

# ANNUAL LABOUR REPORT

# 2023

Thai Frozen Foods Association

รายงานการดำเนินการด้านแรงงาน ประจำปี 2566  
สมาคมอาหารแช่เยือกแข็งไทย





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Thai Frozen Foods Association : TFFA

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## 1) Programme Ship To Shore Rights South East Asia (SEA) by ILO

4<sup>th</sup> Meeting of the National Project Advisory Committee, Ship-to-Shore Rights Project Asia region southeast (Ship To Shore Rights South East Asia: SEA)

On February 28, 2023 at VIE Hotel Bangkok, there was a meeting of the Project Advisory Committee. National level, 4th time, Ship-to-Shore Rights Project Southeast Asia (Ship To Shore Rights South East Asia: SEA) which is a cooperation between 7 countries: Thailand, Cambodia, Indonesia, Laos, Myanmar, Philippines and Vietnam. The project period is August 2020 - July 2024, with funding from the European Union and the United Nations. The International Labour Organization (ILO) in collaboration with the International Organization for Migration (IOM) and the United Nations Development Program (UNDP) has received 10 million euros, with TFFA serving as an advisory committee on the project. with the objective

(1) Promote the efficiency of legal frameworks, policies, and regulations, including various research projects. related to migration for work and labour standards in the fishing and seafood processing industries in Southeast Asia

(2) Protect labour rights and promote a safe and stable working environment for migrant workers from recruitment after employment. as well as the termination of the employment contract.

(3) Promote migrant workers, families, organizations and communities. to provide protection and access to one's own rights.



1. The results of the last meeting in June 2022, which in the past had given importance to safety. Convention No. 187 on the Promotional Framework for Occupational Safety and Health, 2006, will support Thailand on the principles of association and collective bargaining rights. According to Convention No. 87,98 on freedom of association and the right to organize and negotiate. This convention is one of the ILO's most important basic human rights principles, believed to provide important guarantees for working people. And will bring about a just and peaceful society.

2. Currently, in many countries the importance of forced labour is emphasized. Regulations were issued in February 2022 not accepting purchases of products that come from forced labour. and came into force in December 2022.

3. Many agencies, including the government, private sector, associations, and civil society. Presented the results of past operations. In the TFFA&TTIA section, Mr. Viboon presented past activities, including attending meetings with the ILO, visiting member factories, as well as comparatively evaluating the results of child labour, forced labour, various documents. Mandatory Welfare Committee Labor participation with better cooperation among members, caring for female workers and pregnant women, making an MOU between the Ministry of Labor and the Chamber of Commerce and the Chamber of Commerce, with 2 associations leading the activities. and World Anti-Child Labor Day activities that both associations and associations participated in in each area.

4. Additional offers regarding the Training of Trainer course, training can be organized online or workshop documents may be submitted electronically. Analysis of various checklists is possible. Because GLP is not a standard, it is not certified. Therefore, GLP is issued with a certificate of honor. The Labor Standards Development Office must put in place a Training of Trainer course to equip trained personnel with the ability to carry out GLP correctly. So that the Chamber of Commerce and the Thai Chamber of Commerce can drive GLP work to be more extensive.

## **2) GLP Visit Members**

In 2023, the Thai Frozen Food Association Visited members To follow up on GLP labour operations by going to the area to visit members. There are a total of 14 factories, divided into factories producing shrimp, squid, fish, and crab distributed in Samut Sakhon, Samut Prakan, and the southern region such as Surat Thani, Songkhla, using the ILO budget, which started the project in August 2023 (and has continued to operate at this time. Visited members of 22 factories, aiming to have 59 factories by 2024, accounting for 50% of the number of members). In this regard, activity reports have been summarized on the website of the Thai Frozen Food Association in both Thai and English. website: [www.thai-frozen.or.th](http://www.thai-frozen.or.th)

### Activities step by step:

1) Conduct a labour self-assessment form in the workplace, employers shall submit the self-checklist form and related documents proofing the compliance to labour law to TFFA and submit photos showing physical environment in the workplace including medical room, bulletin board, restroom, canteen, chemical storage room, access to occupational safety and health, knowledge of

grievance mechanisms and workplace welfare committee's activities to provide evidence of compliance with GLP.

2) TFFA visit both in the form of onsite or virtual or remote meetings online meeting with the following formats.

3) Random interviews with Thai and migrant workers.

➤ **GLP Visit of Thai Frozen Foods Association (TFFA) to follow up 14 companies.** There are 10,734 workers in 14 members of Thai Frozen Foods Association. Among these 3,786 are Thai (man 954 workers, woman 2,832 workers) and 6,948 are migrant workers (man 2,296 workers, woman 4,652 workers)

No.	List of Company	No. of total workers							No. of workplace welfare committee members		
		Total	Thai		%	Non-Thai		%	Total	Thai	Non-Thai
			Man	Woman		Man	Woman				
1	A	2,247	284	1,102	62	210	651	38	6	4	2
2	B	945	107	167	29	289	382	71	8	3	5
3	C	155	1	4	3	50	100	97	5	2	3
4	D	162	31	40	44	43	48	56	5	3	2
5	E	565	54	255	55	48	208	45	5	5	0
6	F	632	30	129	25	70	403	75	5	5	0
7	G	198	23	82	53	33	60	47	5	5	0
8	H	193	58	135	100	0	0	0	5	5	0
9	I	1,052	49	129	17	301	573	83	7	7	0
10	J	57	7	50	100	0	0	0	5	5	0
11	K	843	87	201	34	196	359	66	10	8	2
12	L	1,991	127	354	25	397	1,113	75	5	1	4
13	M	240	8	17	10	86	129	90	10	8	2
14	N	1,454	88	167	18	573	626	82	11	7	4
	Total	10,734	954	2,832	42%	2,296	4,652	58%	92	68	24

**Note;** 1. Proportion of Thai workers : Migrant workers (42:58)

2. 5 companies have more Thai workers than migrant workers, with only 2 factories having 100% Thai workers.

Table 1: Summary of compliance GLP standard, members non-compliance with the law or non-compliance with GLP, including corrective actions

No.	GLP Standard	Non-compliance with the law (issue)	Non-compliance with GLP (issue)	Correction action by company	
				Corrected (issue)	In process (issue)
1	Recruitment and employment (2 issues)	1	1	2	0
2	Child Labour (0 issue)	0	0	0	0
3	Freedom of Association, Collective Bargaining and Workplace Cooperation (4 issues)	2	2	3	1
4	Discrimination (Equal Employment Opportunity and Treatment) (0 issue)	0	0	0	0
5	Wages, Compensation, and Working Time (1 issue)	0	1	1	0
6	Occupational Safety and Health and Workers' welfare (0 issue)	0	0	0	0
	<b>Total (7 issues)</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>1</b>

Table : 2 Detail of issue of members non-compliance with the law or non-compliance with GLP, including corrective actions

GLP Standard	Issues of non-compliance with the law	Issue of non-compliance with GLP	Corrective action by company	Concerned Laws
1. Recruitment and employment (2 issues)	1. Company rules and regulations according to the latest Act have		The company has improved the regulations. and additional information	The Labour Protection Act (No. 7) B.E. 2019 has

	not yet been updated in the matter. Compensation rates for employees who have worked for 20 years or more receive compensation not less than 400 days' wages.		updates Along with posting announcements to inform workers.	been announced in the Royal Gazette and has become effective as a law on April 5, 2019, which has 7 new benefits.
		2. Some company policies not translated into Myanmar language.	The company has translated and posted announcements. Public relations for workers.	
2. Child Labour (0 issue)	-	-	-	-
3. Freedom of Association, Collective Bargaining and Workplace Cooperation (4 issues)	1. The company does not hold Welfare Committee meetings (KSC) at least 3 times a month. 2. The company held a meeting to solve problems, but it was an informal meeting. There was no official recording of meeting regulations, agendas, and meeting summaries.		-Advise the company to start holding meetings according to law.  -Proceed with regular meetings as they normally would. And additional meeting recordings.	พระราชบัญญัติคุ้มครองแรงงาน พ.ศ. 2541 มาตรา 96
		3. Found 4 companies with Thai and migrant workers. Found in the Welfare	-3 companies has completed its election term. and there were migrant workers joining the welfare committee.	

		Committee, there are representatives of all Thai workers.	-1 company have not yet expired the Welfare Committee term. Therefore, it is recommended that additional migrant worker representatives be appointed. and publicizing the information to the workers, acting as an assistant to the CSO, receiving complaints and various problems from workers, and when the term expires there will be a new election with representatives of migrant workers also joining the welfare committee.	
4. Discrimination (Equal Employment Opportunity and Treatment) (0 issue)	-	-	-	-
5. Wages, Compensation, and Working Time (1 issue)	-	1. a salary slips only in Thai language. No Burmese language	a translation into Burmese. and post public relations information for workers	-
6. Occupational Safety and Health and Workers' welfare (0 issue)	-	-	-	-



### Schedule of GLP Visit Members (1 August -30 November 2023)

No.	Date		Activity	Place
September 2023				
1	12 September 2023	TFFA	GLP Visit TFFA member	1) SMILE HEART FOODS CO.,LTD.
2	15 September 2023	TFFA	GLP Visit TFFA member	2) JAROENSAP FROZEN FOODS CO., LTD. 3) ANDAMAN SURIMI INDUSTRIES CO., LTD.
3	26-28 September 2023	TFFA	GLP Visit TFFA member	4) ASIAN SEAFOODS COLDSTORAGE (SURATTHANI) CO.,LTD. 5) SEAWEALTH FROZEN FOOD CO.,LTD. 6) SRT FOODS CO.,LTD. 7) VIYA CRAB PRODUCTS CO.,LTD.
October 2023				
4	19 October 2023	TFFA	GLP Visit TFFA member	8) INTER-OCEANIC RESOURCES CO., LTD. 9) ANDAMAN SEAFOOD CO., LTD. (PAKNAM)
5	30-31 October 2023	TFFA	GLP Visit TFFA member	10) SICHON DAILY FRESH CO., LTD. 11) SURAT SEAFOODS CO., LTD.
November 2023				
6	23 November 2023	TFFA	GLP Visit TFFA member	12) OKEANOS FOOD CO., LTD.
7	30 November 2023	TFFA	GLP Visit TFFA member	13) THAI ROYAL FROZEN FOODS CO., LTD. 14) KIANG HUAT SEA GULL TRADING FROZEN FOOD PCL. (MAHACHAI)

### Feedback from CSOs (MWG) participating in the GLP Visit Activity

- Public relations of knowledge Various regulations It is recommended that public relations be posted in the area. It is a place where all employees spend quite a lot of time in that area. It gives you time to read and follow the news.

2. Public relations and educating employees on the importance of the Welfare Committee. Because it is a communication channel Exchange important information between employers and employees.
3. Comment box from what the executives or the human resource department opened It is recommended that it be opened simultaneously by representatives of the employer, such as executives, human resource department, and employee representatives. Welfare Committee representative.
4. Selection of the NCPO is made by having the leader nominate someone to be appointed as a representative of the workers. Therefore, in some cases it may not be the actual needs of the workers. Therefore, it is recommended that there should be an election for the National Council of Ministers according to the steps, namely applying, campaigning, and setting an election date. In order to get true labour representation This will be a useful channel for communicating with both employer and employee representatives.

**GLP Visit Comments from the Thai Frozen Foods Association (TFFA) from participating in the GLP Visit activity.**

1. Regarding the welfare committee, the company must publicize, provide knowledge about the importance of the duties of the CSO, and have incentive measures for migrant workers to participate in being representatives of the welfare committee. even more



### 3) Meeting/Workshop activities knowledge to association members Under good labour practices GLP

- The CSOs TFFA TTIA meeting No.1/2023 on November 27,2023 (Participated 12 people from 6 organizations)



#### Summary Report :

1. Currently, both associations have other labour support channels. To promote labour issues In addition to doing the GLP Visit, which is visited once a year, such as holding a meeting every 2 months to discuss with members at the executive level, there is a sub-committee on labour. which was established to support the implementation of policies related to labour issues, organizing workshop activities regarding the Welfare Committee To promote the capacity of labour representatives in workplaces.
  2. GLP is not only a matter of HR or the CSOs. The management team must play an important role in participating in driving such activities to be effective as well.
  3. The election of the Welfare Committee should be given importance. Because they are representatives of workers in receiving complaints or presenting problems to employer representatives or related persons.
  4. Companies should develop mechanisms related to helping workers, such as developing an efficient welfare committee.
  5. Training of workers should be promoted so that they can pass on knowledge to other workers.
- Social Dialogue Workshop activities, creating importance for the Welfare Committee. Through representatives of employers and employees: Human Resources Department and

Representatives of the Welfare Committee (Myanmar Labour) on November, 23 2023. (Participated 49 people from 19 companies, 2 associations and 3 speakers representing from the Labour Protection and Welfare office of Samutsakhon Province, Labour Rights Foundation (LRF) and representing of Unicord Public Company Limited shared their experiences)



Summary Report : The activity is divided into 4 parts, starting with a lecture giving knowledge from a lecturer. From the government sector by the Department of Labour Protection and Welfare, Samut Sakhon Province and lectures by the private sector, Unicord Public Company Limited, and civil society by the Labour Rights Foundation. And thus began to conduct joint workshop activities between HR representatives and the Welfare Committee. to create knowledge and understanding Including future development guidelines as follows:

1. Activity 1 Special Lecture: The importance of Welfare Committees in Workplaces and Related Laws by Mr. Surachet Wiriya Sirikul, Labour Specialist, Samut Sakhon Provincial Labour Protection and Welfare Office.
2. Activity 2 Case study: Guidelines for promoting sustainable and effective welfare committees by Mr. Rungarun Putthipibul, Human Resources Department Manager, Unicord Public Company Limited.
3. Activity 3 Case study: The role of the Welfare Committee from an outside perspective / Benefits of collective negotiations between employers and employees through the welfare committee / Guidelines for using an effective grievance mechanism by Ms. Narunat Maruangsun, Project Manager of the Network for Migrant Workers' Rights Foundation.
4. Activity 4: Brainstorming on “Strengthening the efficiency of welfare committees in workplaces.”



- “A seminar on GLP for Industry and Sustainable in Thailand, the use of good labour in our industry Thailand.” on December 15, 2023, Activity Hall Room, Banjerd Chonwicharn Building, at the Thai Chamber of Commerce.



#### Summary Report :

1. Applying GLP principles in each Thai industry throughout the production chain Make conditions in the workplace better, have more efficiency, creates a good image for the organization and reduce labour trade barriers, such as child labour, forced labour, and violations of labour rights.
2. Encourage members, entrepreneurs, and trade associations to adopt good labour practices or Good Labour Practices (GLP) for use in companies or organizations such as labour management. trade promotion to raise the level of labour use in Thai industry.
3. Public relations between government agencies and the private sector in driving GLP to the public.

#### 4) World Day Against Child Labour (June, 12 2023)



Every June 12<sup>th</sup> It is World Day Against Child Labour. This year the association Participated in activities with the Department of Labour Protection and Welfare Ministry of Labour Bundle for a campaign to raise awareness and to see the importance of the child labour problem and work together to solve the problem to build confidence in trading partners.

Activities at the event included a performance of “Amazing Junior Thailand” by children and grandchildren of the Press Association, a ceremony showing the symbol of the world resistance to child labour, a special lecture on “Anti-Child Labour” by Second Lieutenant Somsak Promdam. Deputy Director General of the Department of Welfare Representative of the employer organization Representatives of employee organizations and the Children's Creative Foundation and Deputy Director-General of the Department of Welfare Representatives from the U.S. Embassy, Laos, Cambodia, International Labour Organization Visit exhibitions from 7 agencies, both public and private.

## Summary Report :

Ministry of Labour Action Plan for the Elimination of All Worst Forms of Child Labour, Fiscal Year 2023 - 2027, has the objective of eliminating all forms of child labour in its worst form. With measures to raise awareness and communicate to the public about child labour in all its worst forms to all sectors. Legal Actions and Penalties Promoting cooperation mechanisms in all sectors to prevent and eliminate the worst forms of child labour, providing assistance, protection, rehabilitation, and remedies according to the principles of children's rights. Human rights and humanity in a comprehensive and sustainable manner based on the principle of integrating cooperation in all sectors between government agencies, the private sector, and non-governmental organizations. Civil society organizations and international cooperation organizations to transfer goals to operational guidelines, including monitoring and evaluating performance according to the plan. With a vision is "Thailand free from worst forms of child labour by 2027" consisting of 5 sub-action plans:

- 1) Prevention of all forms of child labour and its public communication.
- 2) Developing and effectively enforcing relevant laws.
- 3) Helping, protecting, treating, rehabilitating, and providing relief to children who are victims of terrible forms of child labour.
- 4) Developing a system of mechanisms for integrating cooperation in preventing and eliminating the worst forms of child labour.
- 5) Develop a management, monitoring, and evaluation system. In the plan, indicators/goals, strategies, and guidelines for project development/important activities are specified. The responsible agency is clearly stated.

Thailand has the intention and commitment to solve the problem of child labour in Thailand, whether it is an individual Any nationality shall be eliminated. and create justice for everyone as the slogan for the World Day Against Child Labour: "Social Justice for All. End Child Labour!" (Social Justice for All. End the use of child labour) through the cooperation of those involved, whether in the public sector, the private sector, employers, employees, and civil society throughout. until international organizations.

## 5) 2023 Trafficking in Persons Report – TIP Report 2023

Ranking for Thailand It is at Tier 2 (Tier 2), stating that the Thai government has not fully complied with the minimum standards for eliminating human trafficking. But significant efforts have been made to do so. Considering the impact of the COVID-19 pandemic that has the potential to suppress human trafficking (affected cases) found that

1. Overall, the government has shown increased efforts compared to the last reporting. It is considered appropriate for Thailand to remain in Tier 2. These efforts include increasing the number of investigations into human trafficking cases. Human trafficking prosecution and the judgment and punishment of offenders and the launch of an investigation into 35 government officials accused of complicity in human trafficking crimes in 2022, and 4 of them sentenced to prison terms in 2022.

2. The government also searches and confirms the identities of victims of human trafficking. Starting the implementation of the action plan on The National Referral Mechanism (NRM) includes training officials on the use of the NRM Action Plan.

However, the government has failed to meet minimum standards in several key areas. Inconsistent interviews and ineffective during labour inspections and interviews to identify victims as a result, many victims of labour trafficking cannot be identified. As a result, those victims did not receive care. Especially those who are exploited through forced labour. Authorities have not made adequate efforts to protect victims of forced labour trafficking in internet fraud operations in neighboring countries.

This includes Thai citizens who entered the country after being exploited, often without legal status. Government officials have not specified whether most of these individuals are victims of human trafficking. The victim, who is a migrant, is to be placed in a detention center of the Immigration Bureau. and arrest the victims (both migrants and Thai citizens) in cases of illegal acts that are a direct result of being trafficked in these illegal businesses this is because there is a legal requirement for most migrant victims to stay in shelters throughout the duration of their trafficking cases. This tends to cause many potential victims not to report their exploitation or not agreeing to be a witness in the case this undermines law enforcement efforts and overall witness protection. There are still huge gaps in the provision of various services to victims by the state. Corruption and complicity of government officials continue to hamper efforts to combat human trafficking.

**Suggestion:**

1. Thailand should proactively investigate and prosecute officials accused of complicity in human trafficking and ensure appropriate punishment for convicted traffickers. Such penalties should include long-term imprisonment.

2. Thailand should increase efforts to identify and protect victims who have entered Thailand after being exploited for forced labour in internet fraud. as well as stop allowing victims to stay in the Immigration Bureau's detention centers. and take steps to ensure that Victims will not be punished inappropriately.



3. Thailand should use the action plan on the national referral mechanism. Including giving the victims a period of time to truly recover and reflect. as well as opening a victim separation center. In addition, a victim-centered care approach should be used and taking into account emotional wounds. This includes interviews by the multidisciplinary team and labour inspections.

4. Thailand should increase the use and provision of interpreters to help victims. This includes in shelters and during court hearings. Moreover, more visas should be issued so that victims can remain and work in Thailand after the trial of traffickers is completed.

5. Thailand should train officials and ensure that Guidelines are used in accordance with Section 6/1 of the Human Trafficking Prevention and Suppression Act. Including effectively identifying victims of labour trafficking.

6. In addition, victims should also be allowed especially adults Able to travel in and out of shelters and have more free access to communication devices Including periodically reviewing the placement of victims in shelters to ensure that Victims will not have to remain in the shelter any longer than necessary.

7. Thailand should take steps to ensure that Government shelters and CSOs provide adequate and individualized care for victims of trauma, such as legal assistance and psychological care. As well as using the same policy for providing victim services in all shelters.

8. Thailand should inspect to ensure that It investigates labour violations and investigates complaints of migrant workers that indicate forced labour. To identify human trafficking crimes this includes enforcing procedures for labour officials to refer suspected cases of labour trafficking to a multidisciplinary panel and law enforcement officials.

9. Thailand should increase awareness of the indicators of human trafficking among relevant officials on topics such as debt oppression excessive overtime enforcement Seizing various documents and non-payment of wages.