

Ministerial Regulation No. 3 B.E. 2527 (1984)

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 (1975), the Minister of Interior hereby issues the Ministerial Regulation as follows:

The provisions of Clause 5 and Clause 6 of the Ministerial Regulation No. 1 B.E. 2518 (1975) issued under the Labor Relations Act, B.E. 2518 shall be repealed and replaced by the following:

`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 in the case where an election shall be held on the same place and time or at least fifteen days before the commencement of such election in the case where an election shall be held on the different places or times.

Clause 6

After specifying election place and time, the conciliation officer shall organize the meeting of the employees related to the demand at such specified place and on such specified time so as to enable the employees who attend the meeting propose the names of the employees who should be their representatives.

In the case where the conciliation officer determine to organize an election on different places and times due to the fact that the employees related to the demand of such undertaking are working in many localities or such undertaking has to be done continuously or other reasons, the employees related to the demand shall propose, with representation of at least ten of them, the names of the employees who should be their representatives to the conciliation officer before an election date for not less than ten days. After receiving the proposed names, the conciliation officer shall:

- (1) prepare the list composing of names and identification number of each proposed employee and the list of voters and post openly at the election place at least three days before an election date;
- (2) appoint at least three of the voters to be an election committee for each election place so as to examine whether the presence voter is named in the list of voters, to accept the marked ballot from the voter to put in the ballot box in front of the voter, and to count of votes. In this regards, a member of an election committee still has the right to vote.

In an election under paragraph one and paragraph two, the employees related to the demand who presence at the meeting shall vote for the representatives of the employees in the number as determined by the conciliation officer, but shall not more than seven in number.

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 or where the conciliation officer determine to organize an election on different places and times, voting shall be made by secret ballot.

Upon the completion of voting, the conciliation officer or an election committee under (2), as the case may be, shall 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. If the elected employees at the last order receive equal votes which may cause the number of the elected employees more than the number as determined by the conciliation officer, the conciliation officer shall organize the elected employees at the last order who receive equal votes to draw lots openly so as to reduce the elected employees to the number as determined by the conciliation officer”

Given on the 12th Day of September B.E. 2519

Signed by General Sidth Jirarojana

Minister of Interior

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