

# THE DEVELOPMENT OF WORKER SAFETY AND HEALTH IN THAILAND

Piyawan P.Charoensri<sup>1</sup>

Faculty of Risk Management & Industrial Services

Assumption University of Thailand

Bangkok

## Abstract

Work-related accidents and illnesses are an unfortunate part of the industrial process, but they can be subjected to risk management at several levels: the organisation, the particular industry, and the State.

At some stage in a nation's industrial development, the government intervenes, first to legislate for a minimum set of safety standards, especially for dangerous occupations. Then it will legislate to ensure that injured workers receive quick and fair compensation, either through abolishing some of the employers' legal defences, or through a no-fault scheme with its prescribed compensation benefits. Insurers may become involved through employers liability insurance and through workers compensation insurance

This paper described how the government has intervened to legislate for worker safety and compensation. The first Factory Act, to impose safety standards and regulations, was passed in 1939 (revised in 1960, 1969, 1976, 1979, and 1992). Many other safety laws were introduced and then revised to meet new conditions. From 1982-96 more safety regulations were imposed. The 1998 Labour Protection Act includes sections on safety, occupational health, and working conditions.

Institutions have also been created. In 1974 a Safety Section was created in the Labour Protection Division of the Ministry of the Interior. In 1982 The Bureau of the National Safety Council of Thailand was founded. The National Institute for the Improvement of Working Conditions and Environment (NICE) was established in 1983 by the government. In 1987, an NGO, The Safety and Health at Work Promotion Association was established. In 2003 the government announced its intention to plan the setting up of an umbrella Institute to promote, protect, and compensate victims of occupational accidents and illnesses.

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<sup>1</sup>Ms. Piyawan MSc, BBA, is the Chairperson of the Industrial Management Department in the Faculty. She is also a member of the board of the Thai Logistics & Production Society

In 1994, legislation established a revised Workmen's Compensation Fund (which originated in 1972). One issue is the list of eligible occupational diseases. Few injured workers sue under employers liability for additional compensation, as Thailand is not a litigious country. But could it become so?

### **Introduction**

Safety and health awareness has a long history. There is evidence of occupational safety and health efforts as far back as the time of the Egyptian pharaohs. The Code of Hammurabi, circa 2000 B.C., contained clauses that could be interpreted as early attempts at worker's compensation. There is also evidence of concern for safety and health during the time of the Roman Empire. As civilization progressed, so did safety and health developments. There were lots of studies about occupational diseases.

The Industrial Revolution (1760-1830) changed forever the methods of producing goods. Steam power increased markedly the potential for life-threatening injuries, as did machines. The new methods used for converting raw materials also introduced new risks of injuries and diseases. Specialization, by increasing the likelihood of boredom and inattentiveness, also made the workplace a more dangerous environment (Goetsch: 2002).

During the Industrial Revolution, child labor in factories was common. This brought the general question of regulation and protection of children in English Textile factories to the fore. A serious outbreak of fever, in 1784, in cotton mills near Manchester appears to have incited the first governmental action for safety. It drew widespread and influential public attention to the overworking of children, who labored under the terribly dangerous and unsanitary conditions which were customary in the factories at the time. In 1785, the Manchester Board of Health was formed. It advised legislation for the regulation of the hours and conditions of labor in the factories. In 1802, the Health and Morals of Apprentices Act was passed, which in effect formed the first step toward the regulated prevention of injury and protection of labor in English factories (Grimaldi and Simonds, 1984).

There were further developments in England, including The Factory & Workshops Act of 1901, the first of many Acts making it compulsory for dangerous machinery to be regularly inspected. The 1974 Health & Safety at Work Act was a substantial piece of legislation, which among other things, made it a criminal offence for managers who took no action to remedy dangerous plant and machinery. This has been followed by more legislation including, in 1989, the Electricity at Work Regulations, and the Noise at Work regulations. As a member of the European Economic Community (EEC), Britain in 2002 had to comply with even tougher new European safety legislation.