count.
- Sufficient accommodation shall be provided according to the number of workers.

Bathrooms and toilets

- Clean bathrooms and toilets shall be sufficiently provided according to the number of workers. There shall be enough lighting and safety. The facilities shall adhere to sanitation standards.
- Bathrooms and toilets could either be separated or in the same room. There should be a separation between male-female. The bathrooms-toilets shall be easy to clean and equipped with vents or ventilators of at least 10% of the total area. The distance from the floor to the ceiling or lowest section of the ceiling shall not be less than two meters.
- If bathrooms and toilets are separated, each room shall have an area of not less than one square meter and the width shall be not less than one meter. If bathrooms and toilets are in the same space, the total area shall be not less than 1.50 square meters.
- The foundational structure and main structure shall be safe and strong. The materials used for construction have to be adequate and appropriate.
- Upon the completion of construction activities, construction site offices, construction worker camps and wastewater septic tanks/sumps underground shall be dismantled and disposed of according to sanitation guidelines.

Solid waste management

- Establish solid waste collection stations equipped with trash cans of different colors which are categorized according to types of waste.
- Provide sufficient trash cans with lids appropriate to the amount of waste. Trash cans shall be made of materials that are easy to clean, strong and durable. They shall be easily movable to

²⁰ EIA Report, Lanta Island bridge Project. Section 5.2.4.4

facilitate transfer and disposal. Trash cans should have lids to prevent animals and insects that are carriers of diseases.

- Trash cans shall be lined with bags for easy collection and disposal.
- Contractor shall promote solid waste separation in order to reduce waste from the source and reduce waste for disposal. The 3 R principle shall be followed including:
 - Reduce: Reduce usage, use natural materials, reduce use of foam and plastic.
 - Reuse: Use canvas bag or paper bags instead of plastic bags.
 - Recycle: Treat or process waste that cannot be reused to make a new product.
- (For Lanta) Coordinate with the Koh Klang Sub-district Administrative Organization for regular waste collection and further disposal according to sanitation standards.

Electrical and Fire Safety

- Electrical equipment must be in a safe and non-damaged condition. Protective devices against electric shock should be installed, and electrical cables should be routed from above. If cables are laid on the ground or buried, they should be placed in sturdy and secure conduits. The conduits should be securely fastened to the insulation of the equipment to prevent electrical hazards.
- Provide portable fire extinguishers suitable for the type of fire hazards and ensure an adequate quantity.
- Install alarm devices or safety warning systems capable of signaling and notifying incidents to cover all areas.
- Clearly display signs indicating residential areas.

Security, Hygiene, and Management of the Workers Camp

- In the case where the accommodation is within the construction area, the contractor must ensure the construction of sturdy and secure fences around the residential area.
- Access points should be designated and provided with separate pathways for entering and exiting the residential area, avoiding hazardous zones. If it is necessary to pass through hazardous areas, special safety measures must be implemented to ensure the safety of the workers. Additionally, measures must be in place to prevent hazards from falling objects from elevated locations.
- Installation of signs or notices warning against hazards and penalties according to the laws related to drug abuse.
- Establish guidelines for maintaining cleanliness and proper hygiene in the camp area.

In cases where there are more than 10 resident workers, the employer shall appoint at least one person as a caretaker responsible for overseeing the camp area.

ANNEX 9— LAWS AND REGULATIONS ON LABOR DISPUTES

Conciliation and mediation of labor disputes is primarily governed by the Labor Relation Act B.E. 2518 (1975), the relevant section of the Act on (i) conciliation and mediation mechanisms, and (ii) the arbitration of labor disputes, are outlined below.

I. Conciliation and mediation mechanisms for disputes arising out of industrial relations

1.1 Voluntary mediation / conciliation

Legal provision: (Labor Relation Act B.E. 2518 (1975), Sec. 13 and 21)

Section 13 of LRA provides that “in demanding for an agreement on state of employment or an amendment thereto, an employer or an employee shall notify a written demand to the other party.”

Section 21 of LRA provides that “in case where no negotiation is made within the time period as prescribed in Section 16; or in case where a negotiation is made but no agreement can be reached for whatever reason, it shall be deemed that a labor dispute has occurred, and the party making a demand shall submit a written notice to the labor dispute mediator within twenty-four hours from a lapse of the period as prescribed in Section 16 or from the time that no agreement can be reached, as the case may be.”

1.2 Compulsory mediation / conciliation

Legal provision: (Labor Relation Act B.E. 2518 (1975), Sec. 22)

In case of failure of the conciliation procedure between employees and employers, the dispute must be submitted to the labor dispute mediator who is a government office responsible directly for conciliation or mediation for the process of conciliation or mediation.

Section 22 provides that “after receiving the notice under Section 21, the labor dispute mediator shall arrange for mediation between the party making the demand and the party receiving the demand within five days from the date of receipt of the written notice. If a settlement can be reached within the time period as prescribed in paragraph one, Section 18 shall apply mutatis mutandis.”

1.3 Institutions and bodies with authority to provide mediation / conciliation services

Legal provision: Ministry of Labor (Government officers), Labor Relation Act B.E. 2518 (1975), Sec. 21)

Section 21 provides that “in case where no negotiation is made within the time period as prescribed in Section 16; or in case where a negotiation is made but no agreement can be reached for whatever reason, it shall be deemed that a labor dispute has occurred, and the party making a demand shall submit a written notice to the labor dispute mediator within twenty-four hours from a lapse of the period as prescribed in Section 16 or from the time that no agreement can be reached, as the case may be.”

II. Arbitration of labor disputes

2.1 Arbitration mechanisms for collective disputes

Legal provision: (Labor Relation Act B.E. 2518 (1975), Sec. 26)

Section 26 provides that “when there is the unsettled labor dispute under Section 22, paragraph 3, the employer and employees may agree to appoint one or several labor dispute arbitrators to render an award on the said labor dispute.”

ANNEX 10 – COLLECTIVE BARGAINING AGREEMENTS

Collective bargaining agreements (CBAs) are commonly referred to as "Agreements Relating to Conditions of Employment"²¹ under Thai law and are compulsory in companies employing 20 or more employees.²²

Once a CBA has come into force, the employer is forbidden from entering into any employment contract that is contrary to, or inconsistent with, that CBA, unless that employment contract is more favorable to the employee. If there is no such CBA in place, the employer's internal work regulations (which the employer must issue once it has ten or more employees) will apply.

If the employer wishes to amend a CBA, a written request must be submitted to the employees (or their representative) to initiate negotiations under the Labor Protection Act BE 2541 (1998). The amended CBA is binding between the parties once it has been signed by both parties (employer and employees), including for employees outside of the labor union and employees not directly involved in negotiating the amended CBA, provided that a certain number of employees are party to the amended CBA.

An employer can unilaterally apply new terms and conditions of employment or HR policies that are more favorable to the employees. However, where the changes are less favorable to the employees, the employer must obtain consent for those changes from the affected employees. This includes changes relating to:

- Working conditions
- Normal working days and hours
- Wages and incentives
- Employees' welfare and benefits
- Employment termination
- Grievance procedures

²¹ Labor Relation Act B.E.2518 (1975), Section 5. "Agreement relating to Conditions of Employment" means an agreement between an Employer and Employee or between an Employer or Employers' Association and a Labor Union relating to Conditions of Employment.

²² Labor Relation Act B.E. 2518 (1975), Section 10. Chapter1: Agreements Relating to Conditions of Employment. "A place of business having twenty or more Employees shall have an Agreement relating to Conditions of Employment in accordance with the provisions of this Chapter. Where there is doubt as to whether a place of business has an Agreement relating Conditions of Employment, the working regulations which an Employer is required to have under the law on labor protection shall be regarded as the Agreement relating to Conditions of Employment under this Act.

ANNEX 11 – SAMPLE OF LABOR SECTION CLAUSE FOR CONTRACTS FOR THE EXECUTION AND SUPERVISION OF WORK

CLAUSE [] .- LABOR SECTION: COMPLIANCE WITH LABOR MANAGEMENT PROCEDURES AND LABOR PARTNER OBLIGATIONS:

This contract is executed under the standards, conditions, guidelines and normative policies of the WORLD BANK, in accordance with the provisions of the “Loan Agreement” signed with the Department of Rural Roads (DRR) of the Ministry of Transport, Kingdom of Thailand, for the financing of the Project. According to these parameters, THE CONTRACTOR carries out its activities subject to compliance with the obligations of a social-labor nature that will be demanded by the Thai government, according to the following specifications:

1. The Labor Management Procedures - LMP and its Annexes is applicable to THE CONTRACTOR, which is an integral part of this contract:
 - a. THE CONTRACTOR shall comply with the provisions, conditions, rights and duties, according to the terms, manner, form and opportunity established under applicable Thai laws. It must have an approved OSH Program, otherwise the OSH Program will apply and that the CONTRACTOR shall i) carry out occupational medical evaluations to personnel at the beginning, during, and at the end of the employment relationship; ii) equip the personnel on site with the respective materials, tools, supplies and uniforms, as well as the clothing and personal protective and safety equipment necessary for the provision of the service, where applicable; and iii) prepare an occupational health and safety plan consistent with the LMP and the regulations applicable to the Project, the World Bank Group General Guidelines On Environment, Health And Safety and the World Bank standards.
 - b. THE CONTRACTOR shall carry out its actions on labor matters in a manner consistent with the provisions of ESS 2, referring to labor and working conditions and the General Guidelines on Environment, Health and Safety of the World Bank Group. To do this, the contractor must prepare his own LMP document, consistent with this LMP document. The child labor and any form of forced labor are prohibited. The contractor will adopt a gender perspective to promote the employment of women, and will keep records disaggregated by sex and disability status of its workers.
 - c. THE CONTRACTOR will comply with the formalities, contracting procedures, conditions, recognition and payment of labor benefits in a timely manner, according to the corresponding labor regime regarding the activity. This includes, but not limited to: registration with the social security system and making payments for withholdings and contributions by law, which includes Annual Income Tax Return. It will assume the payment of any sanction or fine that could be applied to DRR for the economic breach of the labor, social insurance, and / or tax obligations of the personnel it hires.
 - d. THE CONTRACTOR is encouraged to hire local labor for unskilled labor, which it should include the hiring of women.

- e. THE CONTRACTOR shall submit a statement on sexual exploitation and assault, as part of its bidding documents, following the defined World Bank formats, included as part of the bidding documents.
2. THE CONTRACTOR shall designate a responsible Coordinator who will be in charge of managing and coordinating with DRR, all matters concerning the labor requirements developed in this clause.
 3. THE CONTRACTOR is obliged to apply, inform and enforce the Code of Conduct that is an integral part of this contract. This is applicable to the personnel who are hired, whether they are employees or not, for the immediate adoption of respectful behaviors inside or outside the work execution area, avoiding, rejecting and sanctioning all discriminatory acts, violence, harassment hostility / or intimidation, whether verbal, physical and / or psychological, against citizens and the general population, demanding respectful, tolerant, inclusive and equal treatment towards society, especially towards women, immigrant foreigners, people with disabilities, the LGBTI population, and sex workers, among others.
 4. THE CONTRACTOR shall comply with the visitorial or inspection requirements of DRR providing: i) information requirements, ii) document review, iii) ocular inspection, iv) record of the occurrence of the visit, v) training and awareness campaigns. The CONTRACTOR must sign the documents (minutes and / or records) that record the actions carried out in order to verify compliance with the obligations assumed in this contract, in accordance with the "Labor Management Procedures and its Annexes".
 5. THE CONTRACTOR must have the manual of internal mechanism that establishes the procedure for handling requests, complaints and grievances from its workers. This manual will include a specific mechanism to receive complaints about labor issues, according to the structure of the Complaints and Grievances Redress Mechanism established in the LMP, and they must inform workers, whether they are employees or not, by delivering and receiving the said document. The responsible coordinator must be designated and formally communicated to DRR.
 6. THE CONTRACTOR shall incorporate in the contracts that it signs with the subcontractors and / or third parties that it hires for the purposes of executing this contract, as well as with the subcontractor and primary purveyors, the clause of subjection to the guidelines of the "Labor Management Procedures and its Annexes", and in a manner consistent with the World Bank Group General Guidelines on Environment, Health and Safety.

ANNEX 12 – PUBLICLY ADVERTISED PROCEDURE FOR GRIEVANCES LODGED AT THE MINISTRY OF LABOR

For the grievance process lodge at the Ministry of Labor, the publicly advertised procedures as prescribed by the Ministry of Labor are the following²³:

1. Upon receiving complaints from different channels, the complaints will be logged, including the complainant's details. An evaluation and summary of the complaint will then be conducted along with the reasons provide. A concise report will be prepared specifying the requested assistance by the complainant and identifying the relevant agencies involved.
2. The authorized person of MOL will send a notification letter to the relevant agencies to initiate action and inform the complainant of the preliminary findings within 7 working days. The letter will specify the department responsible for addressing the identified issue.
3. The case will be forwarded to the relevant agencies for problem resolution, and the progress of the actions taken will be reported to the complainant.
4. If the public or relevant organizations inquire about the progress of a complaint, officials will gather the necessary details from the complaint tracking system. They will then coordinate with the relevant departments to obtain information about the progress of the actions taken and provide updates to the inquired parties.
5. For Reporting and Record Keeping. Once the department responsible has completed the necessary actions, they will directly inform the complainant about the outcome. They will also make a copy of the report and submit it to the Ministry of Labor's Public Service Center for the compilation of a summary report. This report will be presented to the Minister of Labor or the relevant head of agencies to acknowledge the resolution of the issue or to notify to complainant if the relevant department has not provided a report to the complainant. The documents will be kept and maintained at the relevant department and the Ministry of Labor's Public Service Center as evidence in case of future audits or requests for additional information.
6. Regarding Reporting and Record Keeping, once the department responsible has concluded the necessary actions, they will directly communicate the outcome to the complainant. Additionally, a copy of the report will be generated and submitted to the Ministry of Labor's Public Service Center for the compilation of a summary report. This summary report will be presented to the Minister of Labor or the relevant agency head to acknowledge the resolution of the issue or to notify the complainant if the relevant department has not provided a report. The documents will be securely maintained at both the relevant department and the Ministry of Labor's Public Service Center as evidence for future audits or requests for additional information.

²³ Department of Employment. Manual for receiving grievances and complaints, Public Service Center of the Ministry of Labor.
https://www.doe.go.th/prd/assets/upload/files/sukhothai_th/ba1113be4462c37233729b430455f521.pdf

Annex 13: Sample Complaints Form for Project Workers²⁴

วิธีการร้องเรียน ☐ ทางโทรศัพท์ ☐ ด้วยตนเอง
Channel Telephone Walk-in

บันทึกรับเรื่องร้องเรียน (Complaint form)

วันที่ (Date)

1. ชื่อผู้ร้องเรียน
Complainant

ที่อยู่
Address

ตำบล อำเภอ/เขต จังหวัด
Sub-district District Province

รหัสไปรษณีย์ โทรศัพท์ E-mail
Zip code Phone

2. ชื่อสถานประกอบการ
Employer

ที่อยู่
Address

ตำบล อำเภอ/เขต จังหวัด
Sub-district District Province

รหัสไปรษณีย์ โทรศัพท์ E-mail
Zip code Phone

สถานที่ใกล้เคียง
Place nearby

3. ข้อเท็จจริงที่ร้องเรียน (The problem or issue) ☐ ปัญหาด้านแรงงาน ☐ อื่นๆ (ระบุ)
Labour Issue Other (Please specify)

กรุณาอธิบายและ/หรือแนบเอกสารที่เกี่ยวข้อง Please briefly describe/attach additional document if needed

.....

.....

.....

.....

Sign ผู้ร้องทุกข์
Complainant

(.....)

การดำเนินการของเจ้าหน้าที่ผู้รับเรื่อง (Procedure) ☐ สป.ร.ง. (OPS) ☐ กก.จ. (DOE) ☐ กพร. (DSD) ☐ กสร. (DLPW)
เกี่ยวข้องกับ (To) ☐ สปส. (SSO) ☐ หน่วยงานอื่น (Other)

..... เจ้าหน้าที่ (Officer)

²⁴ Ministry of Labor (2023). Guidelines for Consulting and Resolving Complaints/Grievances. <https://www.mol.go.th/wp-content/uploads/sites/2/2023/03/Handbook-OPS-Service-2023.pdf> (in Thai)