

## **Ministerial Regulation No. 1 B.E. 2518 (1975)**

**Translation**

Issued under the Labor Relations Act, B.E. 2518 (1975)

By virtue of Section 6 and Section 13 of the Labor Relations Act, B.E. 2518, the Minister of Interior hereby issues the Ministerial Regulation as follows:

### **Clause 1**

In the case where an election for the representatives of the employees has been organized by the employees themselves, the employee shall organize the meeting of the employees related with the demand so as to conclude that who shall be their seven representatives. If more than seven employees desire to be such representatives and it is unable to conclude, voting shall be made and seven employees who obtain the highest number of votes shall be the representatives of the employees.

### **Clause 2**

In the case where the employees have submitted the demand and the names and signatures of the employees related to the demand, which shall not less than fifteen per cent of the total number of the employees related to such demand, as well as the names of seven representatives of the employee have been specified therein, it shall be deemed that the employees have completely elected their representatives.

### **Clause 3**

In the case where the employees have submitted the demand to the employer while their representatives have not been elected, if the employees desire to organize an election themselves, the employees related to such demand shall organize an election and notify the names of their representatives to the employer in accordance with the procedure as prescribed in clause 1.

### **Clause 4**

In the case where the employees request the conciliation officer to organize an election for their representatives, not less than ten employees related to such demand shall sign the request in the form LS. 1 hereto attached.

### **Clause 5**

The conciliation officer shall, after receiving the request under clause 4, organize an election for the representatives of the employees by notifying election date, time and place, in writing, to the requested employees and shall post openly the notification on an election date, time and place made in form LS. 2 hereto attached at the work place of the employees related to the demand at least twenty-four hours before the commencement of such election.

### **Clause 6**

On election date and time, the conciliation officer shall organize the meeting of the employees related to such demand at the specified place so as to enable the employees who attend the meeting propose the names of the employees who should be their representatives and then vote for the representatives for not more than a number as determined by the conciliation officer.

In the case where any employee related to the demand is a member of the labor union and the employees propose names of the board of directors of the labor union to be elected as the representatives of the employees, voting shall be made by secret ballot.

The conciliation officer shall, upon the completion of voting, count of votes without delay. The employees who obtain the highest number of votes in a number as determined by the conciliation officer shall be the representatives of the employees.

**Clause 7**

In the case where the labor union has submitted the demand, if it appears to the conciliation officer, upon request of the labor union, employees or employer, that any employee related to the demand is member of other labor union, the conciliation officer shall organize an election of the representatives of the employees. In this case, the provisions of clause 5 and clause 6 shall apply mutatis mutandis.

**Clause 8**

The conciliation officer shall, in the case under clause 6 and clause 7, issue confirmation letter stating names of the representatives of the employees in the form LS. 3 hereto attached to the representatives of the employees and the employer.

The conciliation officer shall make a record on an election of the representatives of the employees stating the number of the employees related to the demand, the number of the employees who castled vote, names of the representatives of the employees and the number of received votes and shall keep such record as evidence for not less than one year.

**Clause 9**

A representative of the employees shall hold office from the elected date until the date the newly election for the representatives of the employees or the date the working conditions agreement has terminated, as the case may be.

Given on the 22nd Day of May B.E. 2518

Signed by Mr. Boontheng Thongswadi

Minister of Interior

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